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House File 2423

H-8016

- 1 Amend the amendment, H-8015, to House File 2423, as follows:
- 2 1. Page 1, by striking lines 4 through 6.
- 3 2. Page 1, by striking lines 8 through 10.
- 4 3. Page 1, by striking lines 17 through 20 and inserting:
- 5 <____. Page 5, lines 22 and 23, by striking <second
- 6 ~~or subsequent~~ revocation under ~~section 321J.4, 321J.9,~~
- 7 ~~or 321J.12~~ this chapter. The> and inserting <second or
- 8 subsequent revocation under ~~section 321J.4, 321J.9, or~~
- 9 ~~321J.12~~ this chapter, or a conviction for violating section
- 10 321J.21 following a first revocation under this chapter. The
- 11 department shall not require certification of installation of
- 12 an ignition interlock device by a person seeking reinstatement
- 13 following the person's first revocation under this chapter
- 14 unless the person is convicted for violating section 321J.21.>>
- 15 4. By renumbering as necessary.

B. MEYER of Polk

Iowa General Assembly
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House File 2404

H-8017

1 Amend House File 2404 as follows:

2 1. Page 2, line 28, by striking <department upon the
3 department's request,> and inserting <department,>

LOHSE of Polk

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House File 2464

H-8018

1 Amend House File 2464 as follows:

2 1. Page 2, by striking line 19 and inserting <criminal
3 investigation, a criminal prosecution, any court case, or as
4 otherwise>

SORENSEN of Adair

Iowa General Assembly
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House File 2483

H-8019

1 Amend House File 2483 as follows:

2 1. Page 2, after line 32 by inserting:

3 <Sec. _____. NEW SECTION. **9I.9A Hotline.**

4 The attorney general shall establish and maintain a
5 toll-free telephone number available for persons to report
6 suspected violations of this chapter.>

7 2. By renumbering as necessary.

SEXTON of Calhoun

Iowa General Assembly
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House File 2464

H-8020

1 Amend House File 2464 as follows:

2 1. Page 2, line 26, by striking <use> and inserting
3 <assignment>

4 2. Page 3, by striking lines 11 and 12 and inserting
5 <institution's actions related to dispute processing, fraud or
6 compliance management, protection from illegal or suspicious
7 activities, breach, cyber>

SORENSEN of Adair

Iowa General Assembly
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House File 2584

H-8021

1 Amend House File 2584 as follows:

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

3 <Sec. _____. NEW SECTION. 155A.49 Pharmacist dispensing of
4 self-administered hormonal contraceptives — standing order —
5 requirements.

6 2. Page 3, by striking lines 24 through 34.

7 3. Page 3, line 35, by striking <7.> and inserting <6.>

8 4. Page 4, line 5, by striking <8.> and inserting <7.>

9 5. By renumbering as necessary.

HAYES of Mahaska

Iowa General Assembly
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House File 2492

H-8022

1 Amend House File 2492 as follows:

2 1. Page 1, by striking lines 14 through 17 and inserting:

3 <c. *"Clinical utility"* means the test result provides

4 information that is used in the formulation of a treatment

5 or monitoring strategy that informs a patient's outcome and

6 impacts the clinical decision.>

7 2. Page 2, line 8, by striking <costs> and inserting <risks>

LOHSE of Polk

Iowa General Assembly
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House File 2584

H-8023

1 Amend House File 2584 as follows:

2 1. Page 1, line 18, by striking <twelve-month> and inserting
3 <four-month>

4 2. Page 3, line 10, by striking <twenty-seven> and inserting
5 <seven>

6 3. Page 3, line 14, by striking <twenty-seven> and inserting
7 <seven>

8 4. Page 5, line 7, by striking <twelve-month> and inserting
9 <four-month>

STOLTENBERG of Scott

Iowa General Assembly
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House File 2248

H-8024

- 1 Amend House File 2248 as follows:
- 2 1. Page 1, after line 4 by inserting:
- 3 <Sec. ____ . NEW SECTION. **802.2G Robbery — second degree.**
- 4 An information or indictment for robbery in the second
- 5 degree in violation of section 711.3 shall be found within five
- 6 years after the commission of the offense.>
- 7 2. Page 1, line 9, after <802.2F,> by inserting <802.2G,>
- 8 3. Page 1, line 23, after <first degree> by inserting <or
- 9 robbery in the second degree>
- 10 4. Page 1, line 26, after <section 802.2F> by inserting <or
- 11 802.2G>
- 12 5. Title page, by striking lines 1 and 2 and inserting <An
- 13 Act relating to robbery in the first degree, robbery in the
- 14 second degree, and the applicable statutes of limitations.>
- 15 6. By renumbering as necessary.

P. THOMPSON of Boone

Iowa General Assembly
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House File 2136

H-8025

1 Amend House File 2136 as follows:

2 1. Page 1, line 13, after <drugs.> by inserting <A
3 person who withdraws a specimen of blood in accordance with
4 this subsection shall act reasonably, in good faith, and in
5 accordance with standard medical procedures and applicable
6 occupational safety and health standards while withdrawing the
7 specimen of blood.>

8 2. Page 1, line 22, after <procedures> by inserting <and
9 applicable occupational safety and health standards>

SRINIVAS of Polk

Iowa General Assembly
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House File 2584

H-8026

- 1 Amend House File 2584 as follows:
- 2 1. Page 1, line 6, by striking <patient> and inserting
3 <woman>
- 4 2. Page 1, line 10, by striking <patient> and inserting
5 <woman>
- 6 3. Page 1, line 24, by striking <patient> and inserting
7 <woman>
- 8 4. Page 1, line 31, by striking <patient> and inserting
9 <woman>
- 10 5. Page 2, line 10, by striking <patient> and inserting
11 <woman>
- 12 6. Page 2, line 11, by striking <patient> and inserting
13 <woman>
- 14 7. Page 2, line 12, by striking <patient> and inserting
15 <woman>
- 16 8. Page 2, line 13, by striking <patient> and inserting
17 <woman>
- 18 9. Page 2, line 14, by striking <patient> and inserting
19 <woman>
- 20 10. Page 2, line 17, by striking <patient's> and inserting
21 <woman's>
- 22 11. Page 2, line 24, by striking <patient> and inserting
23 <woman>
- 24 12. Page 2, line 25, by striking <patient's> and inserting
25 <woman's>
- 26 13. Page 2, line 28, by striking <Patient counseling> and
27 inserting <Counseling>
- 28 14. Page 3, line 6, by striking <patient> and inserting
29 <woman>
- 30 15. Page 3, line 10, by striking <patient> and inserting
31 <woman>
- 32 16. Page 3, line 12, by striking <the patient, if the
33 patient> and inserting <the woman, if the woman>
- 34 17. Page 3, line 15, by striking <patient> and inserting
35 <woman>

HF 2584.3050 (2) 90

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1 18. Page 3, line 18, by striking <patient> and inserting
2 <woman>

3 19. Page 3, line 19, by striking <patient> and inserting
4 <woman>

5 20. Page 3, line 21, by striking <patient> and inserting
6 <woman>

7 21. Page 3, line 22, by striking <patient> and inserting
8 <woman>

HAYES of Mahaska

Iowa General Assembly
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House File 2561 - Introduced

HOUSE FILE 2561

BY BROWN-POWERS, EHLERT,
KRESSIG, WILBURN, and
GJERDE

A BILL FOR

1 An Act providing for the establishment of an American
2 legion auxiliary girls state grant program, and making
3 appropriations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Iowa General Assembly
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H.F. 2561

1 Section 1. NEW SECTION. 35A.19 American legion auxiliary
2 girls state grant program — fund.

3 1. An American legion auxiliary girls state grant program
4 is established under the administration and control of the
5 department to award grants to young women for attending the
6 American legion auxiliary girls state, for the purpose of
7 increasing access to such events for young women and helping
8 young women to develop leadership skills.

9 2. An American legion auxiliary girls state grant fund is
10 created within the state treasury under the control of the
11 department. The fund shall consist of appropriations made
12 to the fund and any other moneys available to and obtained
13 or accepted by the department for deposit in the fund. All
14 moneys in the fund are appropriated to the department for
15 purposes of administering the program and providing grants
16 under the program. Notwithstanding section 8.33, moneys in
17 the fund that remain unencumbered or unobligated at the close
18 of a fiscal year shall not revert but shall remain available
19 for expenditure for the purposes designated. Notwithstanding
20 section 12C.7, subsection 2, interest or earnings on moneys in
21 the fund shall be credited to the fund.

22 3. In administering the program, the department shall award
23 grants to young women for the purpose of enabling them to
24 attend the American legion auxiliary girls state.

25 4. The department shall adopt, as necessary, application
26 procedures, forms, administrative guidelines, and other rules
27 pursuant to chapter 17A for purposes of implementing and
28 administering the program.

29 5. The department shall annually submit a report to the
30 general assembly and the governor that includes the amount of
31 moneys distributed from the fund and the number of people who
32 were awarded grants.

33 Sec. 2. DEPARTMENT OF VETERANS AFFAIRS — AMERICAN LEGION
34 AUXILIARY GIRLS STATE GRANT FUND APPROPRIATION. There
35 is appropriated from the general fund of the state to the

LSB 5993YH (3) 90
sc/ns

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H.F. 2561

1 department of veterans affairs for the fiscal year beginning
2 July 1, 2024, and ending June 30, 2025, the following amount,
3 or so much thereof as is necessary, to be used for the purposes
4 designated:

5 For deposit in the American legion auxiliary girls state
6 grant fund created in section 35A.19, as enacted by this Act:
7 \$150,000

8 EXPLANATION

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

11 This bill establishes an American legion auxiliary girls
12 state grant program and associated grant fund under the
13 administration of the department of veterans affairs for the
14 purpose of awarding grants to enable young women to attend the
15 American legion auxiliary girls state.

16 The bill requires the department to adopt application
17 procedures, forms, administrative guidelines, and other rules
18 for implementing and administering the program and to submit
19 an annual report to the general assembly and the governor that
20 includes information on the amount of moneys distributed from
21 the fund and the number of people who were awarded grants.
22 The bill also appropriates \$150,000 for FY 2024-2025 from the
23 general fund to the grant fund.

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House File 2562 - Introduced

HOUSE FILE 2562

BY YOUNG

A BILL FOR

1 An Act providing for access to feminine hygiene products in
2 public school restrooms and making an appropriation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Iowa General Assembly
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H.F. 2562

1 Section 1. NEW SECTION. 279.84 Access to feminine hygiene
2 products — restrooms — appropriation.

3 1. The board of directors of a school district shall ensure
4 that feminine hygiene products can be accessed by students
5 without cost in at least half of the restrooms in school
6 buildings in the district where students in grades six through
7 twelve are educated and that the supply of feminine hygiene
8 products is refilled regularly. For purposes of this section,
9 "*feminine hygiene products*" means sanitary napkins, tampons, or
10 other similar items used for feminine hygiene.

11 2. There is appropriated annually from the general fund
12 of the state to the department of education for the period
13 beginning July 1, 2024, and ending June 30, 2027, an amount
14 necessary to fund the full cost of compliance with this
15 section by school districts. The department shall establish
16 processes for school districts to submit the documented
17 cost of compliance with this section to the department on a
18 quarter, trimester, or semester basis and for the department
19 to reimburse school districts for such costs. The department
20 may adopt rules pursuant to chapter 17A to administer this
21 subsection. This subsection is repealed July 1, 2027.

22 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance
23 with section 25B.2, subsection 3, the state cost of requiring
24 compliance with any state mandate included in this Act shall be
25 paid by a school district from funds appropriated by section
26 279.84, subsection 2, as enacted by this Act, and, for school
27 years beginning on or after July 1, 2027, from state school
28 foundation aid received by the school district under section
29 257.16. This specification of the payment of the state cost
30 shall be deemed to meet all of the state funding-related
31 requirements of section 25B.2, subsection 3, and no additional
32 state funding shall be necessary for the full implementation of
33 this Act by and enforcement of this Act against all affected
34 school districts.

35

EXPLANATION

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H.F. 2562

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 requires school boards to ensure that feminine
4 hygiene products can be accessed by students without cost in at
5 least half of the restrooms in school buildings in the district
6 where students in grades 6 through 12 are educated and that the
7 supply of feminine hygiene products is refilled regularly. The
8 bill defines "feminine hygiene products" as sanitary napkins,
9 tampons, or other similar items used for feminine hygiene.
10 The bill appropriates an amount necessary to fund the full
11 cost of compliance with the bill by school districts from the
12 general fund of the state to the department of education for
13 the period beginning July 1, 2024, and ending June 30, 2027.
14 The bill directs the department to establish processes for
15 school districts to submit the documented cost of compliance
16 to the department and for the department to reimburse school
17 districts for such costs.

18 The bill may include a state mandate as defined in Code
19 section 25B.3. The bill requires that the state cost of
20 any state mandate included in the bill be paid by a school
21 district from funds appropriated by the bill, and, for school
22 years beginning on or after July 1, 2027, from state school
23 foundation aid received by the school district under Code
24 section 257.16. The specification is deemed to constitute
25 state compliance with any state mandate funding-related
26 requirements of Code section 25B.2. The inclusion of this
27 specification is intended to reinstate the requirement of
28 political subdivisions to comply with any state mandates
29 included in the bill.

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House File 2563 - Introduced

HOUSE FILE 2563
BY SIEGRIST

A BILL FOR

1 An Act relating to the disposal of real property by a city.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. 2563

EXPLANATION

12 This bill relates to the disposal of real property owned by a
13 city. The bill provides that for a city to sell real property
14 appraised over \$1 million, the city must submit a proposition
15 to the electorate of the city at the next general election
16 to sell the real property. If the proposition receives
17 an affirmative vote of a majority of the votes cast on the
18 question, the city may sell the property.

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House File 2564 - Introduced

HOUSE FILE 2564
BY YOUNG

A BILL FOR

1 An Act relating to the licensure of internationally trained
2 physicians, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6091YH (4) 90
ss/ko

Iowa General Assembly
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H.F. 2564

1 Section 1. NEW SECTION. 148J.1 Definitions.

2 For the purposes of this chapter:

3 1. "*Board*" means the board of medicine established pursuant
4 to chapter 147.

5 2. "*Health care facility*" means all of the following:

6 a. A facility as defined in section 514J.102.

7 b. A facility licensed pursuant to chapter 135B.

8 c. A facility licensed pursuant to chapter 135C.

9 3. "*International medical program*" means a medical school,
10 residency program, medical internship program, or entity that
11 provides physicians with a medical education or training
12 outside of the United States that is substantially similar to
13 the practice of medicine and surgery or osteopathic medicine
14 and surgery in Iowa and that has been evaluated by the
15 educational commission on foreign medical graduates.

16 4. "*International physician*" means an individual who meets
17 all of the following requirements:

18 a. Has a medical doctorate or substantially similar degree
19 issued by an international medical program in good standing.

20 b. Has been in good standing with the medical licensing or
21 regulatory institution of the individual's resident country
22 during the immediately preceding five years and has no pending
23 discipline before the licensing or regulatory institution.

24 c. Has completed a residency or substantially similar
25 postgraduate medical training in the individual's resident
26 country.

27 d. Has practiced medicine and surgery or osteopathic
28 medicine and surgery as a licensed physician for five years
29 following the completion of a residency or substantially
30 similar postgraduate medical training.

31 e. Possesses basic fluency in the English language.

32 Sec. 2. NEW SECTION. 148J.2 International physicians —
33 provisional licenses.

34 1. a. The board shall grant a provisional license to
35 practice medicine and surgery or osteopathic medicine and

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1 surgery in this state to an international physician with an
2 offer for employment as a physician at a health care facility
3 in this state. However, the board shall not grant a license
4 pursuant to this subsection to an international physician who
5 does not possess a federal immigration status allowing the
6 international medical graduate to practice as a physician
7 in the United States, or to an international physician who
8 fails to obtain a passing score on the United States medical
9 licensing examination.

10 *b.* A provisional license granted pursuant to paragraph "a"
11 shall be converted to a full license to practice medicine and
12 surgery or osteopathic medicine and surgery after three years,
13 unless the license has been revoked pursuant to subsection 2
14 or surrendered by the licensee.

15 2. *a.* The board may revoke a provisional license granted
16 pursuant to subsection 1, paragraph "a", if the board finds by
17 clear and compelling evidence that the licensee has violated
18 a provision of section 148.6. A licensee may appeal a
19 revocation pursuant to this subsection in a court of competent
20 jurisdiction within one hundred twenty days of the date of
21 revocation.

22 *b.* The board may revoke a provisional license granted
23 pursuant to subsection 1, paragraph "a", if the international
24 physician is not employed by a health care facility in this
25 state during the entirety of the provisional licensing period.

26 3. This section does not require the board to grant a
27 provisional license or full license pursuant to subsection 1 to
28 an individual that does not do all of the following:

29 *a.* Complete training substantially similar to a physician
30 and surgeon or osteopathic physician and surgeon.

31 *b.* Receive a passing score on the United States medical
32 licensing examination.

33 *c.* Pass a background check as required by the board.

34 *d.* Complete a licensure application as required by the
35 board.

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H.F. 2564

1 e. Pay all required fees as required by the board.
2 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
3 2025.

4 EXPLANATION

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

7 This bill relates to the licensure of international
8 physicians in Iowa. The bill defines "international physician"
9 as a person who holds a medical doctorate or substantially
10 similar degree issued by an international medical program, has
11 been in good standing with the medical regulatory body of the
12 person's country of residence for the immediately preceding
13 five years and has no pending discipline, has completed a
14 residency or similar postgraduate education program, has
15 practiced medicine and surgery or osteopathic medicine and
16 surgery as a licensed physician for five years following the
17 completion of a residency or substantially similar postgraduate
18 medical training and has a basic fluency in English. The bill
19 defines "international medical program" as a medical training
20 program or entity that provides physicians with a medical
21 education or training, outside of the United States that is
22 substantially similar to the practice of medicine and surgery
23 or osteopathic medicine and surgery in Iowa and that has been
24 evaluated by the educational commission on foreign medical
25 graduates.

26 The bill requires the board of medicine to issue a
27 provisional license to practice medicine and surgery or
28 osteopathic medicine and surgery in Iowa to an international
29 physician who has received a passing score on the United States
30 medical licensing examination and has an offer for employment
31 as a physician with a health care facility, as defined in
32 the bill, in this state. The board may revoke a provisional
33 license if the board finds by clear and compelling evidence
34 that the licensee has engaged in conduct for which a licensee
35 in medicine and surgery or osteopathic medicine and surgery

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ss/ko

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H.F. 2564

1 may be disciplined, or if the licensee is not employed by a
2 health care facility in this state during the entirety of
3 the provisional licensing period. If a provisional license
4 is not revoked or surrendered, the provisional license shall
5 be converted to a full license after three years. The bill
6 allows the board to conduct a background check and require the
7 submission of an application and application fee.
8 The bill takes effect January 1, 2025.

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House File 2565 - Introduced

HOUSE FILE 2565
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HF 2236)

A BILL FOR

1 An Act relating to the provision of Medicaid coverage and
2 services to certain inmates under the Medicaid program.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. 2565

1 Section 1. MEDICAID WAIVER — PROVISION OF COVERAGE AND
2 SERVICES TO CERTAIN INMATES. The department of health and
3 human services shall submit a request to the centers for
4 Medicare and Medicaid services of the United States department
5 of health and human services for a waiver pursuant to the
6 Medicaid reentry section 1115 demonstration opportunity,
7 created pursuant to section 5032 of the federal Substance
8 Use-Disorder Prevention that Promotes Opioid Recovery and
9 Treatment for Patients and Communities Act, or SUPPORT for
10 Patients and Communities Act, Pub. L. No. 115-271, to provide
11 coverage and services to facilitate continuity of care and
12 improve care transitions to the community for individuals
13 who are soon to be former inmates of a public institution,
14 as inmate of a public institution is defined in 42 C.F.R.
15 §435.1010, and who are otherwise eligible for Medicaid.

16 EXPLANATION

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

19 This bill requires the department of health and human
20 services (HHS) to submit a request to the centers for Medicare
21 and Medicaid services of the United States department of
22 health and human services for a waiver pursuant to the federal
23 Medicaid reentry section 1115 demonstration opportunity to
24 provide Medicaid coverage and services to facilitate continuity
25 of care and improve care transitions to the community for
26 individuals who are soon to be former inmates of a public
27 institution, and who are otherwise eligible for Medicaid.

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House File 2566 - Introduced

HOUSE FILE 2566
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HSB 685)

(COMPANION TO SF 2124 BY
ROWLEY)

A BILL FOR

1 An Act relating to tax collections for buildings or
2 improvements erected or made by a person on land owned by
3 another person.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. 2566

1 Section 1. Section 445.32, Code 2024, is amended to read as
2 follows:

3 **445.32 Liens on buildings or improvements.**

4 1. If a building or improvement is erected or made by a
5 person other than the owner of the land on which the building
6 or improvement is located, as provided for in [section 428.4](#),
7 and the actual value of the building or improvement is
8 less than five thousand dollars, the taxes on the building
9 or improvement are and remain a lien on the building or
10 improvement from the date of levy until paid. If the taxes on
11 the building or improvement become delinquent, as provided in
12 section 445.37, the county treasurer shall collect the tax as
13 provided in [sections 445.3](#) and [445.4](#). This ~~section~~ subsection
14 does not apply to special assessments, or rates or charges.

15 2. If a building or improvement is erected or made
16 by a person other than the owner of the land on which the
17 building or improvement is located, as provided for in [section](#)
18 [428.4](#), and the actual value of the building or improvement
19 is five thousand dollars or more, the taxes on the building
20 or improvement are and remain a lien on the building or
21 improvement from the date of levy until paid. If the taxes on
22 the building or improvement become delinquent, as provided in
23 [section 445.37](#), the county treasurer shall collect the tax as
24 provided in [sections 445.3](#) and [445.4](#) or pursuant to [chapter](#)
25 [446](#).

26 EXPLANATION

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

29 When property adjacent to a public improvement benefits from
30 the improvement, a special assessment may be levied against the
31 adjacent properties that received the benefit to pay for all
32 or a portion of the improvement. Under current law, principal
33 and interest due and delinquent because of a special assessment
34 cannot be collected on a building or improvement erected or
35 made by a person on land owned by another person pursuant to

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1 Code sections 445.3 and 445.4. This bill allows collections
2 pursuant to Code sections 445.3 and 445.4 or Code chapter 446
3 (tax sales) relating to buildings or improvements, with an
4 actual value of \$5,000 or more, erected or made by a person on
5 land owned by another person to include principal and interest
6 due and delinquent because of special assessment levies.

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House File 2567 - Introduced

HOUSE FILE 2567
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 703)

A BILL FOR

1 An Act relating to illegal reentry into the state by certain
2 aliens, prohibition on arrest in certain locations, orders
3 to return to a foreign nation, immunity from liability
4 and indemnification for enforcement actions, sentencing
5 restrictions, and providing penalties.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **718C.1 Definitions.**

2 As used in this chapter:

3 1. "*Alien*" means the same as defined in 8 U.S.C. §1101, as
4 of January 1, 2023.

5 2. "*Port of entry*" means a port of entry in the United
6 States as designated by 19 C.F.R. pt. 101.

7 Sec. 2. NEW SECTION. **718C.2 Illegal reentry into state by**
8 **certain aliens.**

9 1. A person who is an alien commits an offense if the person
10 enters, attempts to enter, or is at any time found in this
11 state under any of the following circumstances:

12 *a.* The person has been denied admission to or has been
13 excluded, deported, or removed from the United States.

14 *b.* The person has departed from the United States while an
15 order of exclusion, deportation, or removal is outstanding.

16 2. An offense under this section is an aggravated
17 misdemeanor, except that the offense is:

18 *a.* A class "D" felony if any of the following are true:

19 (1) The person's removal was subsequent to a conviction for
20 commission of two or more misdemeanors involving drugs, crimes
21 against a person, or both.

22 (2) The person was excluded pursuant to 8 U.S.C.
23 §1225(c) because the defendant was excludable under 8 U.S.C.
24 §1182(a)(3)(B).

25 (3) The person was removed pursuant to the provisions of 8
26 U.S.C. ch. 12, subch. V.

27 (4) The person was removed pursuant to 8 U.S.C.
28 §1231(a)(4)(B).

29 *b.* A class "C" felony if the person was removed subsequent
30 to a conviction for the commission of a felony.

31 3. For purposes of this section, "*removal*" includes an order
32 issued under this chapter or any other agreement in which an
33 alien stipulates to removal pursuant to a criminal proceeding
34 under either federal or state law.

35 Sec. 3. NEW SECTION. **718C.3 Arrest prohibited in certain**

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1 locations.

2 Notwithstanding any other law, a peace officer may not
3 arrest or detain a person for purposes of enforcing a provision
4 of this chapter if the person is on the premises or grounds of
5 any of the following places:

6 1. A public or private primary or secondary school for
7 educational purposes.

8 2. A church, synagogue, or other established place of
9 religious worship.

10 3. A health care facility, as defined in section 135C.1,
11 including a facility a state agency maintains or operates to
12 provide health care, or the office of a health care provider,
13 provided that the person is on the premises or grounds of
14 the facility or office for the purpose of receiving medical
15 treatment.

16 4. A facility that provides forensic medical examinations
17 to sexual assault survivors provided that the person is on the
18 premises or grounds of the facility for purposes of obtaining a
19 forensic medical examination and treatment.

20 Sec. 4. NEW SECTION. 718C.4 Order to return to foreign
21 nation.

22 1. A judge during a person's initial appearance following
23 an arrest for a violation of this chapter may, after making a
24 determination that probable cause exists for the arrest, order
25 the person released from custody and issue a written order in
26 accordance with subsection 3.

27 2. The judge in a person's case at any time after the
28 person's initial appearance may, in lieu of continuing the
29 prosecution of or entering an adjudication regarding an offense
30 under this chapter, dismiss the charge pending against the
31 person and issue a written order in accordance with subsection
32 3.

33 3. A written order authorized by subsection 1 or 2 shall
34 discharge the person and require the person to return to the
35 foreign nation from which the person entered or attempted

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1 to enter, and may be issued only if all of the following
2 requirements are met:

3 *a.* The person agrees to the order.

4 *b.* The person has not previously been convicted of an
5 offense under this chapter, or previously obtained a discharge
6 under an order under subsection 1 or 2.

7 *c.* The person is not charged with another offense that is
8 punishable as an aggravated misdemeanor or any higher category
9 of offense.

10 *d.* Before the issuance of the order, the arresting law
11 enforcement agency has done all of the following:

12 (1) Collected all available identifying information of the
13 person, which must include taking fingerprints from the person
14 and using other applicable photographic and biometric measures
15 to identify the person.

16 (2) Cross-referenced the collected information with all
17 relevant local, state, and criminal databases and federal lists
18 or classifications used to identify a person as a threat or
19 potential threat to national security.

20 4. Upon a person's conviction of an offense under this
21 chapter, the judge shall enter in the judgment in the case an
22 order requiring the person to return to the foreign nation
23 from which the person entered or attempted to enter. An order
24 issued under this subsection takes effect on completion of the
25 term of confinement or imprisonment imposed by the judgment.

26 5. An order issued under this section must include all of
27 the following:

28 *a.* The manner of transportation of the person to a port of
29 entry.

30 *b.* The law enforcement officer or state agency responsible
31 for monitoring compliance with the order.

32 6. An order issued under this article must be filed with
33 the county clerk of the county in which the person was arrested
34 for an order described by subsection 1, or with the clerk of
35 the court exercising jurisdiction in the case for an order

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1 described by subsection 2 or 4.

2 7. Not later than the seventh day after the date an order is
3 issued under this section, the law enforcement officer or state
4 agency required to monitor compliance with the order shall
5 report the issuance of the order to the department of public
6 safety for inclusion in the computerized criminal history
7 system.

8 Sec. 5. NEW SECTION. 718C.5 Refusal to comply with order to
9 return to foreign nation.

10 1. A person who is an alien commits an offense if all of the
11 following are true:

12 a. The person has been charged with or convicted of an
13 offense under this chapter.

14 b. A judge has issued an order under this chapter for the
15 person to return to the foreign nation from which the person
16 entered or attempted to enter.

17 c. The person failed to comply with the order.

18 2. An offense under this section is a class "C" felony.

19 Sec. 6. NEW SECTION. 718C.6 Abatement of prosecution on
20 basis of immigration status determination prohibited.

21 A court may not abate the prosecution of an offense under
22 this chapter on the basis that a federal determination
23 regarding the immigration status of the person is pending or
24 will be initiated.

25 Sec. 7. NEW SECTION. 718C.7 Civil immunity for and
26 indemnification of local government officials, employees, and
27 contractors.

28 1. Except as provided by subsection 4, a local government
29 official, employee, or contractor is immune from liability
30 for damages arising from a cause of action under state law
31 resulting from an action taken by the official, employee,
32 or contractor to enforce this chapter during the course and
33 scope of the official's, employee's, or contractor's office,
34 employment, or contractual performance for or service on behalf
35 of the local government.

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1 2. Subject to subsection 3 and except as provided by
2 subsection 4, a local government shall indemnify an official,
3 employee, or contractor of the local government for damages
4 arising from a cause of action under federal law resulting
5 from an action taken by the official, employee, or contractor
6 to enforce this chapter during the course and scope of the
7 official's, employee's, or contractor's office, employment, or
8 contractual performance for or service on behalf of the local
9 government.

10 3. Indemnification payments made under subsection 2 by a
11 local government shall not exceed the following:

12 a. One hundred thousand dollars to any one person or three
13 hundred thousand dollars for any single occurrence in the case
14 of personal injury or death.

15 b. Ten thousand dollars for a single occurrence of property
16 damage.

17 4. Subsections 1 and 2 do not apply if the court or jury
18 determines that the local government official, employee, or
19 contractor acted in bad faith, with conscious indifference, or
20 with recklessness.

21 5. A local government shall indemnify an official,
22 employee, or contractor of the local government for reasonable
23 attorney fees incurred in defense of a criminal prosecution
24 against the official, employee, or contractor for an action
25 taken by the official, employee, or contractor to enforce
26 this chapter during the course and scope of the official's,
27 employee's, or contractor's office, employment, or contractual
28 performance for or service on behalf of the local government.

29 6. This section shall not be construed to waive any
30 statutory limits on damages under state law.

31 Sec. 8. NEW SECTION. 718C.8 Civil immunity for and
32 indemnification of state officials, employees, and contractors.

33 1. Except as provided by subsection 4, an elected or
34 appointed state official, or a state employee or contractor,
35 is immune from liability for damages arising from a cause of

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1 action under state law resulting from an action taken by the
2 official, employee, or contractor to enforce this chapter
3 during the course and scope of the official's, employee's, or
4 contractor's office, employment, or contractual performance for
5 or service on behalf of the state.

6 2. Except as provided by subsection 4, the state shall
7 indemnify an elected or appointed state official or a state
8 employee or contractor for damages arising from a cause of
9 action under federal law resulting from an action taken by
10 the official, employee, or contractor to enforce this chapter
11 during the course and scope of the official's, employee's, or
12 contractor's office, employment, or contractual performance for
13 or service on behalf of the state.

14 3. Notwithstanding any other law, an indemnification
15 payment made under subsection 2 is not subject to an
16 indemnification limit under the laws of this state.

17 4. Subsections 1 and 2 do not apply if the court or jury
18 determines that the state official, employee, or contractor
19 acted in bad faith, with conscious indifference, or with
20 recklessness.

21 5. The state shall indemnify a state official, employee,
22 or contractor for reasonable attorney fees incurred in defense
23 of a criminal prosecution against the official, employee, or
24 contractor for an action taken by the official, employee,
25 or contractor to enforce this chapter during the course and
26 scope of the official's, employee's, or contractor's office,
27 employment, or contractual performance for or service on behalf
28 of the state.

29 6. A state official, employee, or contractor who may be
30 entitled to indemnification under subsection 2 is entitled
31 to representation by the attorney general in an action in
32 connection with which the official, employee, or contractor may
33 be entitled to that indemnification.

34 7. This section shall not be construed to waive any
35 statutory limits on damages under state law.

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1 removal was outstanding.

2 The bill provides that the offense is an aggravated
3 misdemeanor, except that the offense is: a class "D" felony
4 if the person's removal was subsequent to a conviction for
5 commission of two or more misdemeanors involving drugs, crimes
6 against a person, or both; the person was excluded pursuant to
7 8 U.S.C. §1225(c) because the defendant was excludable under
8 8 U.S.C. §1182(a)(3)(B); the person was removed pursuant to
9 the provisions of 8 U.S.C. ch. 12, subch. V, or the person was
10 removed pursuant to 8 U.S.C. §1231(a)(4)(B). An offense is
11 a class "C" felony if the person was removed subsequent to a
12 conviction for the commission of a felony. The bill provides
13 that "removal" includes an order issued under the bill or
14 any other agreement in which an alien stipulates to removal
15 pursuant to a criminal proceeding under either federal or state
16 law. An aggravated misdemeanor is punishable by confinement
17 for no more than two years and a fine of at least \$855 but
18 not more than \$8,540. A class "D" felony is punishable by
19 confinement for no more than five years and a fine of at least
20 \$1,025 but not more than \$10,245. A class "C" felony is
21 punishable by confinement for no more than 10 years and a fine
22 of at least \$1,370 but not more than \$13,660.

23 The bill provides that a peace officer may not arrest or
24 detain a person for purposes of enforcing a provision of
25 the bill if the person is on the premises or grounds of: a
26 public or private primary or secondary school for educational
27 purposes; a church, synagogue, or other established place of
28 religious worship; a health care facility, provided that the
29 person is on the premises or grounds of the facility or office
30 for the purpose of receiving medical treatment; or a facility
31 that provides forensic medical examinations to sexual assault
32 survivors provided that the person is on the premises or
33 grounds of the facility for purposes of obtaining a forensic
34 medical examination and treatment.

35 The bill provides that a judge during a person's initial

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1 appearance following an arrest for a violation of the bill
2 may, after making a determination that probable cause exists
3 for the arrest, order the person released from custody and
4 issue a written order requiring the person to return to the
5 foreign nation from which the person came. The judge in a
6 person's case at any time after the person's initial appearance
7 may, in lieu of continuing the prosecution of or entering an
8 adjudication regarding an offense under the bill, dismiss the
9 charge pending against the person and issue a written order
10 requiring the person to return to the foreign nation from which
11 the person came. A written order discharging the person and
12 requiring the person to return to the foreign nation from
13 which the person entered or attempted to enter may be issued
14 only if all of the following occur: the person agrees to
15 the order; the person has not previously been convicted of
16 an offense under the bill or previously obtained a discharge
17 under an order to return to the foreign nation from which the
18 person came; the person is not charged with another offense
19 that is punishable as an aggravated misdemeanor or any higher
20 category of offense; and the arresting law enforcement agency
21 has collected all available identifying information of the
22 person and has cross-referenced the collected information with
23 all relevant local, state, and criminal databases and federal
24 lists or classifications used to identify a person as a threat
25 or potential threat to national security.

26 Upon conviction for a violation of the bill, the bill
27 provides that the judge shall enter in the judgment in the case
28 an order requiring the person to return to the foreign nation
29 from which the person entered or attempted to enter. An order
30 issued under this provision takes effect on completion of the
31 term of confinement or imprisonment imposed by the judgment.

32 The bill provides that an order must include the manner of
33 transportation of the person to a port of entry and the law
34 enforcement officer or state agency responsible for monitoring
35 compliance with the order. Within seven days of an order's

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1 issuance, the law enforcement officer or state agency required
2 to monitor compliance with the order shall report the issuance
3 of the order to the department of public safety for inclusion
4 in the computerized criminal history system.

5 The bill provides that a person who is an alien commits an
6 offense if the person has been charged with or convicted of an
7 offense under the bill, a judge has issued an order under the
8 bill for the person to return to the foreign nation from which
9 the person entered or attempted to enter, and the person failed
10 to comply with the order. An offense under this provision of
11 the bill is a class "C" felony.

12 The bill provides that a court may not abate the prosecution
13 of an offense under the bill on the basis that a federal
14 determination regarding the immigration status of the person is
15 pending or will be initiated.

16 The bill provides that a local government official,
17 employee, or contractor is immune from liability for damages
18 arising from a cause of action resulting from an action taken
19 to enforce the bill. A local government shall indemnify an
20 official, employee, or contractor of the local government
21 for damages arising from a cause of action under federal law
22 resulting from an action taken to enforce the bill.

23 The bill provides that indemnification payments made by a
24 local government shall not exceed \$100,000 to any one person,
25 \$300,000 for any single occurrence in the case of personal
26 injury or death, or \$10,000 for a single occurrence of property
27 damage.

28 If the court or jury determines that the local government
29 official, employee, or contractor acted in bad faith, with
30 conscious indifference, or with recklessness, the official,
31 employee, or contractor is not entitled to immunity or
32 indemnification.

33 The bill provides that an elected or appointed state
34 official, or a state employee or contractor, is immune from
35 liability for damages resulting from an action taken to enforce

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1 the bill.

2 The bill provides that the state shall indemnify an elected
3 or appointed state official, or a state employee or contractor,
4 for damages arising from a cause of action under federal law
5 resulting from an action taken by the official, employee, or
6 contractor to enforce the bill. An indemnification payment
7 made to an elected or appointed state official, or a state
8 employee or contractor, is not subject to an indemnification
9 limit under the laws of this state.

10 If the court or jury determines that an elected or appointed
11 state official, or a state employee or contractor, acted in bad
12 faith, with conscious indifference, or with recklessness, the
13 elected or appointed state official, or a state employee or
14 contractor, is not entitled to immunity or indemnification.

15 The bill provides that a state official, employee, or
16 contractor who may be entitled to indemnification is entitled
17 to representation by the attorney general.

18 Current law generally provides that the trial court may,
19 upon a plea of guilty, a verdict of guilty, or a special
20 verdict upon which a judgment of conviction may be rendered,
21 defer judgment, defer sentencing, or suspend the sentence.
22 This provision does not apply to a forcible felony or to a
23 violation of Code chapter 709 (sexual abuse) committed by a
24 person who is a mandatory reporter of child abuse in which the
25 victim is a person who is under the age of 18.

26 The bill adds a violation of the bill to those offenses for
27 which the option to render a deferred judgment or sentence, or
28 a suspended sentence, does not apply.

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House File 2568 - Introduced

HOUSE FILE 2568
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 586)
(SUCCESSOR TO HF 214)

A BILL FOR

1 An Act relating to nonvehicular traffic, including pedestrian
2 conveyances and bicyclists' right-of-way at certain
3 crosswalks, and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.1, subsection 51, Code 2024, is
2 amended to read as follows:

3 51. "*Pedestrian*" means ~~any~~ a person afoot or a person using
4 a pedestrian conveyance.

5 Sec. 2. Section 321.1, Code 2024, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 51A. "*Pedestrian conveyance*" means any
8 human-powered device by which a pedestrian may move other
9 than by walking or by which a pedestrian may move another
10 person, including but not limited to a wheelchair, stroller,
11 skateboard, scooter, or other similar device. "*Pedestrian*
12 *conveyance*" also includes an electric personal assistive
13 mobility device and any other device used to move a person
14 sitting or standing on the device regardless of whether the
15 device is powered by an electric motor, so long as the electric
16 motor produces less than seven hundred fifty watts. "*Pedestrian*
17 *conveyance*" does not include a bicycle.

18 Sec. 3. Section 321.1, subsection 90, paragraph a, Code
19 2024, is amended to read as follows:

20 a. Any device moved by human power, including a low-speed
21 electric bicycle and a pedestrian conveyance.

22 Sec. 4. Section 321.235A, subsection 2, paragraphs a and b,
23 Code 2024, are amended to read as follows:

24 a. Yield the right-of-way to other pedestrians ~~and~~
25 ~~human-powered devices~~.

26 b. Give an audible signal before overtaking and passing a
27 pedestrian ~~or human-powered device~~.

28 Sec. 5. Section 321.327, subsection 1, Code 2024, is amended
29 to read as follows:

30 1. Where traffic-control signals are not in place
31 or in operation, the driver of a vehicle shall yield the
32 right-of-way, slowing down or stopping if need be to so yield,
33 to a pedestrian or a person riding a bicycle crossing the
34 roadway within any marked crosswalk or within any unmarked
35 crosswalk at an intersection, except as otherwise provided in

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1 this chapter.

2 Sec. 6. Section 321.366, subsection 1, paragraph g, Code
3 2024, is amended to read as follows:

4 g. Operate Ride a bicycle, ~~skateboard~~, or ~~other~~ use a
5 pedestrian conveyance, or be a pedestrian, anywhere on a fully
6 controlled-access facility. ~~For purposes of this paragraph,~~
7 ~~"pedestrian conveyance" means any human-powered device by which~~
8 ~~a pedestrian may move other than by walking or by which a~~
9 ~~walking person may move another pedestrian, including but not~~
10 ~~limited to strollers and wheelchairs.~~

11 EXPLANATION

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

14 This bill relates to laws applicable to nonvehicular
15 traffic.

16 Under current law, for purposes of Code chapter 321 (motor
17 vehicles and law of the road), "pedestrian" means any person
18 afoot. The bill amends the definition to include a person
19 using a pedestrian conveyance, as defined in the bill. In
20 addition to devices moved by human-power, electric personal
21 assistive mobility devices (Code section 321.1(20B)) and
22 electric-powered devices that produce less than 750 watts are
23 specifically included as a pedestrian conveyance. However,
24 bicycles are not considered a pedestrian conveyance.

25 The bill strikes a conflicting definition of pedestrian
26 conveyance in Code section 321.366.

27 In Code chapter 321, the term "pedestrian" is used for
28 purposes relating to required driver education awareness
29 instruction, official traffic-control signals directing
30 pedestrian traffic, and requirements for persons operating a
31 motor vehicle to yield or give signals to pedestrians.

32 Code sections 321.325 through 321.340 provide pedestrians'
33 rights and duties, which are applicable to persons using
34 pedestrian conveyances under the bill. Pursuant to current
35 law, generally, a person who commits a prohibited action

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1 against a pedestrian is guilty of a simple misdemeanor
2 punishable by a \$35 scheduled fine (Code section 805.8A(9)).

3 Under current law, a person riding a bicycle (bicyclist) on
4 a highway is subject to the provisions of Code chapter 321 and
5 has all the rights and duties applicable to a driver, except
6 those provisions which by their nature have no application
7 and those provisions for which specific exceptions have been
8 set forth regarding police bicycles (Code section 321.234).
9 In addition, current law penalizes certain actions against
10 bicyclists, such as steering a vehicle unreasonably close to
11 the bicyclist or projecting an object at the bicyclist (Code
12 section 321.281).

13 The bill requires a driver to yield the right-of-way to a
14 bicyclist crossing the roadway within any marked crosswalk,
15 or within any unmarked crosswalk at an intersection, in
16 the same manner required when yielding to pedestrians where
17 traffic-control signals are not in place or in operation.

18 A driver who fails to yield the right-of-way to a bicyclist
19 when required commits a simple misdemeanor punishable by a
20 \$135 scheduled fine. By operation of law, if the violation
21 causes a serious injury, a court could impose an additional
22 fine of \$500 or suspend the person's driver's license for not
23 more than 90 days, or both. If the violation causes a death, a
24 court could impose an additional fine of \$1,000 or suspend the
25 person's driver's license for not more than 180 days, or both
26 (Code section 321.482A). The penalties for certain violations
27 against pedestrians, including persons using a pedestrian
28 conveyance, are also enhanced under Code section 321.482A if
29 the violation causes serious injury or death.

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House File 2569 - Introduced

HOUSE FILE 2569

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 589)

(SUCCESSOR TO HF 230)

A BILL FOR

1 An Act requiring the state transportation commission to
2 prioritize the improvement of United States highway 30.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 307A.2, subsection 5, Code 2024, is
2 amended to read as follows:

3 5. Identify, within the primary road system, a network
4 of commercial and industrial highways in accordance with
5 section 313.2A. The improvement of this network shall be
6 considered in the development of the long-range program and
7 plan of improvements under this section. The commission shall
8 prioritize the improvement of the segment of the highway known
9 as United States highway 30 which crosses this state from the
10 Missouri river west of Missouri Valley to the Mississippi river
11 east of Clinton and shall include in its long-range program
12 under subsection 3 plans to expand all portions of the highway
13 consisting of two-lane roadways to four-lane divided roadways
14 until the entire length of the highway is made up of four-lane
15 divided roadways.

16 EXPLANATION

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

19 Current law delegates to the state transportation commission
20 duties to develop, coordinate, and annually update a
21 comprehensive transportation policy and plan for the state.
22 The commission is required to prepare, adopt, and publish a
23 long-range program for the primary road system. The program is
24 required to be prepared for a period of at least five years and
25 is required to be revised, brought up to date, and republished
26 at least once every year in order to have a continuing
27 five-year program.

28 This bill requires the commission to prioritize the
29 improvement of United States highway 30 and to include in its
30 long-range program plans to expand all portions of the highway
31 consisting of two-lane roadways to four-lane divided roadways
32 until the entire length of the highway is made up of four-lane
33 divided roadways.

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House File 2570 - Introduced

HOUSE FILE 2570
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2083)

A BILL FOR

1 An Act authorizing a county attorney to be issued a
2 professional permit to carry weapons.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 724.6, subsection 1, paragraph a,
2 subparagraph (1), Code 2024, is amended to read as follows:

3 (1) A person may be issued a permit to carry weapons when
4 the person's employment in a private investigation business
5 or private security business licensed under [chapter 80A](#), or a
6 person's employment as a peace officer, correctional officer,
7 county attorney, assistant county attorney, security guard,
8 bank messenger or other person transporting property of a value
9 requiring security, or in police work, reasonably justifies
10 that person going armed.

11 Sec. 2. Section 724.6, subsection 1, paragraph a, Code 2024,
12 is amended by adding the following new subparagraph:

13 NEW SUBPARAGRAPH. (3) A person may be issued a permit
14 to carry weapons if the person is a county attorney or an
15 assistant county attorney. An application for a permit by
16 an assistant county attorney must be approved by the county
17 attorney of each county in which the applicant serves prior
18 to a permit to carry weapons being issued. The sheriff of
19 the issuing county may require the applicant to complete a
20 proficiency examination prior to issuing the permit to carry
21 weapons. The standards for a proficiency examination for a
22 county attorney or assistant county attorney shall not exceed
23 the standards required of a peace officer. The applicant
24 shall pay the reasonable costs associated with completing a
25 proficiency examination.

26 Sec. 3. Section 724.6, subsection 1, paragraphs b, c, and d,
27 Code 2024, are amended to read as follows:

28 **b.** The permit shall be on a form prescribed and published by
29 the commissioner of public safety, shall identify the holder,
30 and shall state the nature of the employment requiring the
31 holder to go armed. A permit so issued, other than to a peace
32 officer, county attorney, or assistant county attorney, shall
33 authorize the person to whom it is issued to go armed anywhere
34 in the state, only while engaged in the employment, and while
35 going to and from the place of the employment.

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1 c. A permit issued to a certified peace officer, county
2 attorney, or assistant county attorney shall authorize that
3 peace officer, county attorney, or assistant county attorney to
4 go armed anywhere in the state at all times, including on the
5 grounds of a school.

6 d. Permits shall expire twelve months after the date
7 when issued except that permits issued to peace officers,
8 county attorneys, assistant county attorneys, and correctional
9 officers are valid through the officer's holder of the permit's
10 period of employment unless otherwise canceled. When the
11 employment is terminated, the holder of the permit shall
12 surrender it to the issuing officer for cancellation.

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 This bill authorizes a county attorney to be issued a
17 professional permit to carry weapons.

18 The bill provides that a county attorney or assistant county
19 attorney may be issued a professional permit to carry weapons
20 under the provisions of Code section 724.6 (professional permit
21 to carry weapons) and subject to the following requirements:
22 an application for a permit by an assistant county attorney
23 must be approved by the county attorney of each county in which
24 the applicant serves prior to a permit to carry weapons being
25 issued; and the sheriff of the issuing county may require
26 the applicant, at the applicant's expense, to complete a
27 proficiency examination prior to the permit to carry weapons
28 being issued.

29 The bill provides that a permit issued to a county attorney
30 or assistant county attorney grants authorization to go armed
31 anywhere in the state at all times, including on the grounds
32 of a school.

33 The bill provides that permits issued to county attorneys
34 and assistant county attorneys are valid through the holder of
35 the permit's period of employment unless otherwise canceled.

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1 When the employment is terminated, the holder of the permit
2 is required to surrender it to the issuing officer for
3 cancellation.

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House File 2571 - Introduced

HOUSE FILE 2571
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 677)

A BILL FOR

1 An Act relating to the ability of peace officers to file
2 a petition for emergency protective orders on behalf of
3 persons seeking relief from domestic abuse.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 236.6, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. A peace officer may file a petition
4 under subsection 1 on behalf of a person if that person claims
5 to be in present danger of domestic abuse and the person
6 requests the peace officer to submit the petition.

7 EXPLANATION

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

10 This bill allows a peace officer to file a petition to
11 receive a 72-hour emergency protective order on a person's
12 behalf if the person claims to be in present danger of domestic
13 abuse and the person requests the peace officer to submit the
14 petition.

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House File 2572 - Introduced

HOUSE FILE 2572
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 702)

A BILL FOR

1 An Act establishing a minimum sentence for a persistent felony
2 offender, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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3 A persistent felony offender is any person convicted of a
4 forcible felony under section 702.11 who has twice before been
5 convicted of a forcible felony in a court of this or any other
6 state, or of the United States, if the most recent forcible
7 felony conviction has occurred within twenty years of at least
8 two prior forcible felony convictions. Notwithstanding any
9 other provision of law to the contrary, a person sentenced as a
10 persistent felony offender shall be committed to the custody
11 of the director of the Iowa department of corrections for the
12 rest of the person's life with the possibility of parole after
13 serving a minimum term of confinement as determined by the
14 court.

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

20 The bill provides that a persistent felony offender is
21 any person convicted of a forcible felony under Code section
22 702.11 who has twice before been convicted of a forcible
23 felony in a court of this or any other state, or of the United
24 States, if the most recent forcible felony conviction has
25 occurred within 20 years of at least two prior forcible felony
26 convictions. Notwithstanding any other provision of law to the
27 contrary, a person sentenced as a persistent felony offender
28 shall be committed to the custody of the director of the Iowa
29 department of corrections for the rest of the person's life
30 with the possibility of parole after serving a minimum term of
31 confinement as determined by the court. A "forcible felony"
32 is any felonious child endangerment, assault, murder, sexual
33 abuse, kidnapping, robbery, human trafficking, arson in the
34 first degree, or burglary in the first degree.

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House File 2573 - Introduced

HOUSE FILE 2573
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 701)

A BILL FOR

1 An Act relating to the use of telemedicine in the issuance of a
2 certification to receive a medical cannabidiol registration
3 card.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 124E.3, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. A health care practitioner that
4 establishes or maintains a relationship with a patient through
5 the use of telemedicine shall comply with the requirements of
6 653 IAC 13.11(7).

7 EXPLANATION

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

10 This bill requires that a health care practitioner who
11 establishes or maintains a relationship with a patient for
12 the issuance of a written certification to receive a medical
13 cannabidiol registration card through the use of telemedicine
14 comply with rules established by the board of medicine
15 regarding physician-patient relationships using telemedicine.

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House File 2574 - Introduced

HOUSE FILE 2574
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 710)

A BILL FOR

1 An Act relating to boards, commissions, committees, councils,
2 and other entities of state government, and including
3 transition provisions.

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

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DIVISION I

CAPITOL PLANNING COMMISSION

1
2
3 Section 1. Section 2.43, subsections 1 and 2, Code 2024, are
4 amended to read as follows:

5 1. The legislative council, in cooperation with the
6 officers of the senate and house, shall have the duty and
7 responsibility for preparing for each session of the general
8 assembly. Pursuant to such duty and responsibility, the
9 legislative council shall assign the use of areas in the
10 state capitol except for the areas used by the governor as
11 of January 1, 1986, and, in consultation with the director
12 of the department of administrative services ~~and the capitol~~
13 ~~planning commission~~, may assign areas in other state office
14 buildings, except for the judicial branch building, for use of
15 the general assembly or legislative agencies. The legislative
16 council shall provide the courts with use of space in the state
17 capitol for ceremonial purposes. The legislative council
18 may authorize the renovation, remodeling, and preparation of
19 the physical facilities used or to be used by the general
20 assembly or legislative agencies subject to the jurisdiction
21 of the legislative council and award contracts pursuant to
22 such authority to carry out such preparation. The legislative
23 council may purchase supplies and equipment deemed necessary
24 for the proper functioning of the legislative branch of
25 government.

26 2. In carrying out its duties under [this section](#), the
27 legislative council shall consult with the director of the
28 department of administrative services ~~and the capitol planning~~
29 ~~commission~~, but shall not be bound by any decision of the
30 director in respect to the responsibilities and duties provided
31 for in [this section](#). The legislative council may direct the
32 director of the department of administrative services or other
33 state employees to carry out its directives in regard to the
34 physical facilities of the general assembly, or may employ
35 other personnel to carry out such functions.

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1 Sec. 2. Section 8A.111, subsection 4, Code 2024, is amended
2 by striking the subsection.

3 Sec. 3. Section 8A.373, Code 2024, is amended to read as
4 follows:

5 **8A.373 Duties — report to legislature general assembly.**

6 1. It shall be the duty of the ~~commission~~ department to
7 advise upon the location of statues, fountains, and monuments
8 and the placing of any additional buildings on the capitol
9 grounds, the type of architecture and the type of construction
10 of any new buildings to be erected on the state capitol grounds
11 as now encompassed or as subsequently enlarged, and repairs
12 and restoration thereof, and it shall be the duty of the
13 officers, commissions, and councils charged by law with the
14 duty of determining such questions to call upon the ~~commission~~
15 department for such advice.

16 2. The ~~commission~~ department shall, ~~in cooperation with~~
17 ~~the director of the department of administrative services,~~
18 develop and implement within the limits of its appropriation, a
19 five-year modernization program for the capitol complex.

20 3. The ~~commission~~ department shall annually report to the
21 general assembly its recommendations relating to its duties
22 under [this section](#). The report shall be submitted to the chief
23 clerk of the house and the secretary of the senate during the
24 month of January.

25 Sec. 4. Section 8A.376, subsection 1, unnumbered paragraph
26 1, Code 2024, is amended to read as follows:

27 All capital projects on the capitol complex shall be
28 planned, approved, and funded only after considering the
29 guiding principles enunciated in any capitol complex master
30 plan adopted by the ~~commission on or after January 1, 2000~~
31 department. At a minimum, the extent to which the proposed
32 capital project does all of the following shall be considered:

33 Sec. 5. Section 8A.377, subsection 2, Code 2024, is amended
34 to read as follows:

35 2. A project described in [subsection 1](#) may vary from

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1 the architectural or historic integrity of the capitol if
2 such variance is necessary to comply with state or federal
3 laws relating to building accessibility or occupational
4 safety or health, to address life safety issues, or for other
5 compelling reasons. However, the state agency, branch of
6 government, or other entity responsible for a project involving
7 a variance from the architectural or historic integrity shall
8 submit the plans for such project to the ~~capitol planning~~
9 ~~commission~~ department and the capital projects committee of the
10 legislative council for review.

11 Sec. 6. Section 414.1, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. The city of Des Moines may, for the purpose of preserving
14 the dominance of the dome of the state capitol building and
15 the view of the state capitol building from prominent public
16 viewing points, regulate and restrict the height and size of
17 buildings and other structures in the city of Des Moines.
18 Any regulations pertaining to such matters shall be made in
19 accordance with a comprehensive plan and in consultation with
20 the ~~capitol planning commission~~ department of administrative
21 services.

22 Sec. 7. Section 476.10B, subsection 7, Code 2024, is amended
23 to read as follows:

24 7. The department of administrative services, in
25 consultation with the board and the division, shall secure
26 architectural services, contract for construction, engineering,
27 and construction oversight and management, and control the
28 funding associated with the building construction and the
29 building's operation and maintenance. The department of
30 administrative services may utilize consultants or other
31 expert assistance to address feasibility, planning, or other
32 considerations connected with construction of the building or
33 decision making regarding the building. The department of
34 administrative services, on behalf of the board and division,
35 shall consult with the office of the governor, and appropriate

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1 legislative bodies, ~~and the capitol planning commission.~~

2 Sec. 8. REPEAL. Sections 8A.371, 8A.372, 8A.374, and
3 8A.375, Code 2024, are repealed.

4 DIVISION II

5 FIRE EXTINGUISHING SYSTEM CONTRACTORS AND ALARM SYSTEMS

6 ADVISORY BOARD

7 Sec. 9. Section 100C.1, subsection 5, Code 2024, is amended
8 to read as follows:

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

18 Sec. 10. Section 100C.7, Code 2024, is amended to read as
19 follows:

20 100C.7 Administration — rules.

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

26 Sec. 11. Section 100D.5, subsection 1, Code 2024, is amended
27 to read as follows:

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

33 Sec. 12. REPEAL. Section 100C.10, Code 2024, is repealed.

34 DIVISION III

35 CONSERVATION EDUCATION PROGRAM BOARD

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1 Sec. 13. Section 455A.19, subsection 1, unnumbered
2 paragraph 1, Code 2024, is amended to read as follows:

3 Upon receipt of any revenue, the director shall deposit the
4 moneys in the Iowa resources enhancement and protection fund
5 created pursuant to [section 455A.18](#). The first three hundred
6 fifty thousand dollars of the funds received for deposit in the
7 fund annually shall be allocated ~~to the conservation education~~
8 ~~program board~~ for the purposes specified in [section 455A.21](#).
9 One percent of the revenue receipts shall be deducted and
10 transferred to the administration fund provided for in section
11 456A.17. All of the remaining receipts shall be allocated to
12 the following accounts:

13 Sec. 14. Section 455A.21, Code 2024, is amended to read as
14 follows:

15 **455A.21 Conservation education program board.**

16 ~~1. A conservation education program board is created in~~
17 ~~the department. The board shall have five members appointed~~
18 ~~as follows:~~

19 ~~a. One member appointed by the director of the department~~
20 ~~of education.~~

21 ~~b. One member appointed by the director of the department of~~
22 ~~natural resources.~~

23 ~~c. One member appointed by the president of the Iowa~~
24 ~~association of county conservation boards.~~

25 ~~d. One member appointed by the president of the Iowa~~
26 ~~association of naturalists.~~

27 ~~e. One member appointed by the president of the Iowa~~
28 ~~conservation education council.~~

29 ~~2. [Section 69.16](#) does not apply to appointments made~~
30 ~~pursuant to [this section](#).~~

31 ~~3. The duties of the board are to department shall revise~~
32 ~~and produce conservation education materials and to specify~~
33 ~~stipends to Iowa educators who participate in innovative~~
34 ~~conservation education programs approved by the board~~
35 ~~department. The board department shall allocate the funds~~

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1 provided for under [section 455A.19, subsection 1](#), for the
2 educational materials and stipends.

3 ~~4. The department shall administer the funds allocated to~~
4 ~~the conservation education program as provided in [this section](#).~~

5 DIVISION IV

6 PRISON INDUSTRIES ADVISORY BOARD

7 Sec. 15. Section 23A.2, subsection 6, paragraph a, Code
8 2024, is amended to read as follows:

9 a. The director of the department of corrections, ~~with the~~
10 ~~advice of the state prison industries advisory board~~, may, by
11 rule, provide for exemptions from [this chapter](#).

12 Sec. 16. Section 904.802, subsection 1, Code 2024, is
13 amended by striking the subsection.

14 Sec. 17. Section 904.802, subsection 2, Code 2024, is
15 amended to read as follows:

16 2. "*Iowa state industries*" means prison industries that
17 are established and maintained by the Iowa department of
18 corrections, ~~in consultation with the industries board~~, at or
19 adjacent to the state's adult correctional institutions, except
20 that an inmate work program established by the state director
21 under [section 904.703](#) is not restricted to industries at or
22 adjacent to the institutions.

23 Sec. 18. Section 904.804, Code 2024, is amended to read as
24 follows:

25 **904.804 Duties of ~~industries board~~ department — state**
26 **industries.**

27 The ~~industries board's principal duties~~ department shall be
28 ~~to promulgate and adopt rules and to advise the state director~~
29 ~~regarding the management of Iowa state industries so as to~~
30 further the intent stated by [section 904.801](#).

31 Sec. 19. Section 904.805, unnumbered paragraph 1, Code
32 2024, is amended to read as follows:

33 The state director, ~~with the advice of the industries board~~,
34 shall:

35 Sec. 20. Section 904.806, Code 2024, is amended to read as

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1 follows:

2 **904.806 Authority of state director not impaired.**

3 Nothing in [this subchapter](#) shall be construed to impair the
4 authority of the state director over the adult correctional
5 institutions of this state, nor over the inmates thereof. ~~It~~
6 ~~is, however, the duty of the state director to obtain the~~
7 ~~advice of the industries board to further the intent stated by~~
8 ~~section 904.801.~~

9 Sec. 21. Section 904.809, subsection 1, paragraph a, Code
10 2024, is amended to read as follows:

11 a. The state director ~~and the industries board~~ shall comply
12 with the intent of [section 904.801](#).

13 Sec. 22. Section 904.809, subsection 2, paragraph a, Code
14 2024, is amended to read as follows:

15 a. Any other provision of the Code to the contrary
16 notwithstanding, the state director may, ~~after obtaining the~~
17 ~~advice of the industries board~~, lease one or more buildings or
18 portions thereof on the grounds of any state adult correctional
19 institution, together with the real estate needed for
20 reasonable access to and egress from the leased buildings, for
21 a term not to exceed twenty years, to a private corporation for
22 the purpose of establishing and operating a factory for the
23 manufacture and processing of products, or any other commercial
24 enterprise deemed by the state director to be consistent with
25 the intent stated in [section 904.801](#).

26 Sec. 23. Section 904.809, subsection 2, paragraph b,
27 subparagraph (1), Code 2024, is amended to read as follows:

28 (1) Persons working in the factory or other commercial
29 enterprise operated in the leased property, except the lessee's
30 supervisory employees and necessary support personnel approved
31 by the ~~industries board~~ state director, shall be inmates of
32 the institution where the leased property is located who are
33 approved for such work by the state director and the lessee.

34 Sec. 24. Section 904.809, subsection 3, Code 2024, is
35 amended to read as follows:

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1 3. The state director ~~with the advice of the prison~~
2 ~~industries advisory board~~ may provide an inmate workforce to
3 private industry. Under the program inmates will be employees
4 of a private business.

5 Sec. 25. Section 904.813, subsection 2, paragraph a,
6 subparagraphs (1), (2), and (3), Code 2024, are amended to read
7 as follows:

8 (1) Establishment, maintenance, transfer, or closure of
9 industrial operations, or vocational, technical, and related
10 training facilities and services for inmates as authorized by
11 the state director ~~in consultation with the industries board~~.

12 ~~(2) Payment of all costs incurred by the industries board,~~
13 ~~including but not limited to per diem and expenses of its~~
14 ~~members, and of salaries, allowances, support, and maintenance~~
15 ~~of Iowa state industries.~~

16 ~~(3)~~ (2) Direct purchases from vendors of raw materials
17 and capital items used for the manufacturing processes of Iowa
18 state industries, in accordance with rules which meet state
19 bidding requirements. The rules shall be adopted by the state
20 director ~~in consultation with the industries board~~.

21 Sec. 26. Section 904.814, Code 2024, is amended to read as
22 follows:

23 **904.814 Inmate allowance supplement revolving fund.**

24 There is established in the treasury of the state a permanent
25 adult correctional institutions inmate allowance supplement
26 revolving fund, consisting solely of money paid as board and
27 maintenance by inmates working in Iowa state industries, or
28 working pursuant to [section 904.809](#). The fund established
29 by [this section](#) may be used to supplement the allowances
30 of inmates who perform other institutional work within and
31 about the adult correctional institutions including those
32 who are working in Iowa state industries. Payments made
33 from the fund shall supplement and not replace all or any
34 part of the allowances otherwise received by, and shall be
35 equably distributed among such inmates. The work of inmates

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1 in other institutional or industry work shall, to the greatest
2 extent feasible, be in accord with the intent stated in
3 section 904.801. The fund may also be used to supplement
4 other rehabilitation activities within the adult correctional
5 institutions. Determination of the use of the funds is the
6 responsibility of the state director ~~who shall first seek the~~
7 ~~advice of the prison industries advisory board.~~

8 Sec. 27. REPEAL. Section 904.803, Code 2024, is repealed.

9 DIVISION V

10 COMMUNITY COLLEGE FACULTY ADVISORY COMMITTEE AND QUALITY

11 FACULTY PLAN PROFESSIONAL DEVELOPMENT COMMITTEE

12 Sec. 28. Section 260C.36, subsection 4, Code 2024, is
13 amended to read as follows:

14 4. The department of education shall establish ~~the~~
15 ~~following committees:~~

16 ~~a.~~ a. An an ad hoc accreditation quality faculty plan protocol
17 committee to advise the department in the development of
18 protocols related to the quality faculty planning process to
19 be used by the accreditation teams during site visits. The
20 committee shall, at a minimum, determine what types of evidence
21 need to be provided, develop interview procedures and visit
22 goals, and propose accreditation protocol revisions.

23 ~~b.~~ b. ~~An ongoing quality faculty plan professional development~~
24 ~~committee. The committee shall, at a minimum, do the~~
25 ~~following:~~

26 ~~(1) Develop systemic, ongoing, and sustainable statewide~~
27 ~~professional development opportunities that support~~
28 ~~institutional development as well as individual development and~~
29 ~~support of the quality faculty plans. The opportunities may~~
30 ~~include internet-based systems to share promising practices.~~

31 ~~(2) Determine future professional development needs.~~

32 ~~(3) Develop or identify training and assistance relating to~~
33 ~~the quality faculty plan process and requirements.~~

34 ~~(4) Assist the department and community colleges in~~
35 ~~developing professional development consortia.~~

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1 ~~{5} Review and identify best practices in each community~~
2 ~~college quality faculty plan, including best practices~~
3 ~~regarding adjunct faculty.~~

4 ~~c. A community college faculty advisory committee consisting~~
5 ~~of one member and one alternate from each community college,~~
6 ~~appointed by the committee established pursuant to subsection~~
7 ~~1. The committee membership shall be equally represented by~~
8 ~~individuals from the liberal arts and sciences faculty and~~
9 ~~the career and technical faculty. The committee shall, at a~~
10 ~~minimum, keep faculty informed of higher education issues,~~
11 ~~facilitate communication between the faculty and the department~~
12 ~~on an ongoing basis, and serve as an advisory committee to the~~
13 ~~department and community colleges on faculty issues.~~

14 DIVISION VI

15 COMMISSION ON EDUCATOR LEADERSHIP AND COMPENSATION

16 Sec. 29. Section 284.11, subsection 2, paragraph c, Code
17 2024, is amended to read as follows:

18 c. Review the use and effectiveness of the funds distributed
19 to school districts for supplemental assistance in high-need
20 schools under [this section](#), and consider the findings and
21 ~~recommendations of the commission on educator leadership~~
22 ~~and compensation submitted pursuant to section 284.15,~~
23 ~~subsection 13, relating to the use and effectiveness of the~~
24 ~~funds distributed to school districts under [this section](#).~~ The
25 department shall submit its findings and recommendations in a
26 report to the general assembly by January 15 annually.

27 Sec. 30. Section 284.15, subsection 6, paragraph a, Code
28 2024, is amended to read as follows:

29 a. A school district may apply to the department for
30 approval to implement the career paths, leadership roles,
31 and compensation framework specified in [subsection 2](#), or
32 a comparable system of career paths and compensation for
33 teachers that contains differentiated multiple leadership
34 roles. ~~The director shall consider the recommendations of the~~
35 ~~commission established pursuant to [subsection 12](#) when approving~~

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1 ~~or disapproving applications submitted pursuant to this~~
2 ~~section.~~ A school district may modify an approved framework or
3 comparable system if the director or the director's designee
4 approves the modification. A school district may appeal the
5 director's or the director's designee's decision to the state
6 board and the state board's decision is final.

7 Sec. 31. Section 284.15, subsection 12, Code 2024, is
8 amended by striking the subsection.

9 Sec. 32. Section 284.15, subsection 14, Code 2024, is
10 amended to read as follows:

11 14. The provisions of [this chapter](#) shall be subject to
12 legislative review at least every three years. The review
13 shall be based upon a status report from the ~~commission~~
14 ~~on educator leadership and compensation, which shall be~~
15 ~~prepared with the assistance of the departments~~ department of
16 education, in consultation with the department of management,
17 and department of revenue. The status report shall review
18 and report on the ~~department's~~ department of education's
19 assignment and utilization of full-time equivalent positions,
20 and shall include information on teacher retention, teacher
21 compensation, academic quality of beginning teachers, teacher
22 evaluation results, student achievement trend and comparative
23 data, and recommendations for changes to the teacher leadership
24 supplement foundation aid and the framework or comparable
25 systems approved pursuant to [this section](#). The first status
26 report shall be submitted to the general assembly by January
27 15, 2017, with subsequent status reports prepared and submitted
28 to the general assembly by January 15 at least every third year
29 thereafter.

30 DIVISION VII

31 TELECOMMUNICATIONS ADVISORY COMMITTEE

32 Sec. 33. Section 256.7, subsection 7, paragraph c, Code
33 2024, is amended by striking the paragraph.

34 Sec. 34. Section 256.33, subsection 1, Code 2024, is amended
35 to read as follows:

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1 1. The department shall consort with school districts,
2 area education agencies, community colleges, and colleges
3 and universities to provide assistance to them in the use
4 of educational technology for instruction purposes. The
5 department shall consult with ~~the advisory committee on~~
6 ~~telecommunications, established in section 256.7, subsection 7,~~
7 ~~and other~~ users of educational technology on the development
8 and operation of programs under [this section](#).

9 DIVISION VIII

10 INTEGRATED ROADSIDE VEGETATION MANAGEMENT TECHNICAL ADVISORY
11 COMMITTEE

12 Sec. 35. Section 314.13, subsection 2, Code 2024, is amended
13 by striking the subsection.

14 Sec. 36. Section 314.22, subsection 3, Code 2024, is amended
15 to read as follows:

16 3. ~~Integrated roadside vegetation management technical~~
17 ~~advisory committee Report.~~

18 ~~a. The director of the department shall appoint members~~
19 ~~to an integrated roadside vegetation management technical~~
20 ~~advisory committee which is created to provide advice on the~~
21 ~~development and implementation of a statewide integrated~~
22 ~~roadside vegetation management plan and program and related~~
23 ~~projects. The department shall report annually in January to~~
24 ~~the general assembly regarding its activities and those of the~~
25 ~~committee under this section. Activities of the committee may~~
26 ~~include but are not limited to providing advice and assistance~~
27 ~~in the following areas:~~

28 ~~(1) Research efforts.~~

29 ~~(2) Demonstration projects.~~

30 ~~(3) Education and orientation efforts for property owners,~~
31 ~~public officials, and the general public.~~

32 ~~(4) Activities of the integrated roadside vegetation~~
33 ~~management coordinator for integrated roadside vegetation~~
34 ~~management.~~

35 ~~(5) Reviewing applications for funding assistance.~~

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1 ~~{6} Securing funding for research and demonstrations.~~
2 ~~{7} Determining needs for revising the state weed law and~~
3 ~~other applicable Code sections.~~
4 ~~{8} Liaison with the Iowa state association of counties, the~~
5 ~~Iowa league of cities, and other organizations for integrated~~
6 ~~roadside vegetation management purposes.~~
7 ~~b. The director may appoint any number of persons to the~~
8 ~~committee but, at a minimum, the committee shall consist of all~~
9 ~~of the following:~~
10 ~~{1} One member representing the utility industry.~~
11 ~~{2} One member from the Iowa academy of sciences.~~
12 ~~{3} One member representing county government.~~
13 ~~{4} One member representing city government.~~
14 ~~{5} Two members representing the private sector including~~
15 ~~community interest groups.~~
16 ~~{6} One member representing soil conservation interests.~~
17 ~~{7} One member representing the department of natural~~
18 ~~resources.~~
19 ~~{8} One member representing county conservation boards.~~
20 ~~c. Members of the committee shall serve without~~
21 ~~compensation, but may be reimbursed for allowable expenses from~~
22 ~~the living roadway trust fund created under [section 314.21](#). No~~
23 ~~more than a simple majority of the members of the committee~~
24 ~~shall be of the same gender as provided in [section 69.16A](#).~~
25 ~~The director of the department shall appoint the chair of the~~
26 ~~committee and shall establish a minimum schedule of meetings~~
27 ~~for the committee.~~

28 DIVISION IX

29 TOURIST SIGNING COMMITTEE

30 Sec. 37. Section 321.252, subsection 3, paragraph a, Code
31 2024, is amended to read as follows:

32 a. The department shall establish, by rule, ~~in cooperation~~
33 ~~with a tourist signing committee,~~ the standards for
34 tourist-oriented directional signs and shall annually review
35 the list of attractions for which signing is in place. The

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1 rules shall conform to national standards for tourist-oriented
2 directional signs adopted under 23 U.S.C. §131(q) and to the
3 manual of uniform traffic-control devices.

4 ~~{1} The tourist signing committee shall be made up of~~
5 ~~the directors or the directors' designees of the departments~~
6 ~~of agriculture and land stewardship, natural resources, and~~
7 ~~transportation, the director or the director's designee of~~
8 ~~the economic development authority, the chairperson or the~~
9 ~~chairperson's designee of the Iowa travel council, and a~~
10 ~~member of the outdoor advertising association of Iowa. The~~
11 ~~director or the director's designee of the economic development~~
12 ~~authority shall be the chairperson of the committee.~~

13 ~~{2} The department of transportation shall be responsible~~
14 ~~for calling and setting the date of the meetings of the~~
15 ~~committee which meetings shall be based upon the amount of~~
16 ~~activity relating to signs. However, the committee shall meet~~
17 ~~at least once a month.~~

18 DIVISION X

19 ADVISORY COMMITTEE FOR PERINATAL GUIDELINES

20 Sec. 38. Section 135.11, subsection 22, Code 2024, is
21 amended to read as follows:

22 22. ~~In consultation with the advisory committee for~~
23 ~~perinatal guidelines, develop~~ Develop and maintain the
24 statewide perinatal program based on the recommendations of
25 the American academy of pediatrics and the American college
26 of obstetricians and gynecologists contained in the most
27 recent edition of the guidelines for perinatal care, and
28 adopt rules in accordance with [chapter 17A](#) to implement those
29 recommendations. Hospitals within the state shall determine
30 whether to participate in the statewide perinatal program,
31 and select the hospital's level of participation in the
32 program. A hospital having determined to participate in the
33 program shall comply with the guidelines appropriate to the
34 level of participation selected by the hospital. Perinatal
35 program surveys and reports are privileged and confidential

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1 and are not subject to discovery, subpoena, or other means
2 of legal compulsion for their release to a person other than
3 the affected hospital, and are not admissible in evidence in a
4 judicial or administrative proceeding other than a proceeding
5 involving verification of the participating hospital under this
6 subsection.

7 DIVISION XI

8 CHILD CARE ADVISORY COMMITTEE

9 Sec. 39. Section 237A.1, subsection 17, Code 2024, is
10 amended by striking the subsection.

11 Sec. 40. Section 237A.12, subsection 3, Code 2024, is
12 amended to read as follows:

13 3. Rules relating to fire safety for child care centers
14 shall be adopted under [this chapter](#) by the director of
15 the department of inspections, appeals, and licensing in
16 consultation with the department. Rules adopted by the
17 director of the department of inspections, appeals, and
18 licensing for a building which is owned or leased by a school
19 district or accredited nonpublic school and used as a child
20 care facility shall not differ from standards adopted by
21 the director of the department of inspections, appeals, and
22 licensing for school buildings under chapter 10A, subchapter V,
23 part 2. Rules relating to sanitation shall be adopted by the
24 department. ~~All rules shall be developed in consultation with~~
25 ~~the state child care advisory committee.~~ The director of the
26 department of inspections, appeals, and licensing shall inspect
27 the facilities.

28 Sec. 41. Section 237A.25, subsection 1, Code 2024, is
29 amended to read as follows:

30 1. The department shall develop consumer information
31 material to assist parents in selecting a child care provider.
32 In developing the material, the department shall consult with
33 department staff, department of education staff, ~~the state~~
34 ~~child care advisory committee~~, the early childhood Iowa state
35 board, and child care resource and referral services. In

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1 addition, the department may consult with other entities at the
2 local, state, and national level.

3 Sec. 42. Section 237A.30, subsection 1, Code 2024, is
4 amended to read as follows:

5 1. The department shall work with the early childhood Iowa
6 program established in [section 256I.5](#) and ~~the state child care~~
7 ~~advisory committee~~ in designing and implementing a voluntary
8 quality rating system for each provider type of child care
9 facility.

10 Sec. 43. Section 256.9, subsection 31, paragraph b, Code
11 2024, is amended to read as follows:

12 b. Standards and materials developed shall include materials
13 which employ developmentally appropriate practices and
14 incorporate substantial parental involvement. The materials
15 and standards shall include alternative teaching approaches
16 including collaborative teaching and alternative dispute
17 resolution training. The department shall consult with the
18 child development coordinating council, ~~the state child care~~
19 ~~advisory committee established pursuant to [section 135.173A](#),~~
20 the department of health and human services, the state board
21 of regents center for early developmental education, the
22 area education agencies, the department of human development
23 and family studies in the college of human sciences at
24 Iowa state university of science and technology, the early
25 childhood elementary division of the college of education at
26 the university of Iowa, and the college of education at the
27 university of northern Iowa, in developing these standards and
28 materials.

29 Sec. 44. REPEAL. Section 135.173A, Code 2024, is repealed.

30 DIVISION XII

31 DEPENDENT ADULT PROTECTIVE ADVISORY COUNCIL

32 Sec. 45. Section 235B.1, subsection 4, Code 2024, is amended
33 by striking the subsection.

34 Sec. 46. Section 235B.16A, subsection 1, Code 2024, is
35 amended to read as follows:

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1 1. The ~~dependent adult protective advisory council~~
2 ~~established pursuant to [section 235B.1](#)~~ department shall
3 ~~recommend~~ adopt a uniform assessment instrument and process for
4 adoption and use by the department and other agencies involved
5 with assessing a dependent adult's degree of dependency
6 and determining whether dependent adult abuse has occurred.
7 However, [this section](#) shall not apply to dependent adult abuse
8 assessments and determinations made under [chapter 235E](#).

9 Sec. 47. Section 235E.5, Code 2024, is amended to read as
10 follows:

11 **235E.5 Rulemaking authority.**

12 The department, in cooperation and consultation with
13 ~~the dependent adult protective advisory council established~~
14 ~~in [section 235B.1](#)~~, affected industry representatives, and
15 professional and consumer groups, may adopt rules pursuant to
16 chapter 17A to administer [this chapter](#).

17 DIVISION XIII

18 COUNTY CARE FACILITIES MENTAL HEALTH AND DISABILITY SERVICES
19 STANDARDS ADVISORY COMMITTEE

20 Sec. 48. Section 227.4, Code 2024, is amended to read as
21 follows:

22 **227.4 Standards for care of persons with mental illness or an**
23 **intellectual disability in county care facilities.**

24 The department, in cooperation with the department of
25 inspections, appeals, and licensing, shall recommend and the
26 mental health and disability services commission created in
27 section 225C.5 shall adopt, or amend and adopt, standards for
28 the care of and services to persons with mental illness or an
29 intellectual disability residing in county care facilities.
30 The standards shall be enforced by the department of
31 inspections, appeals, and licensing as a part of the licensure
32 inspection conducted pursuant to [chapter 135C](#). The objective
33 of the standards is to ensure that persons with mental illness
34 or an intellectual disability who are residents of county care
35 facilities are not only adequately fed, clothed, and housed,

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1 but are also offered reasonable opportunities for productive
2 work and recreational activities suited to their physical and
3 mental abilities and offering both a constructive outlet for
4 their energies and, if possible, therapeutic benefit. ~~When~~
5 ~~recommending standards under this section, the department shall~~
6 ~~designate an advisory committee representing administrators of~~
7 ~~county care facilities, regional administrators, mental health~~
8 ~~and disability services region governing boards, and county~~
9 ~~care facility certified volunteer long term care ombudsmen to~~
10 ~~assist in the establishment of standards.~~

11 DIVISION XIV

12 911 COMMUNICATIONS COUNCIL

13 Sec. 49. Section 34A.2A, subsection 2, Code 2024, is amended
14 to read as follows:

15 2. The 911 program manager shall act under the supervisory
16 control of the director of the department of homeland security
17 and emergency management, ~~and in consultation with the~~
18 ~~911 communications council,~~ and shall perform the duties
19 specifically set forth in [this chapter](#) and as assigned by the
20 director.

21 Sec. 50. Section 34A.7A, subsection 2, paragraph f,
22 subparagraph (1), subparagraph division (a), Code 2024, is
23 amended by striking the subparagraph division.

24 Sec. 51. Section 34A.7A, subsection 2, paragraph f,
25 subparagraph (1), subparagraph division (b), Code 2024, is
26 amended to read as follows:

27 (b) The program manager, ~~in consultation with the 911~~
28 ~~communications council,~~ shall allocate an amount, not to exceed
29 one hundred thousand dollars per fiscal year, for development
30 of public awareness and educational programs related to the
31 use of 911 by the public, educational programs for personnel
32 responsible for the maintenance, operation, and upgrading of
33 local 911 systems, ~~and the expenses of members of the 911~~
34 ~~communications council for travel, monthly meetings, and~~
35 ~~training, provided, however, that the members have not received~~

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1 ~~reimbursement funds for such expenses from another source.~~

2 Sec. 52. Section 34A.7A, subsection 2, paragraph g, Code
3 2024, is amended to read as follows:

4 g. The director, in consultation with the program manager
5 ~~and the 911 communications council~~, shall adopt rules pursuant
6 to [chapter 17A](#) governing the distribution of the surcharge
7 collected and distributed pursuant to [this subsection](#). The
8 rules shall include provisions that all joint 911 service
9 boards and the department of public safety which answer or
10 service wireless 911 calls are eligible to receive an equitable
11 portion of the receipts.

12 Sec. 53. Section 34A.7A, subsection 5, paragraph a, Code
13 2024, is amended to read as follows:

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

24 Sec. 54. Section 34A.11, subsection 1, Code 2024, is amended
25 to read as follows:

26 1. The joint 911 service board in each 911 service area
27 shall designate a person to serve as a single point-of-contact
28 to facilitate the communication of needs, issues, or concerns
29 regarding emergency communications, interoperability, and
30 other matters applicable to emergency 911 communications and
31 migration to the next generation 911 network. The person
32 designated as the single point-of-contact shall be responsible
33 for facilitating the communication of such needs, issues, or
34 concerns between public or private safety agencies within the
35 service area, the 911 program manager, ~~the 911 communications~~

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8 Sec. 55. REPEAL. Section 34A.15, Code 2024, is repealed.

DIVISION XV

10 IOWA CULTURAL TRUST BOARD OF TRUSTEES

11 Sec. 56. Section 15.108, subsection 8, paragraph b,
12 subparagraphs (4) and (5), Code 2024, are amended to read as
13 follows:

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

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

27 Sec. 57. Section 15.478, subsection 1, Code 2024, is amended
28 by striking the subsection.

29 Sec. 58. Section 15.479, subsection 4, Code 2024, is amended
30 to read as follows:

31 4. The treasurer of state shall act as custodian of the
32 fund, shall invest moneys in the trust fund, and shall transfer
33 the interest attributable to the investment of trust fund
34 moneys to the grant account created in [section 15.482](#). The
35 trust fund's principal shall not be used or accessed by the

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1 ~~department or the board~~ authority for any purpose.

2 Sec. 59. Section 15.481, unnumbered paragraph 1, Code 2024,
3 is amended to read as follows:

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

5 Sec. 60. Section 15.481, subsections 2 and 3, Code 2024, are
6 amended to read as follows:

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

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

18 Sec. 61. Section 15.482, subsections 1 and 3, Code 2024, are
19 amended to read as follows:

20 1. An Iowa cultural trust grant account is created in
21 the office of the treasurer of state under the control of
22 the ~~board~~ authority to receive interest attributable to the
23 investment of trust fund moneys as required by section 15.479,
24 subsection 4. The moneys in the grant account are appropriated
25 to the ~~board~~ authority for purposes of the Iowa cultural trust
26 created in [section 15.479](#). Moneys in the grant account shall
27 not be subject to appropriation for any other purpose by the
28 general assembly, but shall be used only for the purposes of
29 the Iowa cultural trust. The treasurer of state shall act as
30 custodian of the grant account and disburse moneys contained
31 in the grant account as directed by the ~~board~~ authority. The
32 ~~board~~ authority shall make expenditures from the grant account
33 consistent with the purposes of the Iowa cultural trust.

34 3. At any time when the principal balance in the trust fund
35 equals or exceeds three million dollars, the ~~board~~ authority

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1 may use moneys in the grant account for a statewide educational
2 program to promote participation in, expanded support of, and
3 local endowment building for, Iowa nonprofit arts, history, and
4 sciences and humanities organizations.

5 Sec. 62. REPEAL. Section 15.480, Code 2024, is repealed.

6 DIVISION XVI

7 IOWA GREAT PLACES BOARD

8 Sec. 63. Section 15.439, subsection 1, paragraphs a, c, d,
9 and e, Code 2024, are amended to read as follows:

10 a. The authority shall establish and administer an Iowa
11 great places program for purposes of combining resources of
12 state government in an effort to showcase the unique and
13 authentic qualities of communities, regions, neighborhoods, and
14 districts that make such places exceptional places to work and
15 live. ~~The authority shall provide administrative assistance to~~
16 ~~the Iowa great places board.~~ The authority shall coordinate
17 ~~the efforts of the Iowa great places board with the efforts of~~
18 other state agencies participating in the program which shall
19 include but not be limited to the Iowa finance authority, the
20 department of health and human services, the department of
21 natural resources, the state department of transportation, and
22 the department of workforce development.

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

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

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

35 Sec. 64. Section 15.439, subsection 2, Code 2024, is amended

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1 by striking the subsection.

2 Sec. 65. Section 15.439, subsections 3 and 4, Code 2024, are
3 amended to read as follows:

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

5 ~~a. Organize.~~

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

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

10 4. Notwithstanding any restriction, requirement, or
11 duty to the contrary, in considering an application for a
12 grant, loan, or other financial or technical assistance for a
13 project identified in an Iowa great places agreement developed
14 pursuant to this section, a state agency shall give additional
15 consideration or additional points in the application of rating
16 or evaluation criteria to such applications. This subsection
17 applies to applications filed within three years of the ~~Iowa~~
18 ~~great places board's~~ authority's identification of the project
19 for participation in the program.

20 DIVISION XVII

21 FARM DEER COUNCIL

22 Sec. 66. Section 170.1, subsection 2, Code 2024, is amended
23 by striking the subsection.

24 Sec. 67. Section 170.3B, Code 2024, is amended to read as
25 follows:

26 **170.3B Farm deer administration fee.**

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

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1 Sec. 68. REPEAL. Section 170.2, Code 2024, is repealed.

2 DIVISION XVIII

3 GRAIN INDUSTRY PEER REVIEW PANEL

4 Sec. 69. Section 203.11A, subsection 2, Code 2024, is
5 amended to read as follows:

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

14 Sec. 70. Section 203.16, subsection 8, Code 2024, is amended
15 by striking the subsection.

16 Sec. 71. Section 203C.24, subsection 8, Code 2024, is
17 amended by striking the subsection.

18 Sec. 72. Section 203C.36A, subsection 2, Code 2024, is
19 amended to read as follows:

20 2. The amount of a civil penalty shall not exceed one
21 thousand five hundred dollars. Each day that a violation
22 continues shall constitute a separate violation. ~~The amount~~
23 ~~of the civil penalty that may be assessed in an administrative~~
24 ~~case shall not exceed the amount recommended by the grain~~
25 ~~industry peer review panel established pursuant to section~~
26 ~~203.11B.~~ Moneys collected in civil penalties by the department
27 or the attorney general shall be deposited in the general fund
28 of the state.

29 Sec. 73. REPEAL. Section 203.11B, Code 2024, is repealed.

30 DIVISION XIX

31 ORGANIC ADVISORY COUNCIL

32 Sec. 74. Section 190C.1, subsection 2, Code 2024, is amended
33 by striking the subsection.

34 Sec. 75. Section 190C.2B, subsection 1, Code 2024, is
35 amended to read as follows:

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1 1. The department shall implement and administer the
2 provisions of [this chapter](#) for agricultural products that have
3 been produced and handled within this state using organic
4 methods as provided in [this chapter](#). ~~The department may~~
5 ~~consult with the council in implementing and administering this~~
6 ~~chapter.~~ The department may certify agricultural products that
7 have been produced and handled outside this state using an
8 organic method as provided in [this chapter](#).

9 Sec. 76. Section 190C.3, subsection 2, Code 2024, is amended
10 to read as follows:

11 2. The department may request assistance from ~~the council~~
12 ~~as provided in [section 190C.2A](#) or from one or more regional~~
13 organic associations as provided in [section 190C.6](#).

14 Sec. 77. REPEAL. Sections 190C.2 and 190C.2A, Code 2024,
15 are repealed.

16 DIVISION XX

17 WELL CONTRACTORS' COUNCIL

18 Sec. 78. Section 455B.190A, subsection 1, paragraph h, Code
19 2024, is amended by striking the paragraph.

20 Sec. 79. Section 455B.190A, subsection 2, paragraphs f and
21 g, Code 2024, are amended to read as follows:

22 *f.* The department shall develop continuing education
23 requirements for certification of a well contractor ~~in~~
24 ~~consultation with the well contractors' council.~~

25 *g.* The examination shall be developed by the department ~~in~~
26 ~~consultation with the well contractors' council~~ to determine
27 the applicant's qualifications to perform well drilling or
28 pump services or both. The examination shall be updated
29 as necessary to reflect current groundwater law and well
30 construction, maintenance, pump services, and abandonment
31 practices. The examination shall be administered by the
32 department or by a person designated by the department.

33 Sec. 80. Section 455B.190A, subsections 3 and 6, Code 2024,
34 are amended by striking the subsections.

35 Sec. 81. Section 455B.190A, subsection 4, Code 2024, is

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1 amended to read as follows:

2 4. The department shall develop, ~~in consultation with the~~
3 ~~well contractors' council~~, a consumer information pamphlet
4 regarding well construction, well maintenance, well plugging,
5 pump services, and Iowa groundwater laws. The department ~~and~~
6 ~~the council~~ shall review and revise the consumer information
7 pamphlet as necessary. The consumer information pamphlet shall
8 be supplied to well contractors, at cost, and well contractors
9 shall supply one copy at no cost to potential customers prior
10 to initiation of well services.

11 Sec. 82. Section 455B.190A, subsection 5, unnumbered
12 paragraph 1, Code 2024, is amended to read as follows:

13 The department shall establish by rule and collect, ~~in~~
14 ~~consultation with the well contractors' council~~, the following
15 fees to be used to implement and administer the provisions of
16 this section:

17 DIVISION XXI

18 INTERSTATE COOPERATION COMMISSION

19 Sec. 83. Section 7E.5, subsection 2, paragraph a, Code 2024,
20 is amended to read as follows:

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

25 Sec. 84. REPEAL. Chapter 28B, Code 2024, is repealed.

26 DIVISION XXII

27 STATE BUILDING CODE ADVISORY COUNCIL

28 Sec. 85. Section 103A.3, subsection 6, Code 2024, is amended
29 by striking the subsection.

30 Sec. 86. Section 103A.7, subsection 1, Code 2024, is amended
31 to read as follows:

32 1. The state building code commissioner with the approval
33 of the ~~advisory council~~ department is hereby empowered and
34 directed to formulate and adopt and from time to time amend
35 or revise and to promulgate, in conformity with and subject

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1 to the conditions set forth in [this chapter](#), reasonable rules
2 designed to establish minimum safeguards in the erection and
3 construction of buildings and structures, to protect the human
4 beings who live and work in them from fire and other hazards,
5 and to establish regulations to further protect the health,
6 safety, and welfare of the public.

7 Sec. 87. Section 103A.8A, Code 2024, is amended to read as
8 follows:

9 **103A.8A Energy conservation requirements.**

10 The state building code commissioner shall adopt as a part of
11 the state building code a requirement that new single-family
12 or two-family residential construction shall comply with
13 energy conservation requirements. The requirements adopted by
14 the commissioner shall be based upon a nationally recognized
15 standard or code for energy conservation. The requirements
16 shall only apply to single-family or two-family residential
17 construction commenced after the adoption of the requirements.
18 Notwithstanding any other provision of [this chapter](#) to the
19 contrary, the energy conservation requirements adopted by the
20 commissioner and approved by the ~~council~~ department shall apply
21 to new single-family or two-family residential construction
22 commenced on or after July 1, 2008, and shall supersede and
23 replace any minimum requirements for energy conservation
24 adopted or enacted by a governmental subdivision prior to that
25 date applicable to such construction. The state building code
26 commissioner may provide training to builders, contractors, and
27 other interested persons on the adopted energy conservation
28 requirements.

29 Sec. 88. Section 103A.10, subsection 5, Code 2024, is
30 amended to read as follows:

31 5. Notwithstanding any other provision of [this chapter](#) to
32 the contrary, the energy conservation requirements adopted
33 by the commissioner and approved by the ~~council~~ department
34 shall apply to all new construction commenced on or after
35 July 1, 2008, and shall supersede and replace any minimum

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1 requirements for energy conservation adopted or enacted by the
2 governmental subdivision prior to that date and applicable to
3 such construction.

4 Sec. 89. Section 103A.11, subsection 4, Code 2024, is
5 amended to read as follows:

6 4. The provisions of this section shall not apply to any
7 rule relating solely to the internal operations of the office
8 of the commissioner ~~and council~~.

9 Sec. 90. Section 103A.15, subsection 1, Code 2024, is
10 amended to read as follows:

11 1. The board shall be composed of ~~three~~ the following
12 members of the council.

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

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

18 c. One master mechanical professional licensed pursuant to
19 chapter 105.

20 d. One electrical engineer.

21 e. One construction contractor registered pursuant to
22 chapter 91C.

23 Sec. 91. Section 103A.15, subsection 4, Code 2024, is
24 amended by striking the subsection.

25 Sec. 92. Section 103A.17, subsections 7 and 8, Code 2024,
26 are amended to read as follows:

27 7. The decision of the board of review may be appealed
28 to the ~~advisory council~~ department by any party by filing a
29 petition with the ~~advisory council~~ department at any time
30 prior to the effective date of such decision. The ~~advisory~~
31 ~~council~~ department shall consider all questions of fact and
32 law involved and issue its decision pertaining to the same not
33 later than ten days after receipt of the appeal.

34 8. A record of all decisions of the board and ~~advisory~~
35 ~~council~~ department shall be properly indexed and filed in the

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1 office of the commissioner, and shall be public records as
2 defined in [chapter 22](#).

3 Sec. 93. Section 103A.18, unnumbered paragraph 1, Code
4 2024, is amended to read as follows:

5 Judicial review of action of the commissioner, board of
6 review, or ~~council~~ department may be sought in accordance with
7 the terms of the Iowa administrative procedure Act, chapter
8 17A. Notwithstanding the terms of said Act:

9 Sec. 94. Section 103A.22, subsection 1, Code 2024, is
10 amended to read as follows:

11 1. Nothing in [this chapter](#) shall be construed as prohibiting
12 any governmental subdivision from adopting or enacting any
13 building regulations relating to any building or structure
14 within its limits, but a governmental subdivision in which
15 the state building code has been accepted and is applicable
16 shall not have the power to supersede, void, or repeal or make
17 more restrictive any of the provisions of [this chapter](#) or of
18 the rules adopted by the commissioner. [This subsection](#) shall
19 not apply to energy conservation requirements adopted by the
20 commissioner and approved by the ~~council~~ department pursuant
21 to [section 103A.8A](#) or [103A.10](#).

22 Sec. 95. REPEAL. Section 103A.14, Code 2024, is repealed.

23 DIVISION XXIII

24 BOARD OF HEARING AID SPECIALISTS

25 Sec. 96. Section 147.2, subsection 1, Code 2024, is amended
26 to read as follows:

27 1. A person shall not engage in the practice of medicine
28 and surgery, podiatry, osteopathic medicine and surgery,
29 genetic counseling, psychology, chiropractic, physical
30 therapy, physical therapist assisting, nursing, dentistry,
31 dental hygiene, dental assisting, optometry, speech pathology,
32 audiology, occupational therapy, occupational therapy
33 assisting, orthotics, prosthetics, pedorthics, respiratory
34 care, pharmacy, cosmetology arts and sciences, barbering,
35 social work, dietetics, applied behavior analysis, marital

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1 and family therapy or mental health counseling, massage
2 therapy, mortuary science, polysomnography, athletic training,
3 acupuncture, nursing home administration, or sign language
4 interpreting or transliterating, or shall not practice as a
5 physician assistant ~~or a hearing aid specialist~~, unless the
6 person has obtained a license for that purpose from the board
7 for the profession.

8 Sec. 97. Section 147.13, subsection 21, Code 2024, is
9 amended by striking the subsection.

10 Sec. 98. Section 147.14, subsection 1, paragraph t, Code
11 2024, is amended by striking the paragraph.

12 Sec. 99. Section 154A.1, subsection 1, Code 2024, is amended
13 by striking the subsection.

14 Sec. 100. Section 154A.1, subsection 6, Code 2024, is
15 amended to read as follows:

16 6. "*Hearing aid specialist*" means any person engaged in the
17 fitting, dispensing, and sale of hearing aids and providing
18 hearing aid services or maintenance, by means of procedures
19 stipulated by [this chapter](#) or the ~~board~~ department.

20 Sec. 101. Section 154A.10, subsection 3, Code 2024, is
21 amended to read as follows:

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

23 Sec. 102. Section 154A.12, subsection 2, Code 2024, is
24 amended to read as follows:

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

28 Sec. 103. Section 154A.13, Code 2024, is amended to read as
29 follows:

30 **154A.13 Temporary permit.**

31 A person who has not been licensed as a hearing aid
32 specialist may obtain a temporary permit from the department
33 upon completion of the application accompanied by the written
34 verification of employment from a licensed hearing aid
35 specialist. The department shall issue a temporary permit for

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1 one year which shall not be renewed or reissued. The fee for
2 issuance of the temporary permit shall be set by the ~~board~~
3 department in accordance with the provisions for establishment
4 of fees by boards in section 147.80. The temporary permit
5 entitles an applicant to engage in the fitting or selection and
6 sale of hearing aids under the supervision of a person holding
7 a valid license.

8 Sec. 104. Section 154A.19, subsection 1, Code 2024, is
9 amended to read as follows:

10 1. This chapter shall not prohibit a corporation,
11 partnership, trust, association, or other organization
12 maintaining an established business address from engaging in
13 the business of selling or offering for sale hearing aids at
14 retail without a license if it employs only licensed hearing
15 aid specialists in the direct fitting or selection and sale
16 of hearing aids. Such an organization shall file annually
17 with the ~~board~~ department a list of all licensed hearing aid
18 specialists and persons holding temporary permits directly
19 or indirectly employed by it. Such an organization shall
20 also file with the ~~board~~ department a statement on a form
21 approved by the ~~board~~ department that the organization submits
22 itself to the rules and regulations of the ~~board~~ department
23 and the provisions of this chapter which the department deems
24 applicable.

25 Sec. 105. Section 154A.23, Code 2024, is amended to read as
26 follows:

27 **154A.23 Disciplinary orders — attorney general.**

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

34 Sec. 106. Section 154A.24, unnumbered paragraph 1, Code
35 2024, is amended to read as follows:

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

4 Sec. 107. Section 154A.24, subsection 2, paragraphs e and s,
5 Code 2024, are amended to read as follows:

6 e. Representing that the service or advice of a person
7 licensed to practice medicine, or one who is certificated as
8 a clinical audiologist by the board of speech pathology and
9 audiology or its equivalent, will be used or made available in
10 the fitting or selection, adjustment, maintenance, or repair
11 of hearing aids when that is not true, or using the words
12 "doctor", "clinic", "clinical audiologist", "state approved",
13 or similar words, abbreviations, or symbols which tend to
14 connote the medical or other professions, except where the
15 title "certified hearing aid audiologist" has been granted
16 by the national hearing aid society, or that the hearing aid
17 specialist has been recommended by this state or the ~~board~~
18 department when such is not accurate.

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

21 Sec. 108. Section 272C.1, subsection 6, paragraph u, Code
22 2024, is amended by striking the paragraph.

23 Sec. 109. REPEAL. Section 154A.7, Code 2024, is repealed.

24 DIVISION XXIV

25 HORIZONTAL AND VERTICAL INFRASTRUCTURE BID THRESHOLD

26 SUBCOMMITTEES

27 Sec. 110. Section 314.1, subsection 2, Code 2024, is amended
28 to read as follows:

29 2. Notwithstanding any other provision of law to the
30 contrary, a public improvement that involves the construction,
31 reconstruction, or improvement of a highway, bridge, or culvert
32 and that has a cost in excess of the applicable threshold in
33 section 73A.18, [262.34](#), [297.7](#), [309.40](#), [310.14](#), or [313.10](#), as
34 modified by the ~~bid threshold subcommittee~~ director pursuant
35 to [section 314.1B](#), shall be advertised and let for bid, except

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1 such public improvements that involve emergency work pursuant
2 to [section 309.40A](#), [313.10](#), or [384.103, subsection 2](#). For a
3 city having a population of fifty thousand or less, a public
4 improvement that involves the construction, reconstruction, or
5 improvement of a highway, bridge, or culvert that has a cost
6 in excess of twenty-five thousand dollars, as modified by the
7 ~~bid threshold subcommittee~~ director pursuant to [section 314.1B](#),
8 shall be advertised and let for bid, excluding emergency work.
9 However, a public improvement that has an estimated total
10 cost to a city in excess of a threshold of fifty thousand
11 dollars, as modified by the ~~bid threshold subcommittee~~ director
12 pursuant to [section 314.1B](#), and that involves the construction,
13 reconstruction, or improvement of a highway, bridge, or culvert
14 that is under the jurisdiction of a city with a population
15 of more than fifty thousand, shall be advertised and let for
16 bid. Cities required to competitively bid highway, bridge,
17 or culvert work shall do so in compliance with the contract
18 letting procedures of [sections 26.3 through 26.12](#).

19 Sec. 111. Section 314.1B, subsection 1, paragraph a, Code
20 2024, is amended by striking the paragraph.

21 Sec. 112. Section 314.1B, subsection 1, paragraph b, Code
22 2024, is amended to read as follows:

23 *b.* The ~~subcommittee~~ director, in consultation with industry
24 and subject matter experts, shall review the competitive bid
25 thresholds applicable to city and county highway, bridge,
26 and culvert projects. The ~~subcommittee~~ director shall
27 review price adjustments for all types of city and county
28 highway, bridge, and culvert construction, reconstruction, and
29 improvement projects, based on changes in the construction
30 price index from the preceding year. Upon completion of the
31 review the ~~subcommittee~~ director may make adjustments in the
32 applicable bid thresholds for types of work based on the price
33 adjustments.

34 Sec. 113. Section 314.1B, subsection 2, paragraph a, Code
35 2024, is amended by striking the paragraph.

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1 Sec. 114. Section 314.1B, subsection 2, paragraphs b, c, d,
2 and e, Code 2024, are amended to read as follows:

3 ~~b. The subcommittee appointed under this subsection~~
4 director, in consultation with industry and subject matter
5 experts, shall review the competitive bid thresholds applicable
6 to governmental entities under chapter 26. The ~~subcommittee~~
7 director shall review price adjustments for all types of
8 construction, reconstruction, and public improvement projects
9 based on the changes in the construction price index, building
10 cost index, and material cost index from the preceding
11 adjustment. Upon completion of the review the ~~subcommittee~~
12 director may make adjustments in the applicable bid thresholds
13 for types of work based on the price adjustments.

14 ~~c. The subcommittee shall not make an initial adjustment to~~
15 ~~the competitive bid threshold in section 26.3 to be effective~~
16 ~~prior to January 1, 2012. Thereafter, the subcommittee~~ The
17 director shall adjust the bid threshold amount in accordance
18 with subsection 3 but shall not adjust the bid threshold to an
19 amount less than the bid threshold applicable to a governmental
20 entity on January 1, 2007.

21 ~~d. Beginning July 1, 2006~~ 2024, the ~~subcommittee~~ director
22 shall make adjustments to the competitive quotation threshold
23 amounts in section 26.14 for vertical infrastructure in
24 accordance with the methodology of paragraph "b".

25 ~~e. After 2012, the subcommittee~~ The director shall adjust
26 the competitive quotation threshold amounts in section 26.14
27 at the same time and by the same percentage as adjustments are
28 made to the competitive bid threshold.

29 Sec. 115. Section 314.1B, subsection 3, Code 2024, is
30 amended to read as follows:

31 3. *Review — publication.* ~~Each subcommittee~~ The director
32 shall ~~meet to conduct the review and~~ make the adjustments
33 described in this section on or before August 1 of every
34 other year, or of every year if determined necessary by the
35 ~~subcommittee~~ director. By September 1 of each year in which

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1 a ~~subcommittee~~ director makes adjustments in the bid or
2 quotation thresholds, the director shall cause an advisory
3 notice to be published in the Iowa administrative bulletin and
4 in a newspaper of general circulation in this state, stating
5 the adjusted bid and quotation thresholds to be in effect
6 on January 1 of the following year, as established by the
7 ~~subcommittees~~ director under this section.

8 Sec. 116. Section 314.13, Code 2024, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 4A. "*Director*" means the director of
11 transportation.

12 DIVISION XXV

13 EARLY CHILDHOOD STAKEHOLDERS ALLIANCE

14 Sec. 117. Section 256I.4, subsection 19, Code 2024, is
15 amended by striking the subsection and inserting in lieu
16 thereof the following:

17 19. Serve as the state advisory council required under the
18 federal Improving Head Start for School Readiness Act of 2007,
19 Pub. L. No. 110-134, as designated by the governor.

20 Sec. 118. REPEAL. Section 256I.12, Code 2024, is repealed.

21 DIVISION XXVI

22 PUBLIC FUNDS INTEREST RATES COMMITTEE

23 Sec. 119. Section 12C.6, subsection 2, paragraphs a, c, d,
24 e, and f, Code 2024, are amended to read as follows:

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

33 c. An interest rate established by the ~~committee~~ treasurer
34 of state under this section shall be in effect commencing
35 on the eighth calendar day following the day the rate is

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1 established and until a different rate is established and takes
2 effect.

3 *d.* The ~~committee~~ treasurer of state shall give advisory
4 notice of an interest rate established under [this section](#).
5 This notice may be given by publication in one or more
6 newspapers, by publication in the Iowa administrative bulletin,
7 by ordinary mail to persons directly affected, by any other
8 method determined by the ~~committee~~ treasurer of state, or by
9 a combination of these. In all cases, the notice shall be
10 published in the Iowa administrative bulletin.

11 *e.* The notice shall contain the following words:
12 The rate of interest has been determined by a ~~committee~~ the
13 treasurer of state of the state of Iowa to be the minimum
14 interest rate that shall be paid on public funds deposited in
15 approved financial institutions. To be eligible to accept
16 deposits of public funds of the state of Iowa, a financial
17 institution shall demonstrate a commitment to serve the
18 needs of the local community in which it is chartered to do
19 business. These needs include credit services as well as
20 deposit services. All such financial institutions are required
21 to provide the ~~committee~~ treasurer of state with a written
22 description of their commitment to provide credit services in
23 the community. This statement is available for examination by
24 citizens.

25 *f.* The notice shall also provide the name and address of a
26 state official to whom inquiries can be sent. Actions of the
27 ~~committee~~ treasurer of state under [this section](#) and section
28 12C.6A are exempt from [chapter 17A](#).

29 Sec. 120. Section 12C.6A, subsection 2, Code 2024, is
30 amended to read as follows:

31 2. In addition to establishing a minimum interest rate for
32 public funds pursuant to [section 12C.6](#), ~~the committee composed~~
33 ~~of the superintendent of banking, the superintendent of credit~~
34 ~~unions, the auditor of state or a designee, and the treasurer~~
35 ~~of state, in consultation with subject matter experts as~~

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1 needed, shall develop a list of financial institutions eligible
2 to accept state public funds. The ~~committee~~ treasurer of state
3 shall require that a financial institution seeking to qualify
4 for the list shall annually provide the ~~committee~~ treasurer
5 of state a written statement that the financial institution
6 has complied with the requirements of **this chapter** and has a
7 commitment to community reinvestment consistent with the safe
8 and sound operation of a financial institution, unless the
9 financial institution has received a rating of satisfactory
10 or higher pursuant to the federal Community Reinvestment
11 Act, 12 U.S.C. §2901 et seq., and such rating is certified
12 to the ~~committee~~ treasurer of state by the superintendent of
13 banking. To qualify for the list, a financial institution must
14 demonstrate a continuing commitment to meet the credit needs of
15 the local community in which it is chartered.

16 Sec. 121. Section 12C.6A, subsection 3, unnumbered
17 paragraph 1, Code 2024, is amended to read as follows:

18 The ~~committee~~ treasurer of state may require a financial
19 institution to provide public notice inviting the public to
20 submit comments to the financial institution regarding its
21 community lending activities. Each financial institution shall
22 maintain a file open to public inspection which contains public
23 comments received on its community investment activities, and
24 the financial institution's response to those comments. The
25 ~~committee~~ treasurer of state shall adopt procedures for both
26 of the following:

27 Sec. 122. Section 12C.6A, subsection 4, unnumbered
28 paragraph 1, Code 2024, is amended to read as follows:

29 At least once a year the ~~committee~~ treasurer of state
30 shall review any challenges that have been filed pursuant
31 to **subsection 3**. The ~~committee~~ treasurer of state may hold
32 a public hearing to consider the challenge. In considering
33 a challenge, the ~~committee~~ treasurer of state shall review
34 documents filed with federal regulatory authorities pursuant to
35 the Community Reinvestment Act, 12 U.S.C. §2901 et seq., and

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1 regulations adopted pursuant to the Act, as amended to January
2 1, 1990. In addition, consistent with the confidentiality of
3 financial institution records the ~~committee~~ treasurer of state
4 shall consider other factors including, but not limited to, the
5 following:

6 Sec. 123. Section 12C.6A, subsection 5, Code 2024, is
7 amended to read as follows:

8 5. a. A person who believes a bank has failed to meet its
9 community reinvestment responsibility may file a complaint with
10 the ~~committee~~ treasurer of state detailing the basis for that
11 belief.

12 b. ~~If any committee member, in the member's discretion,~~
13 the treasurer of state, in the treasurer's discretion, finds
14 that the complaint has merit, the ~~member~~ treasurer of state may
15 order the bank alleged to have failed to meet its community
16 reinvestment responsibility to attend and participate in a
17 meeting with the complainant. The ~~committee member~~ treasurer
18 of state may specify who, at minimum, shall represent the bank
19 at the meeting. At the meeting, or at any other time, the bank
20 may, but is not required to, enter into an agreement with a
21 complainant to correct alleged failings.

22 c. ~~A majority of the committee~~ The treasurer of state may
23 order a bank against which a complaint has been filed pursuant
24 to this subsection, to disclose such additional information
25 relating to community reinvestment as required by the order of
26 the ~~majority of the committee~~ treasurer of state.

27 d. This subsection does not preempt any other remedies
28 available under statutory or common law available to the
29 ~~committee~~ treasurer of state, the superintendent of banking, or
30 aggrieved persons to cure violations of this section or chapter
31 524, or rules adopted pursuant to this section or chapter 524.
32 The ~~committee~~ treasurer of state may conduct a public hearing
33 as provided in subsection 4 based upon the same complaint. An
34 order finding merit in a complaint and ordering a meeting is
35 not an election of remedies.

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1 Sec. 124. Section 524.223, subsection 2, unnumbered
2 paragraph 1, Code 2024, is amended to read as follows:

3 If the state bank, director, officer, employee, or
4 substantial shareholder fails to appear at the hearing it shall
5 be deemed to have consented to the issuance of a cease and
6 desist order. In the event of such consent, or if upon the
7 record made at such hearing, the superintendent shall find that
8 any violation or unsafe or unsound practice specified in the
9 notice has been established, the superintendent may issue and
10 serve upon the state bank, director, officer, employee, or
11 substantial shareholder an order to cease and desist from any
12 such violation or practice. Such order may require the state
13 bank and its directors, officers, employees, and shareholders
14 to cease and desist from any such violation or practice and,
15 further, to take affirmative action to correct the conditions
16 resulting from any such violation or practice. In addition,
17 if the violation or practice involves a failure to comply with
18 chapter 12C or any rules adopted pursuant to [chapter 12C](#), the
19 superintendent may recommend to the ~~committee established under~~
20 [section 12C.6](#) treasurer of state that the bank be removed from
21 the list of financial institutions eligible to accept public
22 funds under [section 12C.6A](#) and may require that during the
23 current calendar quarter and up to the next succeeding eight
24 calendar quarters that the bank do any one or more of the
25 following:

26 DIVISION XXVII

27 BOARD OF EXAMINERS OF SHORTHAND REPORTERS

28 Sec. 125. Section 272C.1, subsection 6, paragraph b, Code
29 2024, is amended by striking the paragraph.

30 Sec. 126. Section 602.1209, subsections 9 and 13, Code 2024,
31 are amended by striking the subsections.

32 Sec. 127. Section 602.1513, Code 2024, is amended to read
33 as follows:

34 **602.1513 Per diem compensation.**

35 The supreme court shall set the per diem compensation under

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1 ~~sections 602.1511 and~~ section 602.1512 at a rate per day not
2 exceeding the rate specified in section 7E.6.

3 Sec. 128. Section 602.3105, Code 2024, is amended to read
4 as follows:

5 **602.3105 Applications.**

6 Applications for certification shall be on forms prescribed
7 and furnished by the ~~board~~ department of inspections, appeals,
8 and licensing and the ~~board~~ department shall not require that
9 the application contain a photograph of the applicant. An
10 applicant shall not be denied certification because of age,
11 citizenship, sex, race, religion, marital status, or national
12 origin although the application may require citizenship
13 information. Character references may be required, but shall
14 not be obtained from certified shorthand reporters.

15 Sec. 129. Section 602.3106, Code 2024, is amended to read
16 as follows:

17 **602.3106 Fees — appropriation.**

18 1. The ~~supreme court~~ department of inspections, appeals,
19 and licensing shall set the fee for certification examinations.
20 The fee shall be based on the annual cost of administering the
21 examinations and upon the administrative costs of sustaining
22 the activities of the ~~board~~ department of inspections, appeals,
23 and licensing under this article, which shall include but shall
24 not be limited to the cost for per diem, expenses, and travel
25 for ~~board members~~ employees of the department, and office
26 facilities, supplies, and equipment.

27 2. The fees collected are appropriated to the ~~judicial~~
28 ~~branch~~ department and shall be used to offset the expenses of
29 the ~~board~~ department, including the costs of administering the
30 examination.

31 Sec. 130. Section 602.3107, Code 2024, is amended to read
32 as follows:

33 **602.3107 Examinations.**

34 The ~~board~~ department of inspections, appeals, and licensing
35 may administer as many examinations per year as necessary,

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1 but shall administer at least one examination per year.
2 The scope of the examinations and the methods of procedure
3 shall be prescribed by the ~~board~~ department. A written
4 examination may be conducted by representatives of the ~~board~~
5 department. Examinations in theory shall be in writing
6 and the identity of the person taking the examination shall
7 be concealed until after the examination papers have been
8 graded. For examinations in practice, the identity of the
9 person taking the examination also shall be concealed as far
10 as possible. Applicants who fail the examination once may
11 take the examination at the next scheduled time. Thereafter,
12 the applicant may be allowed to take the examination at the
13 discretion of the ~~board~~ department. An applicant who has
14 failed the examination may request in writing information
15 from the ~~board~~ department concerning the examination grade
16 and subject areas or questions which the applicant failed to
17 answer correctly, and the ~~board~~ department shall provide the
18 information. However, if the ~~board~~ department administers
19 a uniform, standardized examination, the ~~board~~ department
20 is only required to provide the examination grade and other
21 information concerning the applicant's examination results that
22 is available to the ~~board~~ department.

23 Sec. 131. Section 602.3108, Code 2024, is amended to read
24 as follows:

25 **602.3108 Certification.**

26 The ~~board~~ department of inspections, appeals, and licensing
27 may issue a certificate to a person of good moral character
28 and fitness who makes application on a form prescribed and
29 furnished by the ~~board~~ department and who satisfies the
30 education, experience, and examination requirements of this
31 article and rules prescribed by the supreme court pursuant
32 to [this article](#). The ~~board~~ department may consider the
33 applicant's past record of any felony conviction and the
34 applicant's past record of disciplinary action with respect to
35 certification as a shorthand reporter in any jurisdiction. The

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1 ~~board~~ department may deny certification if the ~~board~~ department
2 finds the applicant has committed any of the acts listed in
3 section 602.3203 or has made a false statement of material fact
4 on the application for certification.

5 Sec. 132. Section 602.3201, Code 2024, is amended to read
6 as follows:

7 **602.3201 Requirement of certification — use of title.**

8 A person shall not engage in the profession of shorthand
9 reporting unless the person is certified pursuant to this
10 chapter, or otherwise exempted pursuant to section 602.6603,
11 subsection 4. Only a person who is certified by the ~~board~~
12 department of inspections, appeals, and licensing may

13 assume the title of certified shorthand reporter, or use the
14 abbreviation C.S.R., or any words, letters, or figures to
15 indicate that the person is a certified shorthand reporter.

16 Sec. 133. Section 602.3205, subsection 3, Code 2024, is
17 amended to read as follows:

18 3. a. An audio or video recording of a certified shorthand
19 reporter shall be provided to the ~~board~~ department of
20 inspections, appeals, and licensing upon request by the ~~board~~
21 department if a disciplinary proceeding is pending regarding
22 the certified shorthand reporter who is a respondent under the
23 provisions of [section 602.3203](#) or the rules of the ~~board of~~
24 ~~examiners of shorthand reporters, Iowa court rules, ch. 46~~
25 department.

26 b. The audio and video recordings provided to the
27 ~~board~~ department pursuant to [this subsection](#) shall be kept
28 confidential by the ~~board~~ department in a manner as provided in
29 section 272C.6, subsection 4.

30 Sec. 134. Section 602.3206, Code 2024, is amended to read
31 as follows:

32 **602.3206 Exempt status.**

33 If a person's certification as a shorthand reporter is
34 placed in exempt status, the person may transcribe or certify
35 a proceeding the person reported while certified as an active

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1 shorthand reporter. A person transcribing or certifying a
2 proceeding pursuant to [this section](#) shall remain subject to the
3 jurisdiction of the ~~board of examiners of shorthand reporters~~
4 department of inspections, appeals, and licensing.

5 Sec. 135. Section 602.3301, subsection 1, unnumbered
6 paragraph 1, Code 2024, is amended to read as follows:

7 ~~A member~~ An employee of the board department of inspections,
8 appeals, and licensing shall not disclose information relating
9 to the following:

10 Sec. 136. Section 602.3301, subsection 2, Code 2024, is
11 amended to read as follows:

12 2. ~~A member~~ An employee of the board department who
13 willfully communicates or seeks to communicate information
14 referred to in [subsection 1](#), or a person who willfully
15 requests, obtains, or seeks to obtain information referred to
16 in [subsection 1](#), is guilty of a simple misdemeanor.

17 Sec. 137. Section 602.6603, subsection 5, Code 2024, is
18 amended to read as follows:

19 5. Except as provided in [subsection 4](#), a person shall not
20 be appointed to the position of court reporter of the district
21 court unless the person has been certified as a shorthand
22 reporter by the ~~board of examiners~~ department of inspections,
23 appeals, and licensing under [article 3](#).

24 Sec. 138. REPEAL. Sections 602.1511, 602.3101, 602.3102,
25 602.3103, and 602.3104, Code 2024, are repealed.

26 DIVISION XXVIII

27 MISCELLANEOUS ENTITIES — STRIKES AND REPEALS

28 Sec. 139. Section 230A.110, subsection 2, Code 2024, is
29 amended by striking the subsection.

30 Sec. 140. Section 266.39, subsections 3 and 5, Code 2024,
31 are amended by striking the subsections.

32 Sec. 141. Section 455G.4, Code 2024, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 7. *Repeal.* This section is repealed
35 December 31, 2028. On or before November 29, 2027, the

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1 department of natural resources, in consultation with the
2 board, shall propose legislation to the general assembly to
3 strike or repeal provisions referencing the board and the Iowa
4 comprehensive petroleum underground storage tank fund created
5 in section 455G.3 throughout the Code. The remainder of the
6 moneys in the Iowa comprehensive petroleum underground storage
7 tank fund on December 31, 2028, shall be transferred to the
8 storage tank management account of the groundwater protection
9 fund created in section 455E.11.

10 Sec. 142. Section 602.6405, subsection 3, Code 2024, is
11 amended to read as follows:

12 3. The criminal procedure before magistrates is as provided
13 in [chapters 804, 806, 808, 811, and 820](#) ~~and 821~~ and [rules](#)
[of criminal procedure 2.1, 2.2, 2.5, 2.7, 2.8, and 2.51 to 2.75.](#)

15 The civil procedure before magistrates shall be as provided in
16 chapters 631 and [648](#).

17 Sec. 143. Section 906.4, subsection 2, paragraph b, Code
18 2024, is amended by striking the paragraph.

19 Sec. 144. REPEAL. Sections 7D.15, 80E.2, 155A.2A, 206.23A,
20 206.23B, 237A.23, 252B.22, 256.17, 312.3D, 328.13, 423.9A,
21 455B.150, 455B.151, 461A.79, 461A.80, 466B.31, 475A.7, 691.6B,
22 and 907B.3, Code 2024, are repealed.

23 Sec. 145. REPEAL. Chapters 473A and 821, Code 2024, are
24 repealed.

DIVISION XXIX

TRANSITION PROVISIONS

27 Sec. 146. TRANSITION PROVISIONS.

28 1. A rule adopted by a government body eliminated in this
29 Act that is in force and effect immediately prior to the
30 effective date of this division of this Act shall continue in
31 full force and effect until the earlier of the following:

32 a. The rule is amended, rescinded, or supplemented by the
33 affirmative action of the government body under which the
34 former government body was organized or that is assuming the
35 duties of the eliminated government body.

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1 COMMUNITY COLLEGE FACULTY ADVISORY COMMITTEE AND QUALITY
2 FACULTY PLAN PROFESSIONAL DEVELOPMENT COMMITTEE. The bill
3 eliminates the community college faculty advisory committee and
4 quality faculty plan professional development committee.
5 COMMISSION ON EDUCATOR LEADERSHIP AND COMPENSATION. The
6 bill eliminates the commission on educator leadership and
7 compensation and transfers its duties to the department of
8 education.
9 TELECOMMUNICATIONS ADVISORY COMMITTEE. The bill eliminates
10 the telecommunications advisory committee.
11 INTEGRATED ROADSIDE VEGETATION MANAGEMENT TECHNICAL ADVISORY
12 COMMITTEE. The bill eliminates the integrated roadside
13 vegetation management technical advisory committee.
14 TOURIST SIGNING COMMITTEE. The bill eliminates the tourist
15 signing committee.
16 ADVISORY COMMITTEE FOR PERINATAL GUIDELINES. The bill
17 eliminates the advisory committee for perinatal guidelines.
18 CHILD CARE ADVISORY COMMITTEE. The bill eliminates the
19 child care advisory committee.
20 DEPENDENT ADULT PROTECTIVE ADVISORY COUNCIL. The bill
21 eliminates the dependent adult protective advisory council and
22 transfers its duties to the department of health and human
23 services.
24 COUNTY CARE FACILITIES MENTAL HEALTH AND DISABILITY SERVICES
25 STANDARDS ADVISORY COMMITTEE. The bill eliminates the county
26 care facilities mental health and disability services standards
27 advisory committee.
28 911 COMMUNICATIONS COUNCIL. The bill eliminates the 911
29 communications council.
30 IOWA CULTURAL TRUST BOARD OF TRUSTEES. The bill eliminates
31 the Iowa cultural trust board of trustees and transfers its
32 duties to the economic development authority.
33 IOWA GREAT PLACES BOARD. The bill eliminates the Iowa
34 great places board and transfers its duties to the economic
35 development authority.

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1 FARM DEER COUNCIL. The bill eliminates the farm deer
2 council.

3 GRAIN INDUSTRY PEER REVIEW PANEL. The bill eliminates the
4 grain industry peer review panel.

5 ORGANIC ADVISORY COUNCIL. The bill eliminates the organic
6 advisory council.

7 WELL CONTRACTORS' COUNCIL. The bill eliminates the well
8 contractors' council.

9 INTERSTATE COOPERATION COMMISSION. The bill eliminates the
10 interstate cooperation commission.

11 STATE BUILDING CODE ADVISORY COUNCIL. The bill eliminates
12 the state building code advisory council and transfers
13 its duties to the department of inspections, appeals, and
14 licensing.

15 BOARD OF HEARING AID SPECIALISTS. The bill eliminates the
16 board of hearing aid specialists and transfers its duties to
17 the department of inspections, appeals, and licensing.

18 HORIZONTAL AND VERTICAL INFRASTRUCTURE BID THRESHOLD
19 SUBCOMMITTEES. The bill eliminates the horizontal and vertical
20 infrastructure bid threshold subcommittees and transfers their
21 duties to the director of transportation, who shall consult
22 with industry and subject matter experts.

23 EARLY CHILDHOOD STAKEHOLDERS ALLIANCE. The bill eliminates
24 the early childhood stakeholders alliance and makes the early
25 childhood Iowa state board the state advisory council required
26 under the federal Improving Head Start for School Readiness Act
27 of 2007.

28 PUBLIC FUNDS INTEREST RATES COMMITTEE. The bill eliminates
29 the public funds interest rates committee and transfers its
30 duties to the treasurer of state, who may consult with subject
31 matter experts as needed.

32 BOARD OF EXAMINERS OF SHORTHAND REPORTERS. The bill
33 eliminates the board of examiners of shorthand reporters and
34 transfers its duties to the department of inspections, appeals,
35 and licensing.

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1 MISCELLANEOUS ENTITIES — STRIKES AND REPEALS. The bill
2 eliminates the community mental health centers mental health
3 and disability services standards advisory committee, Leopold
4 center for sustainable agriculture advisory board, public
5 policy research foundation, drug policy advisory council,
6 alternate members for the board of pharmacy, commercial
7 pesticide applicator peer review panel, private pesticide
8 applicator peer review panel, leadership council for child care
9 training and development, child support services task force on
10 liens and motor vehicle registrations, postsecondary course
11 audit committee, street construction fund distribution advisory
12 committee, commercial air service retention and expansion
13 committee, Iowa streamlined sales tax advisory council, federal
14 Clean Air Act compliance advisory panel, advisory council for
15 public outdoor recreation and resources and the associated
16 funding program, watershed planning advisory council, consumer
17 advisory panel, and interagency coordinating council. The bill
18 repeals membership provisions for the interstate compact for
19 adult offender supervision.

20 The bill eliminates the Iowa comprehensive petroleum
21 underground storage tank fund board effective December 31,
22 2028, and requires the department of natural resources, in
23 consultation with the board, to submit conforming legislation.

24 The bill repeals the midwest energy compact and the
25 agreement on detainers compact.

26 TRANSITION PROVISIONS. The bill provides that a rule
27 adopted by a government body eliminated by the bill that is
28 in force and effect immediately prior to July 1, 2024, shall
29 continue in full force and effect until it expires by its
30 own terms or is repealed by the relevant government body. A
31 license or permit issued by a government body eliminated by the
32 bill that is in effect on July 1, 2024, continues in full force
33 and effect until expiration or renewal. The bill transfers
34 control of moneys and client and organizational files in the
35 possession of an entity eliminated by the bill to the control

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1 of the government body assuming control of the duties of the
2 former government body.

3 The bill provides that personnel in the state merit system of
4 employment who are mandatorily transferred due to the effect of
5 the bill shall be so transferred without any loss in salary,
6 benefits, or accrued years of service.

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House File 2575 - Introduced

HOUSE FILE 2575
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 621)

A BILL FOR

1 An Act relating to the nonconsensual causing of death of,
2 or serious injury to, an unborn person, and providing
3 penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 707.8, Code 2024, is amended to read as
2 follows:

3 707.8 ~~Nonconsensual termination~~ — causing of death of, or
4 serious injury to a human pregnancy, an unborn person.

5 1. A person who ~~terminates a human pregnancy~~ causes the
6 death of an unborn person without the consent of the pregnant
7 person during the commission of a forcible felony is guilty of
8 a class "B" "A" felony.

9 2. A person who ~~terminates a human pregnancy~~ causes the
10 death of an unborn person without the consent of the pregnant
11 person during the commission of a felony or felonious assault
12 is guilty of a class "C" "A" felony.

13 3. a. A person who intentionally ~~terminates a human~~
14 ~~pregnancy~~ causes the death of an unborn person without the
15 knowledge and voluntary consent of the pregnant person is
16 guilty of a class "C" "B" felony.

17 b. A person who attempts to intentionally ~~terminate a~~
18 ~~human pregnancy~~ cause the death of an unborn person without
19 the knowledge and voluntary consent of the pregnant person is
20 guilty of a class "D" "C" felony.

21 4. A person who unintentionally ~~terminates a human~~
22 ~~pregnancy~~ causes the death of an unborn person by any of the
23 means provided pursuant to [section 707.6A, subsection 1](#), is
24 guilty of a class "C" "B" felony.

25 5. A person who by force or intimidation procures the
26 consent of the pregnant person to a ~~termination of a human~~
27 ~~pregnancy~~ cause the death of an unborn person is guilty of a
28 class "C" felony.

29 6. A person who unintentionally ~~terminates a human~~
30 ~~pregnancy~~ causes the death of an unborn person while drag
31 racing in violation of [section 321.278](#) is guilty of a class "D"
32 felony.

33 7. A person who unintentionally ~~terminates a human~~
34 ~~pregnancy~~ causes the death of an unborn person without the
35 knowledge and voluntary consent of the pregnant person by

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1 the commission of an act in a manner likely to cause the
2 ~~termination death~~ of or serious injury to ~~a human pregnancy an~~
3 ~~unborn person~~ is guilty of an aggravated misdemeanor.

4 8. A person commits an aggravated misdemeanor when the
5 person intentionally causes serious injury to ~~a human pregnancy~~
6 ~~an unborn person~~ by the commission of an act in a manner likely
7 to cause the ~~termination death~~ of or serious injury to ~~a human~~
8 ~~pregnancy an unborn person~~.

9 9. A person commits an aggravated misdemeanor when the
10 person unintentionally causes serious injury to ~~a human~~
11 ~~pregnacy an unborn person~~ by any of the means described in
12 section 707.6A, subsection 1.

13 10. A person commits a serious misdemeanor when the person
14 unintentionally causes serious injury to ~~a human pregnancy an~~
15 ~~unborn person~~ by the commission of an act in a manner likely to
16 cause the ~~termination death~~ of or serious injury to the ~~human~~
17 ~~pregnacy unborn person~~.

18 11. For the purposes of **this section** ~~"serious injury to a~~
19 ~~human pregnancy"~~:

20 *a. "Serious injury to an unborn person"* means, relative to
21 the ~~human pregnancy unborn person~~, disabling mental illness,
22 or bodily injury which creates a substantial risk of death or
23 which causes serious permanent disfigurement, or protracted
24 loss or impairment of the function of any bodily member or
25 organ, and includes but is not limited to skull fractures, rib
26 fractures, and metaphyseal fractures of the long bones.

27 *b. "Unborn person"* means an individual organism of the
28 ~~species homo sapiens from fertilization to live birth~~.

29 12. As used in **this section**, actions which cause the
30 ~~termination death~~ of or serious injury to ~~a pregnancy an unborn~~
31 ~~person~~ do not apply to any of the following:

32 *a.* An act or omission of the pregnant person.

33 *b.* A ~~termination death~~ of or a serious injury to ~~a pregnancy~~
34 ~~an unborn person~~ which is caused by the performance of an
35 approved medical procedure performed by a person licensed in

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1 this state to practice medicine and surgery or osteopathic
2 medicine and surgery, irrespective of the duration of the
3 pregnancy and with or without the voluntary consent of the
4 pregnant person when circumstances preclude the pregnant person
5 from providing consent.

6 c. An act committed in self-defense or in defense of another
7 person or any other act committed if legally justified or
8 excused.

9 EXPLANATION

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

12 This bill relates to Code section 707.8 (nonconsensual
13 termination — serious injury to a human pregnancy).

14 The bill replaces references to "human pregnancy" throughout
15 the Code section with "unborn person", and defines "unborn
16 person".

17 Current Code section 707.8(1) provides that a person
18 who terminates a human pregnancy without the consent of the
19 pregnant person during the commission of a forcible felony is
20 guilty of a class "B" felony. A class "B" felony is punishable
21 by confinement for no more than 25 years. The bill amends this
22 Code subsection to provide that a person who causes the death
23 of an unborn person without the consent of the pregnant person
24 during the commission of a forcible felony is guilty of a class
25 "A" felony. A class "A" felony is punishable by confinement
26 for life without possibility of parole.

27 Current Code section 707.8(2) provides that a person
28 who terminates a human pregnancy without the consent of the
29 pregnant person during the commission of a felony or felonious
30 assault is guilty of a class "C" felony. A class "C" felony
31 is punishable by confinement for no more than 10 years and
32 a fine of at least \$1,370 but not more than \$13,660. The
33 bill amends this Code subsection to provide that a person who
34 causes the death of an unborn person without the consent of the
35 pregnant person during the commission of a felony or felonious

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1 assault is guilty of a class "A" felony. A class "A" felony
2 is punishable by confinement for life without possibility of
3 parole.

4 Current Code section 707.8(3)(a) provides that a person
5 who intentionally terminates a human pregnancy without the
6 knowledge and voluntary consent of the pregnant person is
7 guilty of a class "C" felony. The bill amends this Code
8 paragraph to provide that a person who intentionally causes the
9 death of an unborn person without the knowledge and voluntary
10 consent of the pregnant person is guilty of a class "B" felony.
11 Additionally, under current Code section 707.8(3)(b), a person
12 who attempts to intentionally terminate a human pregnancy
13 without the knowledge and voluntary consent of the pregnant
14 person is guilty of a class "D" felony. A class "D" felony
15 is punishable by confinement for no more than five years and
16 a fine of at least \$1,025 but not more than \$10,245. The
17 bill amends this Code paragraph to provide that a person who
18 attempts to intentionally cause the death of an unborn person
19 without the knowledge and voluntary consent of the pregnant
20 person is guilty of a class "C" felony.

21 Current Code section 707.8(4) provides that a person who
22 unintentionally terminates a human pregnancy by any of the
23 means provided pursuant to Code section 707.6A(1) (operating
24 a motor vehicle while intoxicated), is guilty of a class "C"
25 felony. The bill amends this Code subsection to provide that a
26 person who unintentionally causes the death of an unborn person
27 by any of the means provided pursuant to Code section 707.6A(1)
28 is guilty of a class "B" felony.

29 Current Code section 707.8(5) provides that a person who
30 by force or intimidation procures the consent of the pregnant
31 person to a termination of a human pregnancy is guilty of a
32 class "C" felony. The bill amends this Code subsection to
33 provide that a person who by force or intimidation procures the
34 consent of the pregnant person to cause the death of an unborn
35 person is guilty of a class "C" felony.

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1 Current Code section 707.8(6) provides that a person who
2 unintentionally terminates a human pregnancy while drag racing
3 is guilty of a class "D" felony. The bill amends this Code
4 subsection to provide that a person who unintentionally causes
5 the death of an unborn person while drag racing is guilty of a
6 class "D" felony.

7 Current Code section 707.8(7) provides that a person who
8 unintentionally terminates a human pregnancy without the
9 knowledge and voluntary consent of the pregnant person by
10 the commission of an act in a manner likely to cause the
11 termination of or serious injury to a human pregnancy is guilty
12 of an aggravated misdemeanor. An aggravated misdemeanor is
13 punishable by confinement for no more than two years and a
14 fine of at least \$855 but not more than \$8,540. The bill
15 amends this Code subsection to provide that a person who
16 unintentionally causes the death of an unborn person without
17 the knowledge and voluntary consent of the pregnant person
18 by the commission of an act in a manner likely to cause the
19 death of or serious injury to an unborn person is guilty of an
20 aggravated misdemeanor.

21 Current Code section 707.8(8) provides that a person
22 commits an aggravated misdemeanor when the person intentionally
23 causes serious injury to a human pregnancy by the commission
24 of an act in a manner likely to cause the termination of or
25 serious injury to a human pregnancy. The bill amends this
26 Code subsection to provide that a person commits an aggravated
27 misdemeanor when the person intentionally causes serious injury
28 to an unborn person by the commission of an act in a manner
29 likely to cause the death of or serious injury to an unborn
30 person.

31 Current Code section 707.8(9) provides that a person commits
32 an aggravated misdemeanor when the person unintentionally
33 causes serious injury to a human pregnancy by any of the means
34 described in Code section 707.6A(1) (operating a motor vehicle
35 while intoxicated). The bill amends this Code subsection to

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1 provide that a person commits an aggravated misdemeanor when
2 the person unintentionally causes serious injury to an unborn
3 person by any of the means described in Code section 707.6A(1).
4 Current Code section 707.8(10) provides that a person
5 commits a serious misdemeanor when the person unintentionally
6 causes serious injury to a human pregnancy by the commission
7 of an act in a manner likely to cause the termination of or
8 serious injury to the human pregnancy. A serious misdemeanor
9 is punishable by confinement for no more than one year and
10 a fine of at least \$430 but not more than \$2,560. The bill
11 amends this Code subsection to provide that a person commits
12 a serious misdemeanor when the person unintentionally causes
13 serious injury to an unborn person by the commission of an act
14 in a manner likely to cause the death of or serious injury to
15 the unborn person.

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House File 2576 - Introduced

HOUSE FILE 2576
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 693)

A BILL FOR

1 An Act establishing a cause of action for murder in the first
2 degree by causing the death of another by delivering,
3 dispensing, or providing fentanyl or a fentanyl-related
4 substance, and making penalties applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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(2) It is not a defense pursuant to this paragraph that the other person contributed to the person's own death by the purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by consenting to the administration of the controlled substance by another person.

35 The bill provides that it is not a defense that the other

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1 person contributed to the person's own death by the purposeful,
2 knowing, reckless, or negligent injection, inhalation,
3 absorption, or ingestion of the controlled substance or by
4 consenting to the administration of the controlled substance
5 by another person.

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House File 2577 - Introduced

HOUSE FILE 2577
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 660)

A BILL FOR

1 An Act relating to end-of-life care under guardianships of
2 adults.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 ability to make decisions regarding the care, maintenance,
2 health, education, welfare, and safety of the protected
3 person except as otherwise limited by the court, which
4 the guardian may exercise thereafter without prior court
5 approval. The bill provides that this includes end-of-life
6 care decisions (hospice, palliative care, and life-sustaining
7 interventions, and the power to execute, reaffirm, or revoke a
8 do-not-resuscitate or do-not-intubate order). A guardian is
9 only able to make an end-of-life care decision if the guardian
10 has consulted with the protected person not more than 14 days
11 before executing the end-of-life care decision and consulted
12 with the protected person's attending physician. However,
13 if the protected person is not able to have a meaningful
14 conversation about end-of-life care decisions, a guardian may
15 instead consult with family members and other significant
16 others of the protected person not more than 14 days before
17 executing the end-of-life decision. The bill provides that
18 except for cases in which the protected person's diagnosis is a
19 terminal illness with life expectancy of six months or less, a
20 guardian may not authorize the withdrawal of life-sustaining
21 procedures or authorize any medicine or procedure that
22 terminates the protected person's life without first obtaining
23 a court order authorizing such action.

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House File 2578 - Introduced

HOUSE FILE 2578
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HSB 598)

A BILL FOR

1 An Act relating to certain emergency services provided by a
2 city.

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

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1 Section 1. Section 362.5, subsection 3, paragraph a, Code
2 2024, is amended to read as follows:

3 a. The payment of lawful compensation of a city officer,
4 volunteer fire fighter as defined in section 85.61, emergency
5 medical care provider as defined in section 147A.1, or employee
6 holding more than one city office or position, the holding of
7 which is not incompatible with another public office or is
8 not prohibited by law. This section shall not be construed
9 to prohibit nominal stipends, compensation, incentives, or
10 benefits for volunteer fire fighters or emergency medical care
11 providers.

12 Sec. 2. Section 372.13, subsection 10, Code 2024, is amended
13 to read as follows:

14 10. A council member, during the term for which that member
15 is elected, is not precluded from holding the office of chief
16 of the volunteer fire department or from serving the volunteer
17 fire department in any other position or capacity. A person
18 holding the office of chief of such a volunteer fire department
19 at the time of the person's election to the city council may
20 continue to hold the office of chief of the fire department
21 during the city council term for which that person was elected,
22 or may serve as chief of the volunteer fire department upon
23 a majority vote of the council. A council member who is a
24 candidate for the position of chief of the volunteer fire
25 department or an appointed officer position shall abstain
26 from voting upon the council member's own appointment to the
27 position.

28 Sec. 3. Section 384.3, Code 2024, is amended to read as
29 follows:

30 **384.3 General fund.**

31 1. All moneys received for city government purposes from
32 taxes and other sources must be credited to the general fund
33 of the city, except that moneys received for the purposes of
34 the debt service fund, the trust and agency funds, the capital
35 improvements reserve fund, the emergency fund, and other

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1 funds established by state law must be deposited as otherwise
2 required or authorized by state law. All moneys received by
3 a city from the federal government must be reported to the
4 department of management, who shall transmit a copy to the
5 legislative services agency.

6 2. a. A city may establish an additional fund or a reserve
7 savings account to pay costs associated with the acquisition,
8 possession, and maintenance of major equipment for police,
9 fire, rescue, or emergency medical services. Moneys in a fund
10 or account established under this paragraph may remain in the
11 fund or account at the end of each fiscal year.

12 b. If a city has established an additional fund or a reserve
13 savings account under paragraph "a" and has received a payment,
14 award, judgment, or insurance settlement for damaged police,
15 fire, rescue, or emergency medical services equipment or
16 vehicles, the city shall deposit the moneys into the relevant
17 fund or account rather than into the general fund of the city.
18 However, if a city uses moneys from its general fund to cover
19 costs to repair or replace damaged police, fire, rescue, or
20 emergency medical services equipment or vehicles, the city
21 may deposit into its general fund an amount received from the
22 payment, award, judgment, or insurance settlement that is equal
23 to the amount used from the general fund. The city shall
24 deposit any remaining amount received from the payment, award,
25 judgment, or insurance settlement into the relevant fund or
26 account established under paragraph "a".

27 c. If a city has established an additional fund under
28 paragraph "a", moneys remaining in the fund at the end of the
29 fiscal year may be deposited into a reserve savings account.
30 Moneys in a reserve savings account shall be used for the
31 purpose of maintaining or acquiring major equipment including
32 vehicles.

33 EXPLANATION

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

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1 This bill relates to certain emergency services provided by
2 a city.

3 Current law generally voids a contract entered into by a city
4 officer or employee if the officer or employee has an interest,
5 direct or indirect, in the contract or job of work or material
6 or the profits thereof or services to be furnished or performed
7 for the officer's or employee's city. The bill provides that
8 this provision does not prohibit the lawful compensation,
9 including nominal stipends, incentives, and benefits, for a
10 volunteer fire fighter or emergency medical care provider
11 holding one or more city offices or positions if holding the
12 office or position is not incompatible with another public
13 office or is not prohibited by law.

14 Current law allows a city council member, during the term
15 for which the member is elected, to serve as the chief of a
16 volunteer fire department or serve a volunteer fire department
17 in any other capacity. A person holding the office of chief of
18 such a volunteer fire department at the time of the person's
19 election to the city council may continue to hold the office of
20 chief of the volunteer fire department during the city council
21 term for which that person was elected. The bill allows a
22 city council member to serve as chief of the volunteer fire
23 department upon a majority vote of the council, but such member
24 must abstain from the vote.

25 The bill provides that a city may establish a fund or
26 reserve savings account to pay for major equipment for police,
27 fire, rescue, or emergency medical services. If a city has
28 established such a fund or account and has received a payment,
29 award, judgment, or insurance settlement for damaged police,
30 fire, rescue, or emergency medical services equipment or
31 vehicles, the city shall deposit the moneys into the relevant
32 fund or account rather than into the general fund of the city.
33 However, if a city uses moneys from its general fund to cover
34 costs to repair or replace such equipment or vehicles, the
35 city may deposit into its general fund an amount received from

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1 the payment, award, judgment, or insurance settlement that is
2 equal to the amount used from the general fund. The city shall
3 deposit any remaining amount received into the relevant fund or
4 account. Moneys remaining in the fund at the end of the fiscal
5 year may be deposited into a reserve savings account. Moneys
6 in a reserve savings account shall be used for the purpose of
7 maintaining or acquiring major equipment including vehicles.

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House File 2579 - Introduced

HOUSE FILE 2579

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 2142)

A BILL FOR

1 An Act relating to personalized fire fighter and emergency
2 medical services special registration plates, and providing
3 fees.

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

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1 Section 1. Section 321.34, subsection 10, paragraphs a, b,
2 and d, Code 2024, are amended to read as follows:

3 ~~a. An owner referred to in subsection 12 who~~ Upon
4 application and payment of the proper fees, the director may
5 issue fire fighter plates to the owner of a motor vehicle
6 subject to registration under section 321.109, subsection 1,
7 autocycle, motor truck, motor home, multipurpose vehicle,
8 motorcycle, trailer, or travel trailer if the owner is
9 a current or retired member of a paid or volunteer fire
10 department ~~may, upon written application to the department,~~
11 ~~order.~~ The special registration plates, designed by the
12 department in cooperation with representatives designated by
13 the Iowa fire fighters' associations, ~~which~~ signify that the
14 applicant is a current or retired member of a paid or volunteer
15 fire department.

16 b. The application shall be approved by the department
17 in consultation with representatives designated by the Iowa
18 fire fighters' associations, and the special registration
19 plates shall be issued to the applicant in exchange for the
20 registration plates previously issued to the person. An
21 applicant who is the owner of a business-trade truck or special
22 truck shall not be issued special fire fighter registration
23 plates for more than one vehicle. The fee for the special
24 plates is twenty-five dollars which shall be paid in addition
25 to the regular annual registration fee. An applicant may
26 obtain personalized fire fighter plates upon payment of
27 the additional fee for personalized plates as provided in
28 subsection 5 in addition to the special fire fighter fee and
29 the regular registration fee. Personalized plates authorized
30 by this subsection shall be limited to no more than five
31 initials, letters, or combinations of numerals and letters.
32 The department shall validate the special plates in the same
33 manner as regular registration plates are validated under this
34 section at the regular annual registration fee.

35 d. For purposes of this subsection, a person is considered

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1 to be retired if the person is recognized by the chief of the
2 fire department where the individual served, and on record,
3 as officially retired from the fire department. Special fire
4 fighter registration plates ~~with a fire fighter emblem~~ shall
5 be surrendered, ~~as provided in subsection 12,~~ in exchange for
6 regular registration plates upon termination of the motor
7 vehicle owner's membership in the paid or volunteer fire
8 department, unless the person is a retired member in good
9 standing.

10 Sec. 2. Section 321.34, subsection 10A, Code 2024, is
11 amended to read as follows:

12 10A. *Emergency medical services plates.*

13 a. The owner of a motor vehicle referred to in subsection
14 12 who is a current member of a paid or volunteer emergency
15 medical services agency may, upon written application to
16 the department, order special registration plates with an
17 emergency medical services distinguishing processed emblem,
18 designed by the department in cooperation with representatives
19 designated by the Iowa emergency medical services association,
20 ~~which plates signify emblem signifies~~ that the applicant is
21 a current member of a paid or volunteer emergency medical
22 services agency. The application shall be approved by the
23 department, in consultation with representatives designated
24 by the Iowa emergency medical services association, ~~and the~~
25 ~~special registration plates shall be issued to the applicant in~~
26 ~~exchange for the registration plates previously issued to the~~
27 ~~person. The fee for the special plates is twenty-five dollars~~
28 ~~which is in addition to the regular annual registration fee.~~
29 ~~The department shall validate the special plates in the same~~
30 ~~manner as regular registration plates are validated under this~~
31 ~~section at the regular annual registration fee.~~

32 b. The special plate fees collected by the director under
33 ~~this subsection~~ subsection 12, paragraph "a", from the annual
34 validation of letter-number designated emergency medical
35 services plates, and subsection 12, paragraph "c", from the

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1 issuance and annual validation of personalized emergency
2 medical services plates shall be paid monthly to the treasurer
3 of state and deposited in the road use tax fund. The treasurer
4 of state shall transfer monthly from the statutory allocations
5 fund created under [section 321.145, subsection 2](#), to the
6 emergency medical services fund created in [section 135.25](#) the
7 amount of the special fees collected in the previous month for
8 issuance of emergency medical services plates.

9 EXPLANATION

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

12 Under current law, an owner of a motor vehicle who is
13 a current or retired member of a paid or volunteer fire
14 department may order fire fighter special registration plates
15 signifying the owner is an active or retired fire fighter. The
16 plates are designed by the department of transportation (DOT)
17 in cooperation with representatives designated by the Iowa fire
18 fighters' associations. The design is such that the plates
19 do not match the color and design of regular registration
20 plates (alternate design plates), as authorized by Code section
21 321.166 (vehicle plate specifications).

22 Likewise, under current law, an owner of a motor vehicle
23 who is a current member of a paid or volunteer emergency
24 medical services (EMS) agency may order special registration
25 plates, designed by the DOT in cooperation with representatives
26 designated by the Iowa EMS association, signifying that the
27 person is a current member of a paid or volunteer EMS agency.
28 The design is such that the plates match the color and design
29 of regular registration plates but contain a distinguishing
30 processed emblem (emblem plates).

31 This bill authorizes the DOT to issue personalized fire
32 fighter and EMS registration plates, in accordance with Code
33 sections 321.34(5) and 321.34(12), as applicable. The fee for
34 personalized plates is \$25, which is in addition to all other
35 registration fees. The annual fee for personalized plates is

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1 \$5, and is also in addition to all other fees. Due to the
2 plates' respective designs, the bill limits the number of
3 characters on a personalized fire fighter or EMS plate to five
4 numerals and letters.

5 The bill makes further changes to align the plate provisions
6 with the respective language used for other, similar plates
7 (alternate design plate language for fire fighter plates, and
8 emblem plate language for EMS plates). For purposes of emblem
9 plates, Code section 321.34(12) contains provisions relating
10 to the default \$25 fee, personalized emblem plates, and the
11 exchange or surrender of such plates. Therefore, the EMS plate
12 provision is updated to include relevant references and exclude
13 duplicative provisions.

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House File 2580 - Introduced

HOUSE FILE 2580
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2209)

A BILL FOR

1 An Act relating to legal representation for children who are
2 placed in, or may be placed in, foster care.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 232.89, subsection 2, Code 2024, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 2. a. Upon the filing of a petition, the court shall:

5 (1) Appoint counsel for a child identified in the petition
6 as a party to the proceedings if the child is ten years of age
7 or older.

8 (2) Appoint a guardian ad litem for a child identified in
9 the petition as a party to the proceedings if the child is
10 younger than ten years of age.

11 b. If counsel has previously been appointed for the child
12 pursuant to section 232.11, 232.113, or 232.126, or a guardian
13 ad litem has previously been appointed for the child in a
14 proceeding under subchapter II or a proceeding in which the
15 court has waived jurisdiction under section 232.45, the court
16 shall appoint the same counsel or guardian ad litem upon the
17 filing of the petition under this part.

18 c. Counsel shall be appointed for a child subject to the
19 following:

20 (1) If the child is represented by counsel and the court
21 determines there is a conflict of interest between the child
22 and the child's parent, guardian, putative father, or custodian
23 and that the retained counsel cannot properly represent the
24 child as a result of the conflict, the court shall appoint
25 other counsel to represent the child and that counsel shall
26 be compensated pursuant to section 232.141, subsection 2,
27 paragraph "b".

28 (2) If the child is not represented by counsel, the court
29 shall either order the parent, guardian, or custodian to retain
30 counsel for the child, or the court shall appoint counsel for
31 the child, and the counsel shall be compensated pursuant to
32 section 232.141, subsection 2, paragraph "b".

33 Sec. 2. Section 232.89, subsection 4, Code 2024, is amended
34 by striking the subsection and inserting in lieu thereof the
35 following:

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1 4. If a child attains ten years of age while represented by
2 a guardian ad litem pursuant to this section, the court shall
3 enter an order discharging the guardian ad litem and appoint
4 counsel for the child pursuant to the provisions of this
5 section. A court may appoint a guardian ad litem discharged
6 pursuant to this subsection as counsel for the child if the
7 person can properly represent the legal interests of the child.

8 Sec. 3. Section 232.89, Code 2024, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 5. The right to representation pursuant
11 to this section shall continue until a child is no longer
12 receiving foster care.

13 Sec. 4. Section 232.113, subsection 2, Code 2024, is amended
14 by striking the subsection and inserting in lieu thereof the
15 following:

16 2. a. Upon the filing of a petition, the court shall:

17 (1) Appoint counsel for a child identified in the petition
18 as a party to the proceedings if the child is ten years of age
19 or older.

20 (2) Appoint a guardian ad litem for a child identified in
21 the petition as a party to the proceedings if the child is
22 younger than ten years of age.

23 b. If counsel has previously been appointed for the child
24 pursuant to section 232.11, 232.89, or 232.126, or a guardian
25 ad litem has previously been appointed for the child in a
26 proceeding under subchapter II or a proceeding in which the
27 court has waived jurisdiction under section 232.45, the court
28 shall appoint the same counsel or guardian ad litem upon the
29 filing of the petition under this part.

30 c. Counsel shall be appointed for a child subject to the
31 following:

32 (1) If the child is represented by counsel and the court
33 determines there is a conflict of interest between the child
34 and the child's parent, guardian, putative father, or custodian
35 and that the retained counsel cannot properly represent the

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1 child as a result of the conflict, the court shall appoint
2 other counsel to represent the child and that counsel shall
3 be compensated pursuant to section 232.141, subsection 2,
4 paragraph "b".

5 (2) If the child is not represented by counsel, the court
6 shall either order the parent, guardian, or custodian to retain
7 counsel for the child, or the court shall appoint counsel for
8 the child, and that counsel shall be compensated pursuant to
9 section 232.141, subsection 2, paragraph "b".

10 Sec. 5. Section 232.113, Code 2024, is amended by adding the
11 following new subsections:

12 NEW SUBSECTION. 3. The court shall determine, after giving
13 the parent, guardian, or custodian an opportunity to be heard,
14 whether the person has the ability to pay in whole or in part
15 for counsel appointed for the child. If the court determines
16 that the person possesses sufficient financial ability, the
17 court shall then consult with the department, the juvenile
18 probation office, or other authorized agency or individual
19 regarding the likelihood of impairment of the relationship
20 between the child and the child's parent, guardian, or
21 custodian as a result of ordering the parent, guardian, or
22 custodian to pay for the child's counsel. If impairment is
23 deemed unlikely, the court shall order that person to pay an
24 amount the court finds appropriate in the manner and to whom
25 the court directs. If the person fails to comply with the
26 order without good reason, the court shall enter judgment
27 against the person. If impairment is deemed likely or if the
28 court determines that the parent, guardian, or custodian cannot
29 pay any part of the expenses of counsel appointed to represent
30 the child, counsel shall be reimbursed pursuant to section
31 232.141, subsection 2, paragraph "b".

32 NEW SUBSECTION. 4. If a child attains ten years of age
33 while represented by a guardian ad litem pursuant to this
34 section, the court shall enter an order discharging the
35 guardian ad litem and appoint counsel for the child pursuant to

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1 the provisions of this section. A court may appoint a guardian
2 ad litem discharged pursuant to this subsection as counsel
3 for the child if the person can properly represent the legal
4 interests of the child.

5 NEW SUBSECTION. 5. The right to representation pursuant
6 to this section shall continue until a child is no longer
7 receiving foster care.

8 Sec. 6. Section 232.126, subsection 1, Code 2024, is amended
9 by striking the subsection and inserting in lieu thereof the
10 following:

11 1. a. Upon the filing of a petition, the court shall:

12 (1) Appoint counsel for a child identified in the petition
13 as a party to the proceedings if the child is ten years of age
14 or older.

15 (2) Appoint a guardian ad litem for a child identified in
16 the petition as a party to the proceedings if the child is
17 younger than ten years of age.

18 b. If counsel has previously been appointed for the child
19 pursuant to section 232.11, 232.89, or 232.113, or a guardian
20 ad litem has previously been appointed for the child in a
21 proceeding under subchapter II or a proceeding in which the
22 court has waived jurisdiction under section 232.45, the court
23 shall appoint the same counsel or guardian ad litem upon the
24 filing of the petition under this part.

25 c. Counsel shall be appointed for a child subject to the
26 following:

27 (1) If the child is represented by counsel and the court
28 determines there is a conflict of interest between the child
29 and the child's parent, guardian, putative father, or custodian
30 and that the retained counsel cannot properly represent the
31 child as a result of the conflict, the court shall appoint
32 other counsel to represent the child and that counsel shall
33 be compensated pursuant to section 232.141, subsection 2,
34 paragraph "b".

35 (2) If the child is not represented by counsel, the court

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1 shall either order the parent, guardian, or custodian to retain
2 counsel for the child, or the court shall appoint counsel for
3 the child, and that counsel shall be compensated pursuant to
4 section 232.141, subsection 2, paragraph "b".

5 Sec. 7. Section 232.126, Code 2024, is amended by adding the
6 following new subsections:

7 NEW SUBSECTION. 3. The court shall determine, after giving
8 the parent, guardian, or custodian an opportunity to be heard,
9 whether the person has the ability to pay in whole or in part
10 for counsel appointed for the child. If the court determines
11 that the person possesses sufficient financial ability, the
12 court shall then consult with the department, the juvenile
13 probation office, or other authorized agency or individual
14 regarding the likelihood of impairment of the relationship
15 between the child and the child's parent, guardian, or
16 custodian as a result of ordering the parent, guardian, or
17 custodian to pay for the child's counsel. If impairment is
18 deemed unlikely, the court shall order that person to pay an
19 amount the court finds appropriate in the manner and to whom
20 the court directs. If the person fails to comply with the
21 order without good reason, the court shall enter judgment
22 against the person. If impairment is deemed likely or if the
23 court determines that the parent, guardian, or custodian cannot
24 pay any part of the expenses of counsel appointed to represent
25 the child, counsel shall be reimbursed pursuant to section
26 232.141, subsection 2, paragraph "b".

27 NEW SUBSECTION. 4. If a child attains ten years of age
28 while represented by a guardian ad litem pursuant to this
29 section, the court shall enter an order discharging the
30 guardian ad litem and appoint counsel for the child pursuant to
31 the provisions of this section. A court may appoint a guardian
32 ad litem discharged pursuant to this subsection as counsel
33 for the child if the person can properly represent the legal
34 interests of the child.

35 NEW SUBSECTION. 5. The right to representation pursuant

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1 to this section shall continue until a child is no longer
2 receiving foster care.

3 EXPLANATION

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

6 This bill relates to legal representation for children who
7 are placed in, or may be placed in, foster care.

8 The bill requires a court to appoint counsel for a child 10
9 years of age or older when the child is identified in a child
10 in need of assistance (CINA) petition as a party to the CINA
11 proceedings.

12 The bill requires a court to appoint a guardian ad litem for
13 a child below 10 years of age when the child is identified in a
14 CINA petition as a party to the CINA proceedings.

15 If a child identified in a CINA petition already has counsel
16 in a juvenile delinquency matter or parental termination
17 proceeding, or a guardian ad litem has previously been
18 appointed for the child in a juvenile delinquency proceeding
19 or a matter involving a public offense in which the court has
20 waived jurisdiction, the bill requires the court to appoint the
21 same counsel or guardian ad litem upon the filing of the CINA
22 petition.

23 The bill requires a court to appoint alternate counsel to
24 represent a child if the child is represented by counsel and
25 the court determines there is a conflict of interest between
26 the child and the child's parent, guardian, putative father,
27 or custodian and that the retained counsel cannot properly
28 represent the child as a result of the conflict.

29 When appointing counsel for a child in a CINA proceeding,
30 the bill requires a court to either order the parent, guardian,
31 or custodian to retain counsel for the child, or counsel be
32 appointed for the child.

33 The bill requires a court to discharge the guardian ad litem
34 for a child in a CINA proceeding and appoint counsel for the
35 child upon the child attaining 10 years of age. A discharged

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1 guardian ad litem may be appointed counsel for a child if the
2 person can properly represent the legal interests of the child.

3 The bill contains similar provisions relating to the
4 appointment of counsel or a guardian ad litem for a child in
5 termination of parental rights proceedings and in family in
6 need of assistance proceedings.

7 The bill requires a court in a termination of parental
8 rights proceeding or a family in need of assistance proceeding
9 to determine whether a child's parent, guardian, or custodian
10 is able to compensate an attorney appointed for the child.
11 If the court determines a parent, guardian, or custodian is
12 able to compensate the appointed attorney, the bill requires
13 the court to order the parent, guardian, or custodian to
14 compensate the attorney. If the court determines a parent,
15 guardian, or custodian cannot compensate the appointed attorney
16 without impairment, then the bill requires the county to make
17 reasonable compensation for the appointed attorney.

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House File 2581 - Introduced

HOUSE FILE 2581
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 538)

A BILL FOR

1 An Act relating to required timing for notices regarding
2 underground facility excavations and enforcement of
3 excavation provisions, and including penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 480.1, Code 2024, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 5A. *"Forty-eight-hour period"* means a
4 period of forty-eight consecutive hours beginning at 6:00 a.m.
5 the next business day from the day the notification center
6 receives a notice and excludes Saturdays, Sundays, and legal
7 holidays.

8 NEW SUBSECTION. 5B. *"Locator"* means a person proposing to
9 engage or engaging in the location and marking of underground
10 facilities under contract with an operator. *"Locator"* does not
11 include a person employed by an operator.

12 Sec. 2. Section 480.3, subsection 1, paragraph a,
13 subparagraph (1), Code 2024, is amended to read as follows:

14 (1) The center shall be governed by a board of directors,
15 which shall represent and be elected by operators, excavators,
16 and other persons who participate in the center. The board
17 shall include two members engaged in the business of land
18 excavating. The board, with input from all interested parties,
19 shall determine the operating procedures and technology needed
20 for a single statewide notification center and establish a
21 notification process.

22 Sec. 3. Section 480.3, Code 2024, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 4. The center shall provide records to the
25 utilities board upon request as a part of an investigation on
26 behalf of the attorney general's office.

27 Sec. 4. Section 480.4, subsection 1, paragraph a, Code 2024,
28 is amended to read as follows:

29 a. Except as otherwise provided in ~~this section~~, prior to
30 any excavation, an excavator shall contact the notification
31 center and provide notice of the planned excavation occurring
32 after a forty-eight-hour period. ~~This notice must be given~~
33 ~~at least forty-eight hours prior to the commencement of the~~
34 ~~excavation, excluding Saturdays, Sundays, and legal holidays.~~
35 ~~Notices received after 5:00 p.m. shall be processed as if~~

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1 ~~received at 8:00 a.m. the next business day.~~ The notice shall
2 be valid for twenty calendar days ~~from the date~~ beginning on
3 the day the notice was provided to the notification center
4 forty-eight-hour period concludes, unless an excavator, at the
5 time of providing notice to the notification center, agrees
6 to extend the commencement date of the planned excavation
7 beyond the forty-eight-hour period, in which case the
8 twenty-calendar-day period shall begin on the day the excavator
9 selected as the commencement date of the planned excavation.
10 If all locating and marking of underground facilities is
11 completed prior to the expiration of the forty-eight-hour
12 period, the excavator may proceed with excavation upon being
13 notified by the notification center that the locating and
14 marking of all underground facilities is complete. The
15 notification center shall establish a toll-free telephone
16 number to allow excavators to provide the notice required
17 pursuant to [this subsection](#).

18 Sec. 5. Section 480.4, subsection 3, paragraph a,
19 subparagraphs (1) and (3), Code 2024, are amended to read as
20 follows:

21 (1) An operator who receives notice from the notification
22 center shall mark the horizontal location of the operator's
23 underground facility and the excavator shall use due care in
24 excavating in the marked area to avoid damaging the underground
25 facility. The operator shall complete such locating and
26 marking, and shall notify the notification center that the
27 marking is complete within ~~forty-eight hours after receiving~~
28 ~~the notice, excluding Saturdays, Sundays, and legal holidays,~~
29 the forty-eight-hour period unless otherwise agreed by the
30 operator and the excavator. No later than the expiration of
31 the forty-eight-hour period, ~~excluding Saturdays, Sundays,~~
32 ~~and legal holidays,~~ the notification center shall notify the
33 excavator of the underground facility locating and marking
34 status, or the failure of the operator to notify the center
35 that the locating and marking is complete. The locating and

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1 marking of the underground facilities shall be completed at no
2 cost to the excavator. If, in the opinion of the operator, the
3 planned excavation requires that the precise location of the
4 underground facilities be determined, the excavator, unless
5 otherwise agreed upon between the excavator and the operator,
6 shall hand dig test holes to determine the location of the
7 facilities unless the operator specifies an alternate method.

8 ~~(3) Unless otherwise agreed by the operator and excavator in~~
9 ~~writing, no excavation shall be performed within twenty-five~~
10 ~~feet of an underground natural gas transmission line as defined~~
11 ~~in 49 C.F.R. §192.3~~ An excavation shall not be performed
12 within twenty-five feet of an underground natural gas line
13 operating at one hundred fifty pounds per square inch or
14 greater and that is equal to or greater than two inches in
15 diameter without a written agreement between the operator and
16 the excavator unless a representative of the operator of the
17 underground natural gas transmission line is present at the
18 planned excavation area. This requirement shall not apply,
19 however, when a representative of the operator fails to be
20 present at the proposed excavation area at the time work is
21 scheduled to commence or as otherwise agreed by the operator
22 and excavator in writing. In this event, the excavator shall
23 notify the operator that the representative failed to appear,
24 and excavation operations can begin, provided the excavator
25 uses due care to avoid damaging the underground facilities.

26 Sec. 6. Section 480.4, subsection 3, paragraph b, Code 2024,
27 is amended to read as follows:

28 b. An operator who receives notice from the notification
29 center and who determines that the operator does not have
30 any underground facility located within the proposed area of
31 excavation shall notify the notification center concerning
32 this determination within ~~forty-eight hours after receiving~~
33 ~~the notice, excluding Saturdays, Sundays, and legal holidays~~
34 the forty-eight-hour period. No later than the expiration of
35 the forty-eight-hour period, ~~excluding Saturdays, Sundays,~~

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1 ~~and legal holidays~~, the notification center shall notify the
2 excavator that the operator does not have any underground
3 facilities within the proposed area of excavation.

4 Sec. 7. Section 480.6, subsection 1, Code 2024, is amended
5 by adding the following new paragraph:

6 NEW PARAGRAPH. *c.* If a locator violates a time limit set
7 forth in this chapter or any rule established by the utilities
8 board and a complaint relating to the violation is filed with
9 the utilities board, the locator is subject to a civil penalty
10 in an amount determined by the utilities board. A locator
11 may receive a warning letter from the office of the attorney
12 general in lieu of a penalty for the violation. A civil
13 penalty imposed by the utilities board under this paragraph
14 shall not exceed one hundred dollars for each violation for
15 each day the violation continues, up to a maximum of five
16 thousand dollars.

17 Sec. 8. Section 480.6, subsection 2, Code 2024, is amended
18 to read as follows:

19 2. *a.* The attorney general, upon the receipt of a
20 complaint, may institute any legal proceedings necessary to
21 enforce the penalty provisions of this chapter.

22 *b.* At the direction of the attorney general, the utilities
23 board shall investigate a violation of this chapter. Upon
24 completion of the investigation, the utilities board
25 shall submit to the attorney general a written summary of
26 the investigation and all evidence acquired during the
27 investigation, except as set forth in subsection 2, paragraph
28 "c".

29 *c.* The utilities board may independently receive,
30 investigate, and enforce complaints alleging a violation of
31 this chapter by a locator.

32 Sec. 9. NEW SECTION. **480.11 Locator enforcement authority.**

33 1. A locator who operates in this state and engages in
34 location services under a contract with an operator shall
35 satisfy all of the following requirements:

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8 2. A locator operating in this state is subject to
9 enforcement requirements as established in chapter 476. Any
10 enforcement action taken for a violation of this chapter by a
11 locator shall be taken solely against the locator and not the
12 operator.

24 The bill modifies the requirement for an excavator or an
25 operator to provide notice to the notification center prior
26 to a planned excavation, after locating and marking the area
27 for excavation, or when no underground facility is located in
28 the proposed area. The bill defines a "locator" as a person
29 who engages in locating and marking underground facilities
30 under contract with but not employed by an operator. A
31 notice for a planned excavation initiates a 48-hour period and
32 other required notices must occur within the 48-hour period.
33 A "forty-eight-hour period" is defined in the bill as 48
34 consecutive hours beginning at 6:00 a.m. the next business day
35 after the notification center receives a notice and excludes

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1 Saturdays, Sundays, and legal holidays. The bill strikes
2 language relating to the treatment of notices received by the
3 notification center after 5:00 p.m. being processed as if
4 received at 8:00 a.m. the following day.

5 The bill provides that notice shall be valid for 20 calendar
6 days after the conclusion of the 48-hour period or on the
7 excavation date selected by the excavator. Current law
8 provides that notice is valid for 20 calendar days from the
9 date the notice was provided to the notification center.

10 Current law provides that an excavation shall not be
11 performed within 25 feet of an underground natural gas
12 transmission line, as federally defined, without an agreement
13 in writing by the operator and excavator. The bill refines the
14 prohibition by limiting excavation performed within 25 feet
15 of an underground natural gas line operating at 150 pounds
16 per square inch or greater and that is two inches in diameter
17 without a written agreement.

18 The bill provides penalties for locator violations including
19 a warning letter or a civil penalty not to exceed \$100 for
20 each violation up to \$5,000. The Iowa utilities board shall
21 investigate violations of Code chapter 480 at the direction
22 of the attorney general. The Iowa utilities board may
23 independently investigate complaints alleging violations
24 by a locator. The bill provides requirements for a locator
25 contracted for location services.

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House File 2582 - Introduced

HOUSE FILE 2582
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 659)

(COMPANION TO SF 2347 BY
COMMITTEE ON JUDICIARY)

A BILL FOR

1 An Act providing for limited liability companies, providing for
2 fees, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 489.102, subsection 13, Code 2024, is
2 amended to read as follows:

3 13. "*Limited liability company*", except in the phrase
4 "*foreign limited liability company*", and in [subchapter X](#) means
5 an entity formed under [this chapter](#) or which becomes subject to
6 this chapter under [subchapter X](#) or section ~~489.110~~ [489.1207](#).

7 Sec. 2. Section 489.103, subsection 4, paragraph b,
8 subparagraph (3), Code 2024, is amended to read as follows:

9 (3) The limited liability company's participation in a
10 merger, interest exchange, conversion, or domestication,
11 ninety days after ~~articles~~ the statement of merger, interest
12 exchange, conversion, or domestication under [subchapter X](#)
13 become effective.

14 Sec. 3. Section 489.109, subsection 2, paragraph a, Code
15 2024, is amended to read as follows:

16 a. Delivering to the secretary of state for filing a
17 statement of change under [section 489.116](#), an amendment to the
18 certificate under [section 489.202](#), a statement of correction
19 under [section 489.209](#), a biennial report under section ~~489.211A~~
20 [489.212](#), a statement of withdrawal or a statement of rescission
21 under [section 489.703](#), or a statement of termination under
22 section 489.702, subsection 2, paragraph "b", subparagraph (6).

23 Sec. 4. Section 489.116, subsection 2, paragraph b, Code
24 2024, is amended to read as follows:

25 b. A similar filing changing the registered agent or
26 ~~registered office~~ address of the registered agent, if any, of
27 the limited liability company in any other jurisdiction.

28 Sec. 5. Section 489.119, subsection 2, unnumbered paragraph
29 1, Code 2024, is amended to read as follows:

30 If a limited liability company or registered foreign limited
31 liability company ceases to have a registered agent, or if its
32 registered agent cannot with reasonable diligence be served,
33 the limited liability company or registered foreign limited
34 liability company may be served by registered or certified
35 mail, return receipt requested, or by similar commercial

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1 delivery service, addressed to the limited liability company or
2 registered foreign limited liability company at its principal
3 office. The address of the principal office must be as shown
4 on the limited liability company's or registered foreign
5 limited liability company's most recent biennial report filed
6 with the secretary of state pursuant to section ~~489.211A~~
7 489.212. Service is effected under this subsection on the
8 earliest of any of the following:

9 Sec. 6. Section 489.122, subsection 1, paragraphs b, g, l,
10 and s, Code 2024, are amended to read as follows:

11 b. Statement of withdrawal under section 489.208, subsection
12 1 No fee

13 g. Statement of change of registered agent or address of the
14 registered office agent or both No fee

15 l. Articles Statement of merger or interest exchange . \$ 50

16 s. Statement of cancellation withdrawal under section
17 489.907 or section 489.909, subsection 1 \$ 10

18 Sec. 7. Section 489.122, subsection 1, Code 2024, is amended
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. *Om.* Statement of domestication ... \$ 50

21 NEW PARAGRAPH. *00m.* Statement of conversion \$ 50

22 Sec. 8. Section 489.122, subsection 4, Code 2024, is amended
23 to read as follows:

24 4. The secretary of state may impose, assess, and collect
25 a filing fee as a condition to accepting a biennial report as
26 provided in section ~~489.211A~~ 489.212.

27 Sec. 9. Section 489.206, subsection 6, paragraph f, Code
28 2024, is amended to read as follows:

29 f. The biennial report required by section ~~489.211A~~ 489.212.

30 Sec. 10. Section 489.211, subsection 2, paragraph e, Code
31 2024, is amended to read as follows:

32 e. That the most recent biennial report required by section
33 ~~489.211A~~ 489.212 has been delivered to the secretary of state
34 for filing.

35 Sec. 11. Section 489.211A, subsection 1, paragraphs b and d,

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1 Code 2024, are amended to read as follows:

2 **b.** The name of the registered agent and street address of
3 ~~the company's registered office, the name of its registered~~
4 ~~agent at that office,~~ and the consent of any new registered
5 agent.

6 **d.** In the case of a foreign limited liability company, the
7 state or other jurisdiction under whose law the foreign company
8 is formed and any alternate name adopted under section ~~489.805~~
9 489.906, subsection 1.

10 Sec. 12. Section 489.211A, subsection 5, Code 2024, is
11 amended to read as follows:

12 5. The secretary of state may provide for the change
13 of registered ~~office~~ agent or address of the registered
14 agent on the form prescribed by the secretary of state for
15 the biennial report, provided that the form contains the
16 information required in section 489.116. If the secretary of
17 state determines that a biennial report does not contain the
18 information required in this section but otherwise meets the
19 requirements of section 489.116 for the purpose of changing the
20 registered office or registered agent, the secretary of state
21 shall file the statement of change for the registered ~~office~~
22 agent or address of the registered agent, effective as provided
23 in section 489.207, subsection 3, before returning the biennial
24 report to the limited liability company as provided in this
25 section. A statement of change of registered ~~office~~ agent or
26 address of the registered agent accomplished pursuant to this
27 subsection shall be executed by a person authorized to execute
28 the biennial report.

29 Sec. 13. Section 489.302, subsection 10, Code 2024, is
30 amended to read as follows:

31 10. A statement of authority filed by the secretary of state
32 under section ~~489.207~~ 489.206, subsection 1, is effective until
33 amended or canceled as provided in subsection 2, unless an
34 earlier cancellation date is specified in the statement.

35 Sec. 14. Section 489.708, subsections 2 and 4, Code 2024,

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1 are amended to read as follows:

2 2. The limited liability company does not deliver its
3 biennial report required by section ~~489.211A~~ 489.212 to the
4 secretary of state within sixty days after it is due.

5 4. The secretary of state has not been notified within sixty
6 days that the limited liability company's registered agent or
7 place of business of the registered agent has been changed, or
8 that its registered agent has resigned, or that ~~its~~ the address
9 of the registered office agent has been discontinued.

10 Sec. 15. Section 489.710, subsection 1, unnumbered
11 paragraph 1, Code 2024, is amended to read as follows:

12 A limited liability company administratively dissolved under
13 section ~~489.708~~ 489.709 may apply to the secretary of state
14 for reinstatement at any time after the effective date of
15 dissolution. The application must meet all of the following
16 requirements:

17 Sec. 16. Section 489.711, subsection 2, Code 2024, is
18 amended to read as follows:

19 2. The limited liability company may appeal the denial of
20 reinstatement to the district court of the county where the
21 company's principal office or, if none in this state, where its
22 registered ~~office agent~~ agent is located within thirty days after
23 service of the notice of denial is effected. The company
24 appeals by petitioning the court to set aside the dissolution
25 and attaching to the petition copies of the secretary of
26 state's certificate of dissolution, the company's application
27 for reinstatement, and the secretary of state's notice of
28 denial.

29 Sec. 17. Section 489.804, Code 2024, is amended to read as
30 follows:

31 **489.804 Pleading.**

32 In a derivative action under section 489.802, the complaint
33 must state with particularity ~~any of the following:~~

34 ~~1. The~~ the date and content of the plaintiff's demand and
35 the response to the demand by the managers or other members.

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1 ~~2. Why demand should be excused as futile.~~

2 Sec. 18. Section 489.911, subsection 1, paragraph d, Code
3 2024, is amended to read as follows:

4 d. The secretary of state has not been notified within
5 sixty days that the foreign limited liability company's
6 registered agent or the registered agent's place of business
7 has been changed, that its registered agent has resigned, or
8 that ~~its~~ the address of the registered office agent has been
9 discontinued.

10 Sec. 19. Section 489.1005, subsection 2, paragraph b, Code
11 2024, is amended to read as follows:

12 b. The address of the registered office agent of any entity.

13 Sec. 20. Section 489.1207, subsection 2, Code 2024, is
14 amended to read as follows:

15 2. A limited liability company that has published notice of
16 its dissolution and requested persons having claims against the
17 limited liability company to present them in accordance with
18 the notice pursuant to section ~~489.704~~ 489.705 as that section
19 existed immediately prior to January 1, 2024, shall be subject
20 to the requirements set forth in that section as it existed
21 immediately prior to January 1, 2024, including the right of
22 a claim by a person that is commenced within five years after
23 publication of the notice.

24 Sec. 21. Section 489.1036, subsection 1, paragraph a, Code
25 2024, is amended to read as follows:

26 a. The interests in the acquired limited liability company
27 which are the subject of the interest exchange are converted,
28 and the members holding those interests are entitled only to
29 the rights provided to them under the plan of interest exchange
30 and to any appraisal rights they have under section ~~486.1006~~
31 489.1006.

32 Sec. 22. Section 489.14201, subsections 3 and 4, Code 2024,
33 are amended to read as follows:

34 3. A protected series is established when the protected
35 series designation takes effect under section ~~489.205~~ 489.207.

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1 4. To amend a protected series designation, a series limited
2 liability company shall deliver to the secretary of state
3 for filing a statement of designation change, signed by the
4 company, that changes the name of the company, the name of the
5 protected series to which the designation applies, or both.
6 The change takes effect when the statement of designation
7 change takes effect under section ~~489.205~~ 489.207.

8 Sec. 23. Section 489.14205, subsection 1, paragraph a,
9 subparagraph (2), unnumbered paragraph 1, Code 2024, is amended
10 to read as follows:

11 The company has delivered to the secretary of state for
12 filing the most recent biennial report required by section
13 ~~489.211A~~ 489.212 and the report includes the name of the
14 protected series, unless any of the following applies:

15 Sec. 24. Section 489.14206, subsection 1, unnumbered
16 paragraph 1, Code 2024, is amended to read as follows:

17 In the biennial report required by section ~~489.211A~~ 489.212,
18 a series limited liability company shall include the name of
19 each protected series of the company for which all of the
20 following apply:

21 Sec. 25. Section 489.14604, unnumbered paragraph 1, Code
22 2024, is amended to read as follows:

23 A series limited liability company may be party to a merger
24 in accordance with ~~sections 489.1001 through 489.1005~~
25 subchapter X, parts 1 and 2, this section, and sections
26 489.14605 through 489.14608 only if all of the following apply:

27 Sec. 26. Section 489.14605, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. Comply with ~~section 489.1002~~ subchapter X, parts 1 and 2.

30 Sec. 27. Section 489.14606, unnumbered paragraph 1, Code
31 2024, is amended to read as follows:

32 In a merger under section 489.14604, the ~~articles~~ statement
33 of merger must do all of the following:

34 Sec. 28. Section 489.14606, subsection 1, Code 2024, is
35 amended to read as follows:

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1 1. Comply with ~~section 489.1004~~ subchapter X, parts 1 and 2.

2 Sec. 29. Section 489.14607, unnumbered paragraph 1, Code
3 2024, is amended to read as follows:

4 When a merger under section 489.14604 becomes effective, in
5 addition to the effects stated in section ~~489.1005~~ 489.1026,
6 all of the following apply:

7 Sec. 30. CODE EDITOR DIRECTIVE.

8 1. The Code editor is directed to make the following
9 transfer:

10 Section 489.211A to section 489.212.

11 2. The Code editor shall correct internal references in the
12 Code and in any enacted legislation as necessary due to the
13 enactment of this section.

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

16 EXPLANATION

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

19 GENERAL. This bill amends provisions in the uniform limited
20 liability company Act (Code chapter 489) originally enacted
21 in 2008 and rewritten during the 2023 legislative session
22 (2023 Iowa Acts, chapter 152). The 2023 Iowa Act was based on
23 a proposed Act (model legislation) approved and recommended
24 by the national conference on commissioners on uniform state
25 laws, also named the uniform law commissioners (ULC), which
26 includes commissioners appointed by the Governor (Code chapter
27 5). A limited liability company (LLC), or simply "company",
28 is a type of unincorporated business entity formed for the
29 acquisition of capital (contributions) from, and the payout of
30 receipts (distributions) to, its investors (members). Although
31 an LLC is sometimes compared to other types of unincorporated
32 entities, and specifically a limited partnership (Code chapter
33 488) or general partnership (Code chapter 486A), it also
34 resembles a corporation (Code chapter 490).

35 BILL — TERMINOLOGY CHANGES, SECTION TRANSFER, AND INTERNAL

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1 REFERENCE CORRECTIONS. The bill makes changes in terminology
2 to be consistent with the model legislation, including
3 references from "articles of merger" to "statement of merger",
4 and from "office of the registered agent" to "address of the
5 registered agent". The bill corrects a number of internal
6 references due to the transfer or rewriting of the Code
7 sections. The bill transfers a Code section providing for
8 biennial reports to correspond to the model legislation (from
9 Code section 489.211A to 489.212) and makes new corresponding
10 changes to internal references. Many of the internal
11 reference corrections are in Code chapter 489, subchapter XIV,
12 the uniform protected series Act, which is separate model
13 legislation approved and recommended by the ULC and enacted in
14 2019 and unamended by the model legislation or the 2023 Iowa
15 Act.

16 BILL — CORRESPONDING CHANGE — DERIVATIVE ACTIONS. The
17 bill includes a corresponding change in Code chapter 489,
18 subchapter VIII, providing for derivative actions by members.
19 The 2023 Iowa Act departed from the model legislation by
20 removing an option that allowed a member to maintain a
21 derivative action (Code section 489.802). A derivative action
22 is a type of cause of action brought by one or more members of
23 an LLC acting on behalf of the LLC to enforce a right held by
24 the LLC. Under the model legislation, a member may maintain a
25 derivative action only after the member first makes a demand on
26 the LLC to enforce the right. The model legislation allowed
27 the member to skip this demand requirement if it would be
28 futile. The 2023 Iowa Act eliminated this exception. However,
29 it retained a corresponding provision in the model legislation
30 (Code section 489.804) requiring the member in its pleading to
31 state how the member satisfied the notice requirements in Code
32 section 489.802. The bill eliminates the corresponding futile
33 exception in the pleading requirement.

34 BILL — FEES. The model legislation does not include a fee
35 schedule for filing documents with the secretary of state, but

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1 such a schedule has been part of Code chapter 489 since it
2 was enacted and the schedule resembles those in Code chapters
3 providing for other types of business entities (see Code
4 section 490.122 for corporations). The bill adds a fee of
5 \$50 for filing a statement of domestication or statement of
6 conversion.

7 EFFECTIVE DATE. The bill takes effect upon enactment.

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House File 2583 - Introduced

HOUSE FILE 2583
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HSB 643)

A BILL FOR

1 An Act relating to eligibility for pregnant women and infants
2 under the Medicaid program, and including effective date
3 provisions.

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

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1 Section 1. Section 249A.3, subsection 1, paragraphs h and l,
2 Code 2024, are amended to read as follows:

3 h. Is a woman who, while pregnant, meets eligibility
4 requirements for assistance under the federal Social Security
5 Act, section 1902(1), and continues to meet the requirements
6 except for income. The woman is eligible to receive assistance
7 until ~~sixty days~~ twelve months after the date pregnancy ends.

8 1. (1) Is an infant whose family income is not more than
9 two hundred fifteen percent of the federal poverty level,
10 as defined by the most recently revised income guidelines
11 published by the United States department of health and human
12 services.

13 (2) Is a pregnant woman ~~or infant~~ whose family income while
14 pregnant is at or below ~~three~~ two hundred fifteen percent of
15 the federal poverty level, as defined by the most recently
16 revised poverty income guidelines published by the United
17 States department of health and human services, if otherwise
18 eligible.

19 Sec. 2. MEDICAID — PREGNANT WOMEN — CONTINUOUS POSTPARTUM
20 COVERAGE — STATE PLAN AMENDMENTS. The department of health
21 and human services shall submit a Medicaid state plan amendment
22 to the centers for Medicare and Medicaid services of the United
23 States department of health and human services for approval in
24 accordance with sections 9812 and 9822 of the federal American
25 Rescue Plan Act of 2021, Pub. L. No. 117-2, as amended by
26 section 5113 of the federal Consolidated Appropriations Act
27 of 2023, to provide twelve months of continuous postpartum
28 eligibility under the Medicaid program to a pregnant woman
29 whose family income while pregnant is at or below two hundred
30 fifteen percent of the federal poverty level for the household
31 size, beginning January 1, 2025. The department of health and
32 human services shall also submit a children's health insurance
33 program state plan amendment to the centers for Medicare and
34 Medicaid services of the United States department of health and
35 human services to update infant eligibility consistent with the

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1 whose family income is not more than 215 percent of the FPL.

2 Under Code section 249A.3(1)(1)(2), a pregnant woman or
3 infant whose family income is at or below 300 percent of the
4 FPL, if otherwise eligible, is eligible for Medicaid. The bill
5 amends this provision to provide eligibility for a pregnant
6 woman whose family income while pregnant is at or below 215
7 percent of the FPL, if otherwise eligible.

8 The bill requires HHS to submit a Medicaid state plan
9 amendment to the centers for Medicare and Medicaid services
10 of the United States department of health and human services
11 (CMS) for approval in accordance with the provisions in federal
12 law to provide 12 months of continuous postpartum eligibility
13 under the Medicaid program to a pregnant woman whose family
14 income while pregnant is at or below 215 percent of the federal
15 poverty level for the household size, beginning January 1,
16 2025. The bill also requires HHS to submit a children's
17 health insurance program state plan amendment to CMS to update
18 infant eligibility consistent with the provisions of the bill,
19 beginning January 1, 2025.

20 The section of the bill directing HHS to submit state plan
21 amendments to the federal government for approval takes effect
22 upon enactment; and the section of the bill amending Code
23 provisions relating to Medicaid eligibility for pregnant women
24 and infants takes effect January 1, 2025.

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House File 2584 - Introduced

HOUSE FILE 2584
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HSB 642)

A BILL FOR

1 An Act relating to self-administered hormonal contraceptives.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 155A.49 Pharmacist dispensing of
2 self-administered hormonal contraceptives — standing order —
3 requirements — limitations of liability.

4 1. a. Notwithstanding any provision of law to the contrary,
5 a pharmacist may dispense a self-administered hormonal
6 contraceptive to a patient who is at least eighteen years of
7 age, pursuant to a standing order established by the medical
8 director of the department in accordance with this section.

9 b. In dispensing a self-administered hormonal contraceptive
10 to a patient under this section, a pharmacist shall comply with
11 all of the following:

12 (1) For an initial dispensing of a self-administered
13 hormonal contraceptive, the pharmacist may dispense only up
14 to a three-month supply at one time of the self-administered
15 hormonal contraceptive.

16 (2) For any subsequent dispensing of the same
17 self-administered hormonal contraceptive, the pharmacist
18 may dispense up to a twelve-month supply at one time of the
19 self-administered hormonal contraceptive.

20 2. A pharmacist who dispenses a self-administered hormonal
21 contraceptive in accordance with this section shall not
22 require any other prescription drug order authorized by a
23 practitioner prior to dispensing the self-administered hormonal
24 contraceptive to a patient.

25 3. The medical director of the department may establish a
26 standing order authorizing the dispensing of self-administered
27 hormonal contraceptives by a pharmacist who does all of the
28 following:

29 a. Complies with the standing order established pursuant to
30 this section.

31 b. Retains a record of each patient to whom a
32 self-administered hormonal contraceptive is dispensed under
33 this section and submits the record to the department.

34 4. The standing order shall require a pharmacist who
35 dispenses self-administered hormonal contraceptives under this

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1 section to do all of the following:

2 a. Complete a standardized training program and continuing
3 education requirements approved by the board in consultation
4 with the board of medicine and the department that are related
5 to prescribing self-administered hormonal contraceptives and
6 include education regarding all contraceptive methods approved
7 by the United States food and drug administration.

8 b. Obtain a completed self-screening risk assessment,
9 approved by the department in collaboration with the board and
10 the board of medicine, from each patient, verify the identity
11 and age of each patient, and perform a blood pressure screening
12 on each patient prior to dispensing the self-administered
13 hormonal contraceptive to the patient.

14 c. Provide the patient with all of the following:

15 (1) Written information regarding all of the following:

16 (a) The importance of completing an appointment with the
17 patient's primary care or women's health care practitioner
18 to obtain preventative care, including but not limited to
19 recommended tests and screenings.

20 (b) The effectiveness and availability of long-acting
21 reversible contraceptives as an alternative to
22 self-administered hormonal contraceptives.

23 (2) A copy of the record of the pharmacist's encounter with
24 the patient that includes all of the following:

25 (a) The patient's completed self-screening risk assessment.

26 (b) A description of the contraceptive dispensed, or the
27 basis for not dispensing a contraceptive.

28 (3) Patient counseling regarding all of the following:

29 (a) The appropriate administration and storage of the
30 self-administered hormonal contraceptive.

31 (b) Potential side effects and risks of the
32 self-administered hormonal contraceptive.

33 (c) The need for backup contraception.

34 (d) When to seek emergency medical attention.

35 (e) The risk of contracting a sexually transmitted

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1 infection or disease, and ways to reduce such a risk.

2 5. The standing order established pursuant to this section
3 shall prohibit a pharmacist who dispenses a self-administered
4 hormonal contraceptive under this section from doing any of the
5 following:

6 a. Requiring a patient to schedule an appointment with
7 the pharmacist for the prescribing or dispensing of a
8 self-administered hormonal contraceptive.

9 b. Dispensing self-administered hormonal contraceptives
10 to a patient for more than twenty-seven months after the
11 date a self-administered hormonal contraceptive is initially
12 dispensed to the patient, if the patient has not consulted with
13 a primary care or women's health care practitioner during the
14 preceding twenty-seven months, in which case the pharmacist
15 shall refer the patient to a primary care or women's health
16 care practitioner.

17 c. Dispensing a self-administered hormonal contraceptive to
18 a patient if the results of the self-screening risk assessment
19 completed by a patient pursuant to subsection 4, paragraph
20 "b", indicate it is unsafe for the pharmacist to dispense the
21 self-administered hormonal contraceptive to the patient, in
22 which case the pharmacist shall refer the patient to a primary
23 care or women's health care practitioner.

24 6. A pharmacist who dispenses a self-administered hormonal
25 contraceptive and the medical director of the department who
26 establishes a standing order in compliance with this section
27 shall be immune from criminal and civil liability arising
28 from any damages caused by the dispensing, administering,
29 or use of a self-administered hormonal contraceptive or the
30 establishment of the standing order. The medical director of
31 the department shall be considered to be acting within the
32 scope of the medical director's office and employment for
33 purposes of chapter 669 in the establishment of a standing
34 order in compliance with this section.

35 7. The department, in collaboration with the board and

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1 the board of medicine, and in consideration of the guidelines
2 established by the American congress of obstetricians and
3 gynecologists, shall adopt rules pursuant to chapter 17A to
4 administer this chapter.

5 8. As used in this section:

6 a. *"Department"* means the department of health and human
7 services.

8 b. *"Self-administered hormonal contraceptive"* means a
9 self-administered hormonal contraceptive that is approved by
10 the United States food and drug administration to prevent
11 pregnancy. *"Self-administered hormonal contraceptive"* includes
12 an oral hormonal contraceptive, a hormonal vaginal ring, and
13 a hormonal contraceptive patch, but does not include any drug
14 intended to induce an abortion as defined in section 146.1.

15 c. *"Standing order"* means a preauthorized medication order
16 with specific instructions from the medical director of the
17 department to dispense a medication under clearly defined
18 circumstances.

19 Sec. 2. Section 514C.19, Code 2024, is amended to read as
20 follows:

21 **514C.19 Prescription contraceptive coverage.**

22 1. Notwithstanding the uniformity of treatment requirements
23 of [section 514C.6](#), a group policy, ~~or contract, or plan~~
24 providing for third-party payment or prepayment of health or
25 medical expenses shall ~~not do either of the following~~ comply
26 as follows:

27 a. ~~Exclude~~ Such policy, contract, or plan shall not
28 exclude or restrict benefits for prescription contraceptive
29 drugs or prescription contraceptive devices which prevent
30 conception and which are approved by the United States
31 food and drug administration, or generic equivalents
32 approved as substitutable by the United States food and
33 drug administration, if such policy, ~~or contract, or plan~~
34 provides benefits for other outpatient prescription drugs
35 or devices. However, such policy, contract, or plan shall

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1 specifically provide for payment of a self-administered
2 hormonal contraceptive, as prescribed by a practitioner as
3 defined in section 155A.3, or as prescribed by standing order
4 and dispensed by a pharmacist pursuant to section 155A.49,
5 including payment for up to an initial three-month supply
6 of a self-administered hormonal contraceptive dispensed at
7 one time and for up to a twelve-month supply of the same
8 self-administered hormonal contraceptive subsequently dispensed
9 at one time.

10 b. ~~Exclude~~ Such policy, contract, or plan shall not exclude
11 or restrict benefits for outpatient contraceptive services
12 which are provided for the purpose of preventing conception if
13 such policy, ~~or~~ contract, or plan provides benefits for other
14 outpatient services provided by a health care professional.

15 2. A person who provides a group policy, ~~or~~ contract, or
16 plan providing for third-party payment or prepayment of health
17 or medical expenses which is subject to subsection 1 shall not
18 do any of the following:

19 a. Deny to an individual eligibility, or continued
20 eligibility, to enroll in or to renew coverage under the terms
21 of the policy, ~~or~~ contract, or plan because of the individual's
22 use or potential use of such prescription contraceptive drugs
23 or devices, or use or potential use of outpatient contraceptive
24 services.

25 b. Provide a monetary payment or rebate to a covered
26 individual to encourage such individual to accept less than the
27 minimum benefits provided for under subsection 1.

28 c. Penalize or otherwise reduce or limit the reimbursement
29 of a health care professional because such professional
30 prescribes contraceptive drugs or devices, or provides
31 contraceptive services.

32 d. Provide incentives, monetary or otherwise, to a health
33 care professional to induce such professional to withhold
34 from a covered individual contraceptive drugs or devices, or
35 contraceptive services.

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1 3. **This section** shall not be construed to prevent a
2 third-party payor from including deductibles, coinsurance, or
3 copayments under the policy, ~~or~~ contract, or plan as follows:

4 a. A deductible, coinsurance, or copayment for benefits
5 for prescription contraceptive drugs shall not be greater than
6 such deductible, coinsurance, or copayment for any outpatient
7 prescription drug for which coverage under the policy, ~~or~~
8 contract, or plan is provided.

9 b. A deductible, coinsurance, or copayment for benefits for
10 prescription contraceptive devices shall not be greater than
11 such deductible, coinsurance, or copayment for any outpatient
12 prescription device for which coverage under the policy, ~~or~~
13 contract, or plan is provided.

14 c. A deductible, coinsurance, or copayment for benefits for
15 outpatient contraceptive services shall not be greater than
16 such deductible, coinsurance, or copayment for any outpatient
17 health care services for which coverage under the policy, ~~or~~
18 contract, or plan is provided.

19 4. **This section** shall not be construed to require a
20 third-party payor under a policy, ~~or~~ contract, or plan
21 to provide benefits for experimental or investigational
22 contraceptive drugs or devices, or experimental or
23 investigational contraceptive services, except to the extent
24 that such policy, ~~or~~ contract, or plan provides coverage for
25 other experimental or investigational outpatient prescription
26 drugs or devices, or experimental or investigational outpatient
27 health care services.

28 5. **This section** shall not be construed to limit or otherwise
29 discourage the use of generic equivalent drugs approved by the
30 United States food and drug administration, whenever available
31 and appropriate. **This section**, when a brand name drug is
32 requested by a covered individual and a suitable generic
33 equivalent is available and appropriate, shall not be construed
34 to prohibit a third-party payor from requiring the covered
35 individual to pay a deductible, coinsurance, or copayment

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1 consistent with [subsection 3](#), in addition to the difference of
2 the cost of the brand name drug less the maximum covered amount
3 for a generic equivalent.

4 6. A person who provides an individual policy, ~~or~~ contract,
5 or plan providing for third-party payment or prepayment of
6 health or medical expenses shall make available a coverage
7 provision that satisfies the requirements in subsections
8 1 through 5 in the same manner as such requirements are
9 applicable to a group policy, ~~or~~ contract, or plan under those
10 subsections. The policy, ~~or~~ contract, or plan shall provide
11 that the individual policyholder may reject the coverage
12 provision at the option of the policyholder.

13 7. a. [This section](#) applies to the following classes of
14 third-party payment provider contracts, ~~or~~ policies, or plans
15 delivered, issued for delivery, continued, or renewed in this
16 state on or after ~~July 1, 2000~~ January 1, 2025:

17 (1) Individual or group accident and sickness insurance
18 providing coverage on an expense-incurred basis.

19 (2) An individual or group hospital or medical service
20 contract issued pursuant to [chapter 509](#), [514](#), or [514A](#).

21 (3) An individual or group health maintenance organization
22 contract regulated under [chapter 514B](#).

23 (4) Any other entity engaged in the business of insurance,
24 risk transfer, or risk retention, which is subject to the
25 jurisdiction of the commissioner.

26 (5) A plan established pursuant to [chapter 509A](#) for public
27 employees.

28 b. [This section](#) shall not apply to accident-only,
29 specified disease, short-term hospital or medical, hospital
30 confinement indemnity, credit, dental, vision, Medicare
31 supplement, long-term care, basic hospital and medical-surgical
32 expense coverage as defined by the commissioner, disability
33 income insurance coverage, coverage issued as a supplement
34 to liability insurance, workers' compensation or similar
35 insurance, or automobile medical payment insurance.

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1 8. This section shall not be construed to require a
2 third-party payor under a policy, contract, or plan to
3 provide payment to a practitioner for the dispensing of
4 a self-administered hormonal contraceptive to replace a
5 self-administered hormonal contraceptive that has been
6 dispensed to a covered person and that has been misplaced,
7 stolen, or destroyed. This section shall not be construed to
8 require a third-party payor under a policy, contract, or plan
9 to replace covered prescriptions that are misplaced, stolen,
10 or destroyed.

11 9. For the purposes of this section, "self-administered
12 hormonal contraceptive" and "standing order" mean the same as
13 defined in section 155A.49.

14 Sec. 3. INFORMATION PROGRAM FOR DRUG PRESCRIBING AND
15 DISPENSING — SELF-ADMINISTERED HORMONAL CONTRACEPTIVES. The
16 board of pharmacy in collaboration with the board of medicine
17 and the department of health and human services shall expand
18 the information program for drug prescribing and dispensing
19 established pursuant to section 124.551, to collect from
20 pharmacists information relating to the dispensing of
21 self-administered hormonal contraceptives as provided pursuant
22 to section 155A.49. The board of pharmacy shall adopt
23 rules pursuant to chapter 17A related to registration of
24 participating pharmacists, the information to be reported by a
25 pharmacist to the information program, access to information
26 from the program, and other rules necessary to carry out the
27 purposes and to enforce the provisions of this section.

28 Sec. 4. APPLICATION TO MEDICAID PROGRAM. This Act shall
29 apply to the Medicaid program including a managed care
30 organization acting pursuant to a contract with the department
31 of health and human services to administer the Medicaid program
32 under chapter 249A. However, if it is determined that any
33 provision of this Act would cause denial of federal funds under
34 Tit. XVIII or XIX of the federal Social Security Act, or would
35 otherwise be inconsistent or conflict with the requirements of

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1 federal law or regulation, such provision shall be suspended,
2 but only to the extent necessary to prevent denial of such
3 funds or to eliminate the inconsistency or conflict with the
4 requirements of federal law or regulation.

5 EXPLANATION

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

8 This bill relates to the dispensing of self-administered
9 hormonal contraceptives by a pharmacist. The bill
10 defines "self-administered hormonal contraceptive" as a
11 self-administered hormonal contraceptive that is approved by
12 the United States food and drug administration to prevent
13 pregnancy, including an oral hormonal contraceptive, a hormonal
14 vaginal ring, and a hormonal contraceptive patch, but not
15 including any drug intended to induce an abortion.

16 The bill provides that notwithstanding any provision of law
17 to the contrary, a pharmacist may dispense a self-administered
18 hormonal contraceptive to a patient who is at least 18
19 years of age pursuant to a standing order established by the
20 medical director (medical director) of the department of
21 health and human services (HHS). For an initial dispensing,
22 a pharmacist may dispense only up to a three-month supply at
23 one time of the self-administered hormonal contraceptive, and
24 for any subsequent dispensing of the same self-administered
25 hormonal contraceptive, a 12-month supply at one time.
26 Additionally, the bill prohibits a pharmacist who dispenses
27 a self-administered hormonal contraceptive in accordance
28 with the bill from requiring any other prescription drug
29 order authorized by a practitioner prior to dispensing the
30 self-administered hormonal contraceptive.

31 The bill authorizes the medical director to establish a
32 standing order authorizing the dispensing of self-administered
33 hormonal contraceptives by any pharmacist who complies with the
34 standing order and retains and submits the patient's record to
35 HHS.

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1 The standing order includes requiring a pharmacist who
2 dispenses a self-administered hormonal contraceptive under
3 the bill to: complete a standardized training program and
4 continuing education requirements related to prescribing the
5 hormonal contraceptives; obtain a completed self-screening risk
6 assessment from each patient, verify the identity and age of
7 each patient, and perform a blood pressure screening on each
8 patient before dispensing the hormonal contraceptives; provide
9 the patient with certain written information; provide the
10 patient with a copy of the record of the pharmacist's encounter
11 with the patient; and provide patient counseling.

12 The standing order would prohibit a pharmacist who dispenses
13 hormonal contraceptives under the bill from requiring a
14 patient to schedule an appointment with the pharmacist for
15 the prescribing or dispensing of the hormonal contraceptives;
16 dispensing the hormonal contraceptives to a patient for more
17 than 27 months after the date initially dispensed without the
18 patient's attestation that the patient has consulted with a
19 practitioner during the preceding 27 months; and dispensing
20 the hormonal contraceptives to a patient if the results of the
21 patient's self-screening risk assessment indicate it is unsafe
22 for the pharmacist to dispense the hormonal contraceptives
23 to the patient, in which case the pharmacist shall refer the
24 patient to a practitioner.

25 The bill provides immunity for a pharmacist who dispenses a
26 self-administered hormonal contraceptive and for the medical
27 director who establishes a standing order in compliance with
28 the bill from criminal and civil liability arising from any
29 damages caused by the dispensing, administering, or use of a
30 self-administered hormonal contraceptive or the establishment
31 of the standing order. Additionally, the medical director
32 shall be considered to be acting within the scope of the
33 medical director's office and employment for purposes of Code
34 chapter 669 (Iowa tort claims Act) in the establishment of a
35 standing order in compliance with the bill.

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1 The bill requires HHS, in collaboration with the boards of
2 pharmacy and medicine, and in consideration of the guidelines
3 established by the American congress of obstetricians and
4 gynecologists, to adopt administrative rules to administer the
5 provisions of the bill.

6 The bill amends prescription contraceptive coverage
7 provisions in the Code to require that a group policy,
8 contract, or plan delivered, issued for delivery, continued,
9 or renewed in the state on or after January 1, 2025,
10 providing for third-party payment or prepayment of health or
11 medical expenses, shall specifically provide for payment of
12 self-administered hormonal contraceptives, prescribed and
13 dispensed as specified in the bill, including those dispensed
14 at one time. The bill provides, however, that the provisions
15 relating to coverage are not to be construed to require a
16 third-party payor under a policy, contract, or plan to provide
17 payment to a practitioner for dispensing a self-administered
18 hormonal contraceptive to replace a self-administered
19 hormonal contraceptive that has been dispensed to a covered
20 person and that has been misplaced, stolen, or destroyed.
21 These provisions are also not to be construed to require a
22 third-party payor under a policy, contract, or plan to replace
23 covered prescriptions that are misplaced, stolen, or destroyed.

24 The bill also requires the board of pharmacy in
25 collaboration with the board of medicine and HHS to expand
26 the information program for drug prescribing to collect
27 from pharmacists information relating to the dispensing of
28 self-administered hormonal contraceptives as provided in the
29 bill.

30 The bill applies to the Medicaid program as specified in the
31 bill.

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House File 2585 - Introduced

HOUSE FILE 2585
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HSB 691)

A BILL FOR

1 An Act relating to health care facilities, including joint
2 training sessions and review of certain citations for
3 nursing facilities, and exceptions to on-site inspections of
4 health care facilities following complaints.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 135C.35C Nursing facilities —
2 joint training sessions.

3 The department shall semiannually provide joint training
4 sessions for inspectors and nursing facilities to review at
5 least three of the ten most frequently issued federal citations
6 in the state during the immediately preceding calendar year.
7 The department shall develop a protocol to identify regional
8 citation patterns relating to complaints, standards, and
9 outcomes in the nursing facility inspection process. The
10 department shall include the state long-term care ombudsman,
11 or the state long-term care ombudsman's designee, and
12 representatives of each nursing facility provider association
13 in the state in the planning process for the joint training
14 sessions.

15 Sec. 2. Section 135C.38, subsection 1, paragraph a,
16 unnumbered paragraph 1, Code 2024, is amended to read as
17 follows:

18 Upon receipt of a complaint made in accordance with section
19 135C.37, the department shall make a preliminary review of
20 the complaint. Unless the department concludes that the
21 complaint is intended to harass a facility or a licensee, or
22 is without reasonable basis, involves an issue that is either
23 the same subject of an incident self-reported by a facility
24 or of a complaint otherwise reported within the immediately
25 preceding ninety calendar days, or is a complaint that may
26 be investigated by the department off site through access
27 to electronic records and via telephonic interviews, the
28 department shall make or cause to be made an on-site inspection
29 of the health care facility which is the subject of the
30 complaint within the time period determined pursuant to the
31 following guidelines, which period shall commence on the date
32 of receipt of the complaint:

33 Sec. 3. Section 135C.40, subsection 1, Code 2024, is amended
34 by adding the following new paragraph:

35 NEW PARAGRAPH. d. (1) The department shall establish and

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1 maintain a process to review each citation issued for immediate
2 jeopardy or substandard quality of care prior to issuance of
3 final findings under section 135C.40A. Representatives of the
4 nursing facility issued such a citation may participate in
5 the review to provide context and evidence for the department
6 to consider in determining if a final finding of immediate
7 jeopardy or substandard quality of care should be issued. The
8 review shall ensure consistent and accurate application of
9 federal and state inspection protocols and defined regulatory
10 standards.

11 (2) For the purposes of this paragraph:

12 (a) "*Immediate jeopardy*" means a situation in which the
13 provider's noncompliance with one or more requirements of
14 participation has caused, or is likely to cause, serious
15 injury, harm, impairment, or death to a resident.

16 (b) "*Likely*" means probable and reasonably to be expected,
17 and suggests a greater degree of probability than a mere risk,
18 potential, or possibility that a particular event will cause
19 serious injury, harm, impairment, or death to a resident.

20 (c) "*Substandard quality of care*" means the same as defined
21 in 42 C.F.R. §488.301.

22 EXPLANATION

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

25 This bill relates to health care facility regulation,
26 including inspections and review of citations.

27 The bill requires the department of inspections, appeals,
28 and licensing (DIAL) to semiannually provide joint training
29 sessions for inspectors and nursing facilities to review at
30 least three of the 10 most frequently issued federal citations
31 in the state during the immediately preceding calendar year.
32 DIAL shall develop a protocol to identify regional citation
33 patterns relating to complaints, standards, and outcomes in
34 the nursing facility inspection process, and shall include the
35 state long-term care ombudsman or designee, and representatives

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1 of each nursing facility provider association in the state in
2 the planning process for the joint training sessions.

3 Under Code section 135C.38(1), DIAL, upon receipt of
4 a complaint regarding a health care facility shall make a
5 preliminary review of the complaint and unless DIAL concludes
6 the complaint is intended to harass a facility or licensee or
7 is without a reasonable basis, shall make or cause to be made
8 an on-site inspection of the health care facility. The bill
9 adds additional exceptions to the required on-site inspection
10 including if DIAL concludes that the complaint involves
11 an issue that is either the same subject of an incident
12 self-reported by a health care facility or otherwise reported
13 within the previous 90 calendar days, or is a complaint
14 that may be investigated by DIAL off site through access to
15 electronic records and telephonic interviews.

16 The bill requires DIAL to establish and maintain a process
17 to review each citation issued for immediate jeopardy or
18 substandard quality of care prior to issuance of final findings
19 of an investigation or inspection. Representatives of the
20 nursing facility issued such citation may participate in the
21 review to provide context and evidence for DIAL to consider
22 in determining if a final finding of immediate jeopardy or
23 substandard quality of care should be issued. The review shall
24 ensure consistent and accurate application of federal and state
25 inspection protocols and defined regulatory standards. The
26 bill defines "immediate jeopardy", "likely", and "substandard
27 quality of care".

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House File 2586 - Introduced

HOUSE FILE 2586

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 675)

A BILL FOR

1 An Act relating to school security, including by establishing
2 the school security personnel grant program within the
3 department of education and authorizing school employees to
4 be issued professional permits to carry weapons.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 279.84 School security personnel
2 — grant program.

3 1. For purposes of this section:

4 *a. "Private school security officer"* means an individual
5 employed by a private security business who possesses a permit
6 to carry weapons issued under section 724.6.

7 *b. "Private security business"* means the same as defined in
8 section 80A.1.

9 *c. "School resource officer"* means any of the following:

10 (1) A peace officer as defined in section 801.4.

11 (2) A reserve peace officer as defined in section 80D.1A.

12 2. The board of directors of each school district with
13 a total enrollment of at least eight thousand students shall
14 employ, or retain the services of, at least one private school
15 security officer or school resource officer to guard each
16 attendance center where students enrolled in grades nine
17 through twelve regularly attend classes, unless a majority of
18 the members of the board of directors of the school district
19 vote to not employ or retain a private school security officer
20 or a school resource officer. A private school security
21 officer employed or retained by the board of directors of a
22 school district pursuant to this subsection shall be required
23 to participate in the annual live scenario training and
24 quarterly live firearms training provided by the department
25 of public safety pursuant to section 724.6, subsection 1,
26 paragraph "a", subparagraph (3).

27 3. The board of directors of each school district with
28 a total enrollment of less than eight thousand students is
29 encouraged to employ, or retain the services of, at least one
30 private school security officer or school resource officer to
31 guard each attendance center where students enrolled in grades
32 nine through twelve regularly attend classes. A private school
33 security officer employed or retained by the board of directors
34 of a school district pursuant to this subsection shall be
35 required to participate in the annual live scenario training

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1 and quarterly live firearms training provided by the department
2 of public safety pursuant to section 724.6, subsection 1,
3 paragraph "a", subparagraph (3).

4 4. The department of education shall develop and administer
5 a school security personnel grant program to provide annual
6 grants to match moneys provided by a school district described
7 in subsection 2 or 3 to allow such school districts to offset
8 costs associated with employing, or retaining the services of,
9 a private school security officer or school resource officer to
10 guard each attendance center providing education to students
11 enrolled in grades nine through twelve. The amount of an
12 annual grant provided by the department of education to a
13 school district that has provided matching moneys pursuant to
14 this subsection shall not exceed fifty thousand dollars.

15 5. A school security personnel grant program fund
16 is established in the state treasury. The fund shall be
17 administered by the department of education and shall consist
18 of moneys appropriated by the general assembly and other moneys
19 received by the department for deposit in the fund. The moneys
20 in the fund are appropriated to the department for the school
21 security personnel grant program. Notwithstanding section
22 8.33, moneys in the fund at the close of the fiscal year shall
23 not revert to the general fund of the state but shall remain
24 available for expenditure for the school security personnel
25 grant program for subsequent fiscal years.

26 Sec. 2. Section 724.6, subsection 1, paragraph a, Code 2024,
27 is amended by adding the following new subparagraph:

28 NEW SUBPARAGRAPH. (3) A person may be issued a permit
29 to carry weapons if the person is a school employee of a
30 school district, a private school, or an institution of higher
31 education as defined in section 722.11. The person shall
32 complete a prescribed firearm safety training course offered
33 pursuant to section 724.9, subsection 1, prior to being issued
34 a permit, and not be disqualified under section 724.8. A
35 person issued a permit to carry weapons under this subparagraph

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1 shall receive one-time, in-person legal training, including
2 training on qualified immunity, annual emergency medical
3 training, and annual communication training that is approved
4 by the department of public safety. The department of public
5 safety shall implement required annual live scenario training
6 and quarterly live firearm training for school employees of a
7 school district, a private school, or an institution of higher
8 education that has opted into participating in the professional
9 permitting of school employees. A school employee issued a
10 professional permit to carry by the department of public safety
11 who is up to date with department of public safety-approved
12 training, and the school district that employs the school
13 employee, shall be entitled to qualified immunity from criminal
14 or civil liability for all damages incurred pursuant to the
15 application of reasonable force at the place of employment.
16 The identity of a person who has been issued a permit pursuant
17 to this subparagraph shall be confidential and shall not be a
18 public record subject to disclosure under chapter 22.

19 Sec. 3. Section 724.6, subsection 2, Code 2024, is amended
20 to read as follows:

21 2. Notwithstanding [subsection 1](#), fire fighters, as defined
22 in [section 411.1, subsection 10](#), airport fire fighters included
23 under [section 97B.49B, school employees](#), and emergency medical
24 care providers other than emergency medical care providers
25 specified in [subsection 1](#), paragraph "a", subparagraph (2),
26 shall not, as a condition of employment, be required to obtain
27 a permit under [this section](#). However, the provisions of
28 this subsection shall not apply to a person designated as an
29 arson investigator by the chief fire officer of a political
30 subdivision.

31 EXPLANATION

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

34 This bill relates to school security, including by
35 establishing the school security personnel grant program within

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1 the department of education, and authorizing school employees
2 to be issued professional permits to carry weapons.

3 The bill requires all school districts with a total
4 enrollment of at least 8,000 students to employ, or retain the
5 services of, at least one private school security officer or
6 school resource officer to guard each attendance center where
7 students enrolled in grades 9 through 12 regularly attend
8 classes, unless a majority of the members of the board of
9 directors of the school district vote to not employ or retain a
10 private school security officer or a school resource officer.

11 The bill encourages all school districts with a total
12 enrollment of less than 8,000 students to employ, or retain
13 the services of, at least one private school security officer
14 or school resource officer to guard each attendance center
15 where students enrolled in grades 9 through 12 regularly
16 attend classes. The bill requires the department of education
17 to develop and administer a school security personnel grant
18 program to provide annual grants to match moneys provided by
19 such school districts to allow the school districts to offset
20 costs associated with employing, or retaining the services of,
21 a private school security officer or school resource officer.
22 The bill provides that the amount of an annual grant provided
23 by the department to a school district that has provided
24 matching moneys pursuant to this provision shall not exceed
25 \$50,000. The bill establishes a school security personnel
26 grant program fund in the state treasury to be administered by
27 the department.

28 The bill defines "private school security officer" to
29 mean an individual employed by a private security business
30 who possesses a permit to carry weapons issued under Code
31 section 724.6 (professional permit to carry weapons). The bill
32 requires a private school security officer employed or retained
33 by the board of directors of a school district to participate
34 in the annual live scenario training and quarterly live firearm
35 training sessions described below. The bill defines "private

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1 security business" as a business of furnishing, for hire or
2 reward, guards, watch personnel, armored car personnel, patrol
3 personnel, or other persons to protect persons or property,
4 to prevent the unlawful taking of goods and merchandise, or
5 to prevent the misappropriation or concealment of goods,
6 merchandise, money, securities, or other valuable documents
7 or papers, and includes an individual who for hire patrols,
8 watches, or guards a residential, industrial, or business
9 property or district. Additionally, the bill defines "school
10 resource officer" as either a peace officer, as defined in Code
11 section 801.4, or a reserve peace officer, as defined in Code
12 section 80D.1A.

13 The bill provides that a person may be issued a permit
14 to carry weapons if the person is a school employee of a
15 school district, a private school, or an institution of
16 higher education. The person shall complete a prescribed
17 firearm safety training course offered pursuant to Code
18 section 724.9(1), prior to being issued a permit, and not be
19 ineligible for a permit to carry under Code section 724.8.
20 A person issued a permit to carry weapons is required to
21 receive one-time, in-person legal training, including training
22 on qualified immunity, annual emergency medical training,
23 and annual communication training that is approved by the
24 department of public safety. The department of public safety
25 is required to implement annual live scenario training and
26 quarterly live firearm training for school employees.

27 The bill provides that a school employee issued a
28 professional permit to carry by the department of public safety
29 after completing department of public safety-approved training,
30 and the school district that employs the school employee, is
31 entitled to qualified immunity from criminal or civil liability
32 for all damages incurred pursuant to the application of
33 reasonable force at the place of employment. The bill provides
34 that the identity of a person who has been issued a permit
35 pursuant to this provision is confidential and shall not be a

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1 public record subject to disclosure.

2 The bill provides that a school employee shall not be
3 required, as a condition of employment, to obtain a permit.

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House File 2587 - Introduced

HOUSE FILE 2587
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2111)

A BILL FOR

1 An Act relating to juries, including juror compensation and
2 employer conduct, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 607A.8, subsection 1, Code 2024, is
2 amended to read as follows:

3 1. A grand juror and a petit juror in all courts shall
4 receive ~~thirty~~ seventy-five dollars as compensation for each
5 day's service or attendance, including attendance required
6 for the purpose of being considered for service. The supreme
7 court ~~may~~ shall adopt rules that allow ~~additional compensation~~
8 ~~for~~ jurors whose attendance and service exceeds seven days to
9 receive ninety-five dollars as compensation for each day's
10 service or attendance after the seventh day of service or
11 attendance, including attendance required for the purpose of
12 being considered for service.

13 Sec. 2. Section 607A.45, Code 2024, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 1A. An employer shall not require an
16 employee to perform work for the employer within ten hours of
17 the time the employee is required to report for any actual
18 or prospective jury service. An employer shall not deprive
19 an employee of employment or threaten or otherwise coerce an
20 employee with respect to the employee's employment because the
21 employee exercises the employee's right to be excused from work
22 pursuant to this subsection. An employer who violates this
23 subsection commits contempt.

24 Sec. 3. Section 607A.45, subsection 2, Code 2024, is amended
25 to read as follows:

26 2. If an employer discharges an employee in violation of
27 subsection 1 or 1A, the employee may within sixty days of the
28 discharge bring a civil action for the recovery of wages lost
29 as a result of the violation and for an order requiring the
30 reinstatement of the employee. Damages recoverable shall not
31 exceed lost wages for a period of six weeks. If the employee
32 prevails, the employee shall be allowed reasonable attorney
33 fees as determined by the court.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

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1 the explanation's substance by the members of the general assembly.

2 This bill provides that a grand juror and a petit juror in
3 all courts shall receive \$75 as compensation for each day's
4 service or attendance. Under current law, a juror is entitled
5 to \$30 for each day's service or attendance. The bill also
6 requires the supreme court to adopt rules that allow juror
7 compensation for service or attendance over seven days to be
8 increased to \$95 per day after the seventh day of service or
9 attendance.

10 The bill prohibits an employer from requiring an employee
11 to work within 10 hours of the time the employee is required
12 to report for juror service or attendance. An employer who
13 violates this provision commits contempt. An employee may
14 bring a civil action within 60 days of the violation for
15 lost wages and an order for reinstatement. An employee who
16 prevails can recover lost wages not to exceed six weeks of pay
17 and reasonable attorney fees. These are the same remedies
18 authorized under current law for other violations by an
19 employer with respect to a juror.

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House File 2588 - Introduced

HOUSE FILE 2588

BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 699)

(COMPANION TO SF 2327 BY
COMMITTEE ON NATURAL RESOURCES
AND ENVIRONMENT)

A BILL FOR

1 An Act relating to the use of certain moneys in the storage
2 tank management account of the groundwater protection fund,
3 and making appropriations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

13 NEW SUBPARAGRAPH. (1A) Moneys transferred under this Act to
14 the account are appropriated for the following purposes:

15 (a) For reimbursement to tank owners for all or part of the
16 costs of a corrective action for a petroleum release.

17 (b) For permanent closure of an underground storage tank
18 system under a remedial program pursuant to section 455G.9,
19 for additional assessment and corrective action arising out of
20 releases at sites for which a certificate of no further action
21 has been issued, and for tank operator training. At least
22 three million dollars of the moneys expended pursuant to this
23 subparagraph shall be expended for this purpose.

24 Sec. 3. Section 455E.11, subsection 2, paragraph d,
25 subparagraph (2), Code 2024, is amended to read as follows:

26 (2) The moneys remaining in the account after the
27 ~~appropriation~~ appropriations in subparagraph subparagraphs (1)
28 and (1A) are appropriated ~~from the storage tank management~~
29 ~~account~~ to the department of natural resources for the
30 administration of a state storage tank program pursuant to
31 chapter 455B, subchapter IV, part 8, and for programs ~~which~~
32 that reduce the potential for harm to the environment and the
33 public health from storage tanks.

34 Sec. 4. TRANSFER OF MONEYS. On the effective date of
35 this Act, all unencumbered and unobligated moneys in the

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1 Iowa comprehensive petroleum underground storage tank fund
2 created in section 455G.3 are transferred to the storage tank
3 management account of the groundwater protection fund created
4 in section 455E.11.

5 EXPLANATION

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

8 This bill relates to the use of moneys in the storage tank
9 management account of the groundwater protection fund that are
10 transferred from the Iowa comprehensive petroleum underground
11 storage tank fund.

12 The groundwater protection fund includes four accounts
13 related to groundwater: the solid waste account, the
14 agriculture management account, the household hazardous waste
15 account, and the storage tank management account. The Iowa
16 comprehensive petroleum underground storage tank fund assists
17 owners and operators of petroleum underground storage tanks in
18 complying with federal regulations.

19 The bill transfers all unencumbered and unobligated moneys
20 in the Iowa comprehensive petroleum underground storage tank
21 fund on the effective date of the bill to the storage tank
22 management account. The bill provides that moneys transferred
23 to the storage tank management account pursuant to the bill
24 shall be used to reimburse tank owners for the costs associated
25 with a corrective action for a petroleum release and that
26 at least \$3 million of the moneys transferred from the Iowa
27 comprehensive petroleum underground storage tank fund to the
28 storage tank management account shall be used for the permanent
29 closure of underground storage tank systems, actions arising
30 from sites where certificates of no further action have been
31 issued, and tank operator training.

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House File 2589 - Introduced

HOUSE FILE 2589
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HSB 198)

A BILL FOR

1 An Act relating to Medicaid-related programs and services
2 including the work without worry program for employed
3 individuals with disabilities and complex rehabilitation
4 technology.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. WORK WITHOUT WORRY PROGRAM — MEDICAID FOR
2 EMPLOYED INDIVIDUALS WITH DISABILITIES.

3 1. The department of health and human services shall submit
4 any waiver request or state plan amendment, or combination
5 thereof, to the centers for Medicare and Medicaid services of
6 the United States department of health and human services as
7 necessary to create a work without worry program for employed
8 individuals with disabilities in accordance with this section.

9 2. The program shall provide Medicaid coverage based on the
10 following criteria:

11 a. The individual has a qualifying disability as determined
12 by the social security administration or the individual is
13 determined by the department of health and human services
14 to have a physical or mental impairment or combination of
15 impairments that have lasted or are expected to last for
16 at least twelve months or result in death. An individual
17 shall not be required to receive federal disability benefits
18 to participate in the program. An individual who receives
19 supplemental security income shall be automatically eligible
20 for coverage under the program and shall not be required to
21 submit a separate application for the program.

22 b. The individual is sixteen to sixty-five years of age.

23 c. The individual is employed and has earned income
24 from employment including self-employment. The employment
25 requirement shall not be limited by the number of hours or
26 amount of income, but the individual shall verify employment
27 through evidence of pay stubs or a self-employment ledger.
28 The program shall allow for continuation of coverage for a
29 participating individual for six months following loss of
30 employment if there is an intent on the part of the individual
31 to return to employment.

32 d. The individual is not subject to any resource or asset
33 test or limit under the program, with the exception of the
34 following:

35 (1) Any vehicle owned by the individual that is not

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1 adapted for the individual, used primarily by or for the
2 individual, and used for transporting the individual to medical
3 appointments.

4 (2) The primary residence owned and occupied by the
5 individual if the assessed value of the residence exceeds four
6 hundred thousand dollars.

7 e. The individual's income is below four hundred fifty
8 percent of the federal poverty level. Income is based only on
9 the individual's net earned and unearned income as a household
10 of one as that income is adjusted by the following deductions
11 or disregards:

12 (1) A twenty dollar general disregard from unearned income
13 that is not from employment.

14 (2) A disregard of sixty-five dollars plus one-half of the
15 individual's earned income from employment.

16 (3) A deduction of impairment-related work expenses.

17 (4) A deduction of work expenses for the blind.

18 f. An individual shall have access to all traditional
19 Medicaid services under the Medicaid state plan as well as
20 additional long-term services and supports and community-based
21 services, including waiver services, for which the individual
22 meets any applicable level of care requirements subject to any
23 waiting list or availability of openings for the service and
24 support.

25 g. An individual may be eligible for or receive other health
26 care coverage including through an employer, through Medicare,
27 or through the medically needy program, the qualified Medicare
28 beneficiary program, or the specified low-income Medicare
29 beneficiary program. If the individual has such other coverage
30 and is subject to payment of copayments or premiums for that
31 coverage, notwithstanding the premium requirements under the
32 program to the contrary, the individual shall not be subject to
33 payment of premiums otherwise applicable under the program.

34 h. An individual with income at or above one hundred fifty
35 percent of the federal poverty level shall be subject to

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1 payment of a premium not to exceed the limits established under
2 federal guidelines.

3 i. The program shall also provide that any individual
4 participating in the Medicaid for employed persons with
5 disabilities program when the work without worry program is
6 implemented shall be transferred to and enrolled in the work
7 without worry program.

8 3. The department of health and human services shall
9 implement a work without worry public awareness campaign to
10 ensure that consumer information and educational resources are
11 accessible to individuals with disabilities and the public.
12 The department shall also provide technical assistance to
13 individuals with disabilities in determining if the work
14 without worry program is the best option for coverage under
15 that individual's particular circumstances and in applying for
16 and maintaining participation in the program.

17 Sec. 2. MEDICAID — REIMBURSEMENT FOR THE REPAIR OF COMPLEX
18 REHABILITATION TECHNOLOGY. Under both Medicaid managed care
19 and fee-for-service administration of the Medicaid program, the
20 department of health and human services shall not require a
21 prescription for reimbursement of a provider for the repair of
22 complex rehabilitation equipment, if the complex rehabilitation
23 technology was previously prescribed and reimbursed under
24 the Medicaid program. For the purposes of this section,
25 "complex rehabilitation technology" means items classified
26 under the Medicare program as durable medical equipment that
27 is individually configured for individuals to meet their
28 specific and unique medical, physical, and functional needs
29 and capacities for basic activities of daily living and
30 instrumental activities of daily living identified as medically
31 necessary.

32 EXPLANATION

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

35 This bill relates to programs and services under the

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1 Medicaid program. The bill creates the work without worry
2 program for employed individuals with disabilities 16 to 65
3 years of age under the Medicaid program. The bill directs the
4 department of health and human services (HHS) to submit any
5 waiver request or state plan amendment, or combination thereof,
6 to the centers for Medicare and Medicaid services of the United
7 States department of health and human services as necessary to
8 create a work without worry program for employed individuals
9 with disabilities in accordance with the bill. Criteria for
10 coverage under the program include that the individual has
11 a qualifying disability and although an individual is not
12 required to receive federal disability benefits to participate
13 in the program, an individual who receives supplemental
14 security income shall be automatically eligible for coverage
15 under the program; the individual is 16 to 65 years of age; the
16 individual is employed and has earned income from employment
17 including self-employment; the individual is not subject to
18 any resource or asset test or limit under the program with the
19 exception of nonadapted vehicles and a primary residence for
20 which the assessed value exceeds \$400,000; the individual's
21 income is below 450 percent of the federal poverty level as
22 adjusted by specified deductions or disregards; the individual
23 has access to all traditional Medicaid services as well as
24 additional long-term services and supports and community-based
25 services subject to waiting lists and availability of openings;
26 the individual may be eligible for or receive other coverage
27 including through an employer, through Medicare, through the
28 medically needy program, the qualified Medicare beneficiary
29 program, or the specified low-income Medicare beneficiary
30 program, and is not subject to otherwise applicable premiums
31 if the individual is subject to copayments or premiums for
32 the other coverage; the individual with income at or above
33 150 percent of the federal poverty level shall be subject to
34 payment of a premium not to exceed the limits established
35 under federal guidelines; and the program shall provide that

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1 any individual participating in the Medicaid for employed
2 persons with disabilities program at the time the work without
3 worry program is implemented shall be transferred to and
4 enrolled in the work without worry program. The bill also
5 requires HHS to implement a work without worry public awareness
6 campaign to ensure that consumer information and educational
7 resources are accessible to individuals with disabilities and
8 the public, and to provide technical assistance to individuals
9 with disabilities in determining if the work without worry
10 program is the best option for coverage under the individual's
11 particular circumstances and in applying for and maintaining
12 participation in the program.

13 The bill also provides that under both Medicaid managed care
14 and fee-for-service administration of the Medicaid program,
15 HHS shall not require a prescription for reimbursement of a
16 provider for the repair of complex rehabilitation technology,
17 if the complex rehabilitation technology was previously
18 prescribed and reimbursed under the Medicaid program. The bill
19 defines complex rehabilitation technology.

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House File 2590 - Introduced

HOUSE FILE 2590
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 706)

A BILL FOR

1 An Act relating to mobile homes and manufactured homes property
2 taxes, and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 435.22, subsection 1, paragraph b,
2 subparagraphs (1) and (3), Code 2024, are amended to read as
3 follows:

4 (1) If the owner of the home is an Iowa resident, has
5 attained the age of twenty-three years on or before December 31
6 of the base year, and has an income when included with that of
7 a spouse which is less than eight forty thousand five hundred
8 dollars per year, the annual tax shall not be imposed on the
9 home. ~~If the income is eight thousand five hundred dollars or~~
10 ~~more but less than sixteen thousand five hundred dollars, the~~
11 ~~annual tax shall be computed as follows:~~

12 If the Household _____ Annual Tax Per
13 Income is: _____ Square Foot:

14 \$ 8,500 — 9,499.99 _____ 3.0 cents

15 9,500 — 10,499.99 _____ 6.0

16 10,500 — 12,499.99 _____ 10.0

17 12,500 — 14,499.99 _____ 13.0

18 14,500 — 16,499.99 _____ 15.0

19 ~~(3) Beginning with the 1998 base year, the income dollar~~
20 ~~amounts set forth in this paragraph "b" shall be multiplied~~
21 ~~by the cumulative adjustment factor for that base year as~~
22 ~~determined in section 425.23, subsection 4.~~

23 Sec. 2. Section 435.22, subsection 2, paragraphs a and b,
24 Code 2024, are amended to read as follows:

25 a. For the sixth through ninth years after the year of
26 manufacture the annual tax is ninety percent of the tax
27 computed according to subsection 1, paragraph "a" ~~or "b"~~,
28 ~~whichever is applicable unless subsection 1, paragraph "b",~~
29 applies.

30 b. For all homes ten or more years after the year of
31 manufacture the annual tax is eighty percent of the tax
32 computed according to subsection 1, paragraph "a" ~~or "b"~~,
33 ~~whichever is applicable unless subsection 1, paragraph "b",~~
34 applies.

35 Sec. 3. APPLICABILITY. This Act applies to taxes due and

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1 payable in fiscal years beginning on or after July 1, 2025.

2 **EXPLANATION**

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

5 This bill relates to the taxation of mobile homes and
6 manufactured homes.

7 The bill modifies income threshold amounts applicable to the
8 reduced square footage tax rates applicable to mobile homes and
9 manufactured homes. These amounts are currently adjusted for
10 inflation. For the year beginning July 1, 2024, the annual tax
11 is not imposed on an owner with an annual income of less than
12 \$13,048, and an owner with an annual income between \$13,408 and
13 \$25,328 pays the annual tax at one of five reduced rates. The
14 bill provides that the tax is not imposed on an owner with an
15 annual income of less than \$40,000, does not provide a reduced
16 rate, and does not adjust the \$40,000 threshold for inflation.
17 The bill applies to taxes due and payable for fiscal years
18 beginning on or after July 1, 2025.

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House File 2591 - Introduced

HOUSE FILE 2591
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HF 2289)

A BILL FOR

1 An Act relating to Lyme disease, including notice and consent
2 provisions required for Lyme disease testing, and continuing
3 education requirements for health care providers.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 135.194 Lyme disease — laboratory
2 test — notice requirement and content — cause of action —
3 licensee discipline.

4 1. A health care provider who draws the blood of a patient
5 to perform a laboratory test for the presence of Lyme disease
6 or a medical laboratory that performs a laboratory test for the
7 presence of Lyme disease shall provide the following written
8 notice to the patient at the time the patient's blood is drawn:

9 Your health care provider has ordered a laboratory test
10 for the presence of Lyme disease for you. Current laboratory
11 testing for Lyme disease can be problematic and standard
12 laboratory tests often result in false negative and false
13 positive results and, if performed too early, you may not have
14 produced enough antibodies to be considered positive because
15 your immune response requires time to develop antibodies.
16 If you are tested for the presence of Lyme disease and the
17 results are negative, this does not necessarily mean you do not
18 have Lyme disease. If you continue to experience unexplained
19 symptoms, you should contact your health care provider and
20 inquire about the appropriateness of retesting or initial or
21 additional treatment.

22 2. At any time, if the department determines there are
23 significant differences between the content of the notice
24 required by subsection 1 and the most recent medical evidence
25 on Lyme disease testing, the department may adopt rules
26 pursuant to chapter 17A to amend the content of the notice to
27 reflect the most recent medical evidence.

28 3. The provision by a health care provider or medical
29 laboratory of the notice required by this section shall not be
30 the sole basis for a cause of action or licensee discipline.

31 4. For the purposes of this section:

32 a. "*Health care provider*" means an individual licensed
33 under chapter 148, 148C, 148D, 152, or 152E, or any individual
34 who provides medical services under the authorization of the
35 licensee.

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1 *b. "Medical laboratory"* means any facility, entity, or site
2 that offers or performs tests or examinations in connection
3 with the diagnosis and control of human diseases or the
4 assessment of human health, nutritional, or medical conditions.

5 Sec. 2. NEW SECTION. 135.195 Continuing education —
6 treatment strategies for prolonged symptoms due to Lyme disease.

7 Each licensing board for a health care provider as defined
8 in section 135.194 shall develop continuing education
9 requirements regarding treatment strategies to assist patients
10 with prolonged symptoms due to Lyme disease in managing and
11 recovering from these prolonged symptoms.

12 Sec. 3. Section 147.56, Code 2024, is amended to read as
13 follows:

14 147.56 Lyme disease treatment — laboratory testing notice —
15 exemption from licensee discipline.

16 1. A person licensed by a board under this subtitle shall
17 not be subject to discipline under *this chapter* or the board's
18 enabling statute based solely on the licensee's recommendation
19 or provision of a treatment method for Lyme disease or other
20 tick-borne disease if the recommendation or provision of such
21 treatment meets all the following criteria:

22 ~~1.~~ a. The treatment is provided after an examination is
23 performed and informed consent is received from the patient.

24 ~~2.~~ b. The licensee identifies a medical reason for
25 recommending or providing the treatment.

26 ~~3.~~ c. The treatment is provided after the licensee informs
27 the patient about other recognized treatment options and
28 describes to the patient the licensee's education, experience,
29 and credentials regarding the treatment of Lyme disease or
30 other tick-borne disease.

31 ~~4.~~ d. The licensee uses the licensee's own medical
32 judgment based on a thorough review of all available clinical
33 information and Lyme disease or other tick-borne disease
34 literature to determine the best course of treatment for the
35 individual patient.

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1 the appropriateness of retesting or initial or additional
2 treatment.

3 If at any time the department of health and human services
4 (HHS) finds there are significant differences between the
5 content of the required notice and the most recent medical
6 evidence on Lyme disease testing, HHS may adopt administrative
7 rules to amend the content of the notice to reflect the most
8 recent medical evidence. Additionally, the provision by a
9 health care provider or medical laboratory of the notice
10 required under the bill shall not be the sole basis for a cause
11 of action or licensee discipline.

12 "Health care provider" and "medical laboratory" are defined
13 in the bill.

14 The bill also requires professional licensing boards
15 for health care providers to develop continuing education
16 requirements regarding treatment strategies to assist patients
17 with prolonged symptoms due to Lyme disease in managing and
18 recovering from these prolonged symptoms.

19 The bill also amends a Code provision relating to Lyme
20 disease treatment and exemption from licensee discipline to
21 provide that a health care provider as defined under the bill
22 shall not be subject to licensee discipline under Code chapter
23 147 (general provisions, health-related professions) or the
24 health licensing board's enabling statute solely on the basis
25 of the provision of the notice required under the bill.

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House File 2592 - Introduced

HOUSE FILE 2592

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2295)

A BILL FOR

1 An Act relating to the placement of a police officer on a
2 Brady-Giglio list, including the right of a police officer
3 to petition the court and the standard of proof required for
4 actions regarding such placement.

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

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30 The bill provides that an officer shall have the right to
31 petition the district court, appeal, or intervene in an action
32 regarding a prosecuting agency's decision to place an officer
33 on a Brady-Giglio list. The district court has jurisdiction
34 over the review of the prosecuting agency's decision. The
35 district court shall perform an in camera review of the

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1 evidence and may hold a closed hearing upon the request of the
2 officer or prosecuting agency, or upon the court's own motion.
3 The court may affirm, modify, or reverse a prosecuting agency's
4 decision, and issue orders or provide relief, including removal
5 of the officer from a Brady-Giglio list. Evidence presented
6 to the district court shall be provided under seal and kept
7 confidential unless otherwise provided by law and ordered by
8 the district court.

9 The bill provides that the standard of proof for an
10 allegation, administrative charge, complaint, cause of
11 action, claim, or defense under Code chapter 80F shall be a
12 preponderance of the evidence unless a higher standard of proof
13 is required by law.

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House File 2593 - Introduced

HOUSE FILE 2593

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2231)

A BILL FOR

1 An Act relating to the review of an officer-involved shooting
2 case by a county attorney.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House File 2594 - Introduced

HOUSE FILE 2594
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 705)

A BILL FOR

1 An Act establishing the criminal offense of organized retail
2 theft, providing penalties, and including effective date
3 provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 714.2B Organized retail theft.

2 1. As used in this section, unless the context otherwise
3 requires:

4 a. "*Pattern of retail theft*" means acts committed or
5 directed by a person on at least two separate occasions in the
6 preceding six months that would constitute a violation of any
7 of the following:

8 (1) Burglary under section 713.1 when the structure is a
9 retail establishment.

10 (2) Theft under section 714.1, subsection 1, 3, 4, or 6,
11 involving retail merchandise.

12 (3) A violation of section 714.7B concerning theft
13 detection devices.

14 (4) Theft of pseudoephedrine, under section 714.7C, from a
15 retail establishment.

16 b. "*Retail establishment*" means the building where a
17 retailer sells retail merchandise.

18 c. "*Retail merchandise*" means all forms of tangible property
19 held out for sale by a retailer.

20 d. "*Retail theft enterprise*" means a group of two or more
21 individuals with a shared goal involving the unauthorized
22 removal of retail merchandise from a retailer. "*Retail theft*
23 *enterprise*" does not require the membership of the enterprise
24 to remain the same or that the same individuals participate in
25 each offense committed by the enterprise.

26 e. "*Retailer*" means a person or entity that sells retail
27 merchandise.

28 f. "*Value*" means the same as provided in section 714.3.

29 2. A person commits organized retail theft when all of the
30 following occur:

31 a. The person is employed by or associated with a retail
32 theft enterprise.

33 b. The person has previously engaged in a pattern of
34 retail theft and intentionally commits an act or directs
35 another member of the retail theft enterprise to commit an act

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1 involving retail merchandise that is a violation of section
2 713.1, section 714.1, subsection 1, 3, 4, or 6, section 714.7B,
3 or section 714.7C.

4 *c.* The person or another member of the retail theft
5 enterprise sells or intends to sell the stolen retail
6 merchandise, advertises or displays any item of the stolen
7 retail merchandise for sale, or returns any item of the stolen
8 retail merchandise to a retailer for anything of value.

9 3. A person who commits organized retail theft is guilty of
10 the following:

11 *a.* A class "C" felony if the value of the property stolen
12 exceeds five thousand dollars.

13 *b.* A class "D" felony if either of the following
14 circumstances exists:

15 (1) The value of the property stolen is more than one
16 thousand dollars but not more than five thousand dollars.

17 (2) The value of the property is more than five hundred
18 dollars but not more than one thousand dollars and the person
19 has been convicted at least twice before for a violation of
20 this section, section 713.1, section 714.1, subsection 1, 3,
21 4, or 6, section 714.7B, or section 714.7C, or a statute from
22 another state, the United States, or a foreign jurisdiction, in
23 conformity with any of those sections, and the person received
24 a felony or an aggravated misdemeanor sentence for the offense,
25 and at least two of the prior convictions occurred in the
26 previous ten years.

27 *c.* An aggravated misdemeanor if either of the following
28 circumstances exist:

29 (1) The value of the property stolen is more than five
30 hundred dollars but not more than one thousand dollars.

31 (2) The value of the property is five hundred dollars
32 or less and the person commits the offense within ten years
33 of a previous conviction under this section, section 713.1,
34 section 714.1, subsection 1, 3, 4, or 6, section 714.7B, or
35 section 714.7C, or a statute from another state, the United

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1 States, or a foreign jurisdiction, in conformity with any of
2 those sections, and the person received a felony or aggravated
3 misdemeanor sentence for the offense.

4 *d.* A serious misdemeanor if the value of the property stolen
5 is five hundred dollars or less.

6 4. The value of the retail merchandise received by the
7 defendant in violation of this section within any six-month
8 period may be aggregated and the defendant charged accordingly
9 in applying the provisions of this subdivision, provided that
10 when two or more offenses are committed by the same person in
11 two or more counties, the accused may be prosecuted in any
12 county in which one of the offenses was committed for all of
13 the offenses aggregated under this subdivision.

14 5. If a violation of this section creates a reasonably
15 foreseeable risk of bodily harm to another, the penalties
16 described in subsection 3 are enhanced as follows:

17 *a.* If the penalty is a serious misdemeanor or an aggravated
18 misdemeanor, the offense shall be classified and punished as an
19 offense one degree higher than the underlying offense.

20 *b.* If the penalty is a felony, the offense shall be
21 classified and punished as an offense one degree higher than
22 the underlying offense.

23 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
24 importance, takes effect upon enactment.

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 establishes the criminal offense of organized
29 retail theft.

30 The bill defines a "pattern of retail theft" to mean acts
31 committed or directed by a person on at least two separate
32 occasions in the preceding six months that would constitute a
33 violation of any of the following: burglary under Code section
34 713.1 when the building is a retail establishment, theft under
35 Code section 714.1, subsection 1, 3, 4, or 6, involving retail

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1 merchandise, a violation of Code section 714.7B concerning
2 theft detection devices, and theft of pseudoephedrine, under
3 Code section 714.7C, from a retail establishment. The bill
4 defines "retail theft enterprise" to mean a group of two or
5 more individuals with a shared goal involving the unauthorized
6 removal of retail merchandise from a retailer. "Retail theft
7 enterprise" does not require the membership of the enterprise
8 to remain the same or that the same individuals participate
9 in each offense committed by the enterprise. The bill
10 also defines "retail establishment", "retail merchandise",
11 "retailer", and "value".

12 The bill provides that a person commits organized retail
13 theft when all of the following occur: the person is employed
14 by or associated with a retail theft enterprise; the person
15 has previously engaged in a pattern of retail theft and
16 intentionally commits an act or directs another member of the
17 retail theft enterprise to commit an act involving retail
18 merchandise that is a violation of Code section 713.1, Code
19 section 714.1, subsection 1, 3, 4, or 6, Code section 714.7B,
20 or Code section 714.7C; and the person or another member of the
21 retail theft enterprise sells or intends to sell the stolen
22 retail merchandise, advertises or displays any item of the
23 stolen retail merchandise for sale, or returns any item of the
24 stolen retail merchandise to a retailer for anything of value.

25 The bill provides that a person who commits organized retail
26 theft is guilty of the following: a class "C" felony if the
27 value of the property stolen exceeds \$5,000; a class "D" felony
28 if either the value of the property stolen is more than \$1,000
29 but not more than \$5,000, or the value of the property is more
30 than \$500 but not more than \$1,000 and the person has been
31 convicted at least twice before for a violation of the bill or
32 one of the other qualifying offenses, the person received a
33 felony or an aggravated misdemeanor sentence for the offense,
34 and at least two of the prior convictions occurred in the
35 previous 10 years; an aggravated misdemeanor if either the

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1 value of the property stolen is more than \$500 but not more
2 than \$1,000, or the value of the property is \$500 or less and
3 the person commits the offense within 10 years of a previous
4 conviction under the bill or one of the other qualifying
5 offenses and the person received a felony or aggravated
6 misdemeanor sentence for the offense; or a serious misdemeanor
7 if the value of the property stolen is \$500 or less.

8 The bill provides that the value of the retail merchandise
9 received by the defendant in violation of the bill within any
10 six-month period may be aggregated and the defendant charged
11 accordingly.

12 The bill provides that if a violation of the bill creates
13 a reasonably foreseeable risk of bodily harm to another, the
14 penalties described in the bill are enhanced as follows:
15 if the penalty is a serious misdemeanor or an aggravated
16 misdemeanor, the offense shall be classified and punished as
17 an offense one degree higher than the underlying offense; if
18 the penalty is a felony, the offense shall be classified and
19 punished as an offense one degree higher than the underlying
20 offense.

21 The bill takes effect upon enactment.

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House File 2595 - Introduced

HOUSE FILE 2595

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 707)

A BILL FOR

1 An Act relating to traffic violations and enforcement,
2 including the use of an electronic device while driving
3 and the use of automated or remote systems for traffic
4 law enforcement, providing penalties, making penalties
5 applicable, and including effective date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

USE OF ELECTRONIC DEVICES WHILE DRIVING

Section 1. Section 321.178, subsection 2, paragraph
a, subparagraph (2), Code 2024, is amended by striking the
subparagraph.

Sec. 2. Section 321.178, subsection 2, paragraphs b and c,
Code 2024, are amended to read as follows:

~~b. The department may suspend a restricted driver's license~~
~~issued under this section upon receiving satisfactory evidence~~
~~that the licensee has violated the restrictions imposed under~~
~~paragraph "a", subparagraph (2), subparagraph division (a).~~
The department may also suspend a restricted license issued
under this section upon receiving a record of the person's
conviction for one violation and shall revoke the license upon
receiving a record of conviction for two or more violations
of a law of this state or a city ordinance regulating the
operation of motor vehicles on highways, other than parking
violations as defined in section 321.210. After revoking a
license under this section the department shall not grant an
application for a new license or permit until the expiration
of one year or until the person attains the age of eighteen,
whichever is the longer period.

~~c. A person who violates the restrictions imposed under~~
~~paragraph "a", subparagraph (2), subparagraph division (a),~~
~~may be issued a citation under this section and shall not be~~
~~issued a citation under section 321.193. A violation of the~~
~~restrictions imposed under paragraph "a", subparagraph (2),~~
~~subparagraph division (a), shall not be considered a moving~~
~~violation.~~

Sec. 3. Section 321.180B, subsection 3, paragraph b, Code
2024, is amended to read as follows:

b. The department may suspend an instruction permit,
intermediate license, or full license issued under this section
upon receiving satisfactory evidence that the person issued
the instruction permit, intermediate license, or full license

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1 violated the restrictions imposed under subsection 1, ~~or 2~~
2 6 during the term of the instruction permit or intermediate
3 license.

4 Sec. 4. Section 321.180B, subsection 6, Code 2024, is
5 amended by striking the subsection.

6 Sec. 5. Section 321.180B, subsection 7, Code 2024, is
7 amended to read as follows:

8 7. *Citations for violation of restrictions.* A person who
9 violates the restrictions imposed under subsection 1, ~~or 2~~
10 6 may be issued a citation under [this section](#) and shall not be
11 issued a citation under [section 321.193](#). A violation of the
12 restrictions imposed under [subsection 1, ~~or 2~~](#) shall not
13 be considered a moving violation.

14 Sec. 6. Section 321.194, subsection 2, paragraph b,
15 subparagraph (2), Code 2024, is amended by striking the
16 subparagraph.

17 Sec. 7. Section 321.210, subsection 2, paragraph e, Code
18 2024, is amended by striking the paragraph.

19 Sec. 8. Section 321.238, Code 2024, is amended to read as
20 follows:

21 **321.238 Use of electronic devices while driving — preemption**
22 **of local legislation.**

23 The provisions of [this chapter](#) restricting the use of
24 electronic ~~communication devices and electronic entertainment~~
25 devices by motor vehicle operators shall be implemented
26 uniformly throughout the state. Such provisions shall preempt
27 any county or municipal ordinance regarding the use of an
28 electronic ~~communication device or electronic entertainment~~
29 device by a motor vehicle operator. In addition, a county or
30 municipality shall not adopt or continue in effect an ordinance
31 regarding the use of an electronic ~~communication device or~~
32 ~~electronic entertainment~~ device by a motor vehicle operator.

33 Sec. 9. Section 321.276, subsection 1, Code 2024, is amended
34 by striking the subsection and inserting in lieu thereof the
35 following:

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1 1. For purposes of this section:

2 *a. "Electronic device"* means a device that is powered by
3 electricity, including by a battery, and that is capable of
4 being used to compose, send, receive, or read an electronic
5 message, or that is capable of storing, retrieving on-demand,
6 or displaying videos, movies, broadcast television images,
7 visual images, or audio or video data files. *"Electronic*
8 *device"* includes but is not limited to a telephone including
9 a cellular telephone, personal digital assistant, portable
10 or mobile computer including a tablet, two-way messaging
11 device, electronic gaming device, and any substantially similar
12 portable device that is used to initiate, store, or receive
13 electronic communication, information, or data. *"Electronic*
14 *device"* does not include a device that is physically or
15 electronically integrated into a motor vehicle, including but
16 not limited to an integrated global positioning system or
17 navigation system when the destination is entered into such
18 system before the vehicle is in motion.

19 *b. "Use"* includes but is not limited to holding, physically
20 supporting with any part of a person's body, viewing, or
21 manually entering letters, numbers, or symbols on an electronic
22 device. *"Use"* does not include any of the following, so long as
23 a person does not manually enter letters, numbers, or symbols
24 while holding the device:

25 (1) Holding an electronic device directly near a person's
26 ear or with the speaker phone function activated for the
27 purpose of making, receiving, or conducting a telephone call.

28 (2) Receiving a wireless message on an electronic device
29 regarding the operation or navigation of a motor vehicle,
30 safety-related information including emergency, traffic, or
31 weather alerts, or data used primarily by the motor vehicle.

32 (3) Using an electronic device for navigation purposes.

33 *c. "Voice-activated or hands-free mode"* means an attachment,
34 accessory, application, wireless connection, or built-in
35 feature of an electronic device or motor vehicle that allows

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1 a person to use verbal commands or a single touch to activate
2 or deactivate the device or a function or software application
3 of the device. *"Voice-activated or hands-free mode"* does not
4 include accessing nonnavigation video content, engaging in a
5 video call, accessing or engaging in video streaming, accessing
6 gaming data, or reading an electronic message or notification.

7 Sec. 10. Section 321.276, subsections 2, 3, and 4, Code
8 2024, are amended to read as follows:

9 2. A person shall not use ~~a hand-held~~ an electronic
10 ~~communication device to write, send, or view an electronic~~
11 ~~message~~ while driving a motor vehicle ~~unless~~. For purposes of
12 this subsection, a person is not driving a motor vehicle if the
13 motor vehicle is at a complete stop at a traffic control signal
14 or device that is directing the person to stop, on a roadway
15 due to an emergency or road closure, or off the traveled
16 portion of the roadway, or as far away from the center of the
17 roadway as is practicable if the vehicle cannot be entirely
18 removed from the traveled portion of the roadway.

19 a. A person does not violate this section by using ~~a global~~
20 ~~positioning system or navigation system or when, for the~~
21 ~~purpose of engaging in a call, the person selects or enters a~~
22 ~~telephone number or name in a hand-held mobile telephone or~~
23 ~~activates, deactivates, or initiates a function of a hand-held~~
24 ~~mobile telephone~~ an electronic device in a voice-activated or
25 hands-free mode.

26 b. The provisions of this subsection relating to ~~writing,~~
27 ~~sending, or viewing an electronic message~~ the use of an
28 electronic device do not apply to the following persons:

29 (1) A member of a public safety agency, as defined in
30 section 34.1, performing official duties.

31 (2) A health care professional in the course of an emergency
32 situation.

33 (3) A person ~~receiving safety-related information including~~
34 ~~emergency, traffic, or weather alerts~~ using an electronic
35 device for the purpose of reporting an emergency situation,

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1 including any continued communication with emergency personnel
2 during the emergency situation, or public transit personnel
3 responding to a transit-specific situation.

4 (4) A utility maintenance employee or contractor using
5 an electronic device while in a utility maintenance vehicle,
6 and responding to an emergency, power outage, or circumstance
7 that affects the health or safety of individuals, provided the
8 employee or contractor is acting within the scope of their
9 employment or agency.

10 (5) A person operating a commercial motor vehicle while
11 using a mobile data terminal that transmits and receives data.

12 (6) A person storing an electronic device in a holster,
13 harness, or article of clothing on the person's body.

14 3. Nothing in this section shall be construed to authorize
15 a peace officer to confiscate ~~a hand-held~~ an electronic
16 ~~communication~~ device from the driver or occupant of a motor
17 vehicle.

18 4. a. A person convicted of a violation of this section
19 is guilty of a simple misdemeanor punishable as a scheduled
20 violation under section 805.8A, subsection 14, paragraph "1".

21 b. A violation of this section shall ~~not~~ be considered a
22 moving violation for purposes of this chapter ~~or~~ and rules
23 adopted pursuant to this chapter.

24 c. Notwithstanding section 321.210 or any provision of
25 this chapter to the contrary, but subject to subsection 6,
26 the department may suspend the driver's license of a person
27 convicted of a violation of this section for a period not to
28 exceed ninety days.

29 d. Notwithstanding paragraphs "a" and "b", a peace officer
30 shall issue a warning memorandum in lieu of a citation to a
31 person for violating this section. This paragraph is repealed
32 January 1, 2025.

33 Sec. 11. Section 321.276, Code 2024, is amended by adding
34 the following new subsections:

35 NEW SUBSECTION. 6. a. In lieu of the penalties provided

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1 under subsection 4, a person may attend and successfully
2 complete, at the person's own expense, a driver improvement
3 program approved by the department. To be eligible, the
4 person shall notify the clerk of court prior to the date of
5 the person's court appearance as indicated on the citation
6 that the person intends to attend and successfully complete a
7 driver improvement program, and shall submit to the clerk of
8 court written verification that the person completed the driver
9 improvement program, signed by the instructor of the program,
10 within ninety days of the violation.

11 **b.** A person who notifies the clerk of court that the person
12 intends to successfully complete a driver improvement program
13 pursuant to paragraph "a", but who does not submit the required
14 written verification that the person successfully completed
15 the driver improvement program to the clerk of court within
16 ninety days of the violation, shall be subject to the penalties
17 described in subsection 4 on the ninety-first day after the
18 violation.

19 NEW SUBSECTION. 7. The department of public safety shall
20 submit a report to the general assembly on or before January
21 31 each year detailing the number of citations issued for
22 violations under this section during the previous calendar
23 year. The report must include statistics detailing the race of
24 each person cited.

25 Sec. 12. Section 321.482A, unnumbered paragraph 1, Code
26 2024, is amended to read as follows:

27 Notwithstanding [section 321.482](#), a person who is convicted
28 of operating a motor vehicle in violation of ~~section 321.178,~~
29 ~~subsection 2, paragraph "a", subparagraph (2), section~~
30 ~~321.180B, subsection 6, section 321.194, subsection 2,~~
31 ~~paragraph "b", subparagraph (2),~~ [section 321.256, 321.257,](#)
32 [section 321.275, subsection 4, section 321.276, 321.297,](#)
33 [321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306,](#)
34 [321.307, 321.311, 321.319, 321.320, 321.321, 321.322, 321.323,](#)
35 [321.324, 321.324A, 321.327, 321.329, 321.333, section 321.372,](#)

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1 subsection 3, or [section 321.449B](#), causing serious injury to
2 or the death of another person may be subject to the following
3 penalties in addition to the penalty provided for a scheduled
4 violation in [section 805.8A](#) or any other penalty provided by
5 law:

6 Sec. 13. Section 321.555, subsection 2, Code 2024, is
7 amended to read as follows:

8 2. Six or more of any separate and distinct offenses within
9 a two-year period in the operation of a motor vehicle, which
10 are required to be reported to the department by section
11 321.491 or [chapter 321C](#), except equipment violations, parking
12 violations as defined in [section 321.210](#), violations of
13 registration laws, violations of [sections 321.445](#) and [321.446](#),
14 ~~violations of [section 321.276](#)~~, operating a vehicle with an
15 expired license or permit, failure to appear, weights and
16 measures violations and speeding violations of less than
17 fifteen miles per hour over the legal speed limit.

18 Sec. 14. Section 707.6A, subsection 2, paragraph a,
19 subparagraphs (1), (2), and (3), Code 2024, are amended by
20 striking the subparagraphs and inserting in lieu thereof the
21 following:

22 (1) For purposes of this paragraph "a", a person's use of
23 an electronic device while driving a motor vehicle shall be
24 considered prima facie evidence that the person was driving
25 the motor vehicle in a reckless manner with willful or wanton
26 disregard for the safety of persons or property, in violation
27 of section 321.277.

28 (2) Subparagraph (1) does not apply to any of the following:

29 (a) A person using an electronic device in a voice-activated
30 or hands-free mode.

31 (b) A person listed in section 321.276, subsection 2,
32 paragraph "b".

33 (3) For purposes of this paragraph "a", the following
34 definitions apply:

35 (a) "Electronic device" means the same as defined in section

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1 321.276.

2 (b) "Use" means the same as defined in section 321.276.

3 (c) "Voice-activated or hands-free mode" means the same as
4 defined in section 321.276.

5 Sec. 15. Section 805.8A, subsection 4, paragraph c, Code
6 2024, is amended by striking the paragraph.

7 Sec. 16. Section 805.8A, subsection 14, paragraph 1, Code
8 2024, is amended to read as follows:

9 ~~1. Writing, sending, or viewing an Use of electronic message~~
10 ~~device while driving violations.~~ For violations under section
11 321.276, the scheduled fine is ~~forty-five dollars.~~ as follows:

12 (1) One hundred fifty dollars for a first violation.

13 (2) Two hundred fifty dollars if the violation is within two
14 years of a prior violation.

15 (3) Five hundred dollars if the violation is a third or
16 subsequent violation within two years.

17 DIVISION II

18 AUTOMATIC TRAFFIC ENFORCEMENT PROHIBITED

19 Sec. 17. NEW SECTION. 321.492C Use of automated or remote
20 systems for traffic law enforcement prohibited — sharing related
21 information prohibited.

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

26 2. The department of transportation and the department of
27 public safety shall not share or provide information used to
28 impose or collect a civil penalty that results from a violation
29 captured by an automated or remote system for traffic law
30 enforcement through any existing interstate compact that does
31 not specifically allow or require information to be shared or
32 provided for that explicit purpose.

33 3. For purposes of this section, "automated or remote system
34 for traffic law enforcement" means a camera or other optical
35 device designed to work in conjunction with an official traffic

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16 Sec. 19. EFFECTIVE DATE. The section of this division of
17 this Act enacting section 321.492C takes effect July 1, 2025.

EXPLANATION

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

21 USE OF ELECTRONIC DEVICES WHILE DRIVING. Under current law,
22 Code section 321.276 prohibits the use of hand-held electronic
23 communication devices to write, send, or view electronic
24 messages while driving a motor vehicle. This bill expands Code
25 section 321.276 to prohibit any use of an electronic device
26 while driving. The bill defines the terms "electronic device",
27 "use", and "voice-activated or hands-free mode". The bill
28 excludes certain actions while behind the wheel of a motor
29 vehicle from being considered "driving" for purposes of the
30 bill, such as being stopped at a stop light.

31 The bill authorizes persons to use an electronic device in
32 a voice-activated or hands-free mode, with the speaker phone
33 function engaged, while holding the phone in close proximity
34 to the person's ear, or for navigation purposes. The bill
35 excludes certain persons from the prohibition, including a

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1 person reporting an emergency situation, a utility maintenance
2 employee or contractor responding to an emergency, power
3 outage, or circumstance that affects the health or safety of
4 individuals, a person operating a commercial motor vehicle
5 while using a mobile data terminal that transmits and receives
6 data, and a person storing an electronic device in a holster,
7 harness, or article of clothing on the person's body.

8 The bill makes a violation of Code section 321.276 a moving
9 violation. Under current law, a moving violation can be
10 considered for purposes of administrative suspension of a
11 driver's license (Code section 321.210; 761 IAC 615.12) or to
12 establish habitual offender status (Code section 321.555).
13 However, a peace officer is required to issue a warning
14 memorandum in lieu of a citation for violations that occur
15 during the period between the effective date of the bill and
16 January 1, 2025.

17 The bill increases the scheduled fine for a violation of Code
18 section 321.276 from \$45 to \$150, and further increases the
19 penalty for a second (\$250) and a third or subsequent (\$500)
20 violation within two years. In addition, the department of
21 transportation (DOT) may suspend a person's driver's license
22 for up to 90 days. However, the bill allows a person to attend
23 and successfully complete, at the person's own expense, a
24 driver improvement program approved by the DOT in lieu of the
25 penalties. To be eligible, the person must notify the clerk of
26 court prior to the date of the person's court appearance that
27 the person intends to attend and successfully complete a driver
28 improvement program, and must submit to the clerk of court
29 written verification that the person completed the program,
30 signed by the instructor of the program, within 90 days of the
31 violation. If a person notifies the clerk of court of the
32 person's intent to complete the program but fails to submit the
33 required verification of completion within 90 days, the person
34 is subject to the penalties.

35 Under Code section 321.482A, if a person is convicted for a

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1 violation and the violation causes a serious injury, a court
2 could impose an additional fine of \$500 or suspend the person's
3 driver's license for not more than 90 days, or both. If a
4 person is convicted for a violation and the violation causes
5 a death, a court could impose an additional fine of \$1,000 or
6 suspend the person's driver's license for not more than 180
7 days, or both. By operation of law, a person issued a warning
8 memorandum under the bill is not subject to the enhanced
9 penalties under Code section 321.482A.

10 The bill makes corresponding changes to Code sections
11 321.238 (preemption of local legislation) and 707.6A (homicide
12 or serious injury by vehicle) to align those provisions to the
13 provisions of Code section 321.276 as amended by the bill.
14 The bill also makes corresponding changes to Code sections
15 321.178, 321.180B, and 321.194, by striking provisions relating
16 to the use of electronic communication devices while driving
17 by persons under the age of 18 who are issued certain types
18 of driver's licenses, thereby making Code section 321.276 as
19 amended by the bill applicable to such persons.

20 AUTOMATED TRAFFIC ENFORCEMENT PROHIBITED. On and after July
21 1, 2025, the bill prohibits the state or a local authority from
22 placing or causing to be placed on or adjacent to a highway, or
23 maintaining or employing the use of, any automated or remote
24 system for traffic law enforcement (ATE system). The bill also
25 prohibits the department of transportation and the department
26 of public safety from providing information used to impose or
27 collect a civil penalty that results from a violation captured
28 by an ATE system through an existing interstate compact
29 agreement unless the agreement specifically allows or requires
30 that information to be shared or provided for that specific
31 purpose.

32 The bill defines "automated or remote system for traffic law
33 enforcement" to mean a camera or other optical device designed
34 to work in conjunction with an official traffic control signal
35 or speed measuring device to identify motor vehicles operating

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1 in violation of traffic laws, the use of which results in the
2 issuance of citations sent through the mail or by electronic
3 means.

4 The bill requires that prior to July 1, 2025, a local
5 authority using an ATE system must discontinue using the system
6 and remove the system equipment. On and after July 1, 2025,
7 all local ordinances authorizing the use of ATE systems are
8 void. However, the bill provides that any citation issued or
9 mailed pursuant to such an ordinance prior to July 1, 2025, is
10 not invalidated by the bill and must be processed according to
11 the provisions of law under which the citation was authorized.

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House File 2596 - Introduced

HOUSE FILE 2596

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 700)

A BILL FOR

1 An Act relating to qualifications to bid on or submit a
2 proposal for certain public contracts, and providing
3 penalties.

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

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1 Section 1. NEW SECTION. 8A.311C Qualifications to bid or
2 submit proposals.

3 1. For purposes of this section:

4 a. "Company" means any sole proprietorship, organization,
5 association, corporation, partnership, joint venture, limited
6 partnership, limited liability partnership, limited liability
7 company, or other entity or business association, including
8 all wholly owned subsidiaries, majority-owned subsidiaries,
9 parent companies, or affiliates of such entities or business
10 associations, that exists for profit-making purposes.

11 b. "Domicile" means any of the following:

12 (1) The country in which a company is registered.

13 (2) The country in which the company's affairs are primarily
14 completed.

15 (3) The country in which the majority of a company's
16 ownership shares are held.

17 c. "Federally banned company" means a company banned from
18 doing business in the United States by the federal government.
19 Such bans include but are not limited to those resulting from
20 actions taken by any of the following federal agencies or
21 pursuant to any of the following federal laws:

22 (1) The federal communications commission, including but
23 not limited to the covered list developed pursuant to 47 C.F.R.
24 §1.50002 and published by the public safety and homeland
25 security bureau of the federal communications commission.

26 (2) The United States department of commerce.

27 (3) The United States cybersecurity and infrastructure
28 security agency.

29 (4) The federal acquisition security council.

30 (5) Section 889 of the John S. McCain National Defense
31 Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232.

32 d. "Foreign adversary" means the People's Republic of China,
33 the Russian Federation, the Islamic Republic of Iran, the
34 Democratic People's Republic of Korea, the Republic of Cuba,
35 the Venezuelan regime of Nicolas Maduro, or the Syrian Arab

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1 Republic, including an agent of or an entity under significant
2 control of such foreign country of concern, or an entity deemed
3 a foreign adversary by the governor in consultation with the
4 department.

5 *e. "Foreign adversary company"* means a company owned
6 or controlled, in whole or in part, by the government of a
7 foreign adversary, by individuals acting in official government
8 capacities of a foreign adversary, by a company domiciled in a
9 foreign adversary, or by a company otherwise under control of a
10 foreign adversary.

11 2. Except as provided under subsection 5, all of the
12 following are ineligible to bid on or submit a proposal for a
13 contract with the state or a political subdivision of the state
14 for goods or services, including but not limited to under this
15 chapter, or chapter 8B, 26, 73, or 73A:

16 *a.* A foreign adversary company.

17 *b.* A federally banned company.

18 *c.* A company that offers to provide goods or services
19 manufactured or produced by a foreign adversary company or
20 federally banned company.

21 3. A company that submits a bid or proposal for a contract
22 with the state or a political subdivision of the state
23 for goods or services must certify that the company is not
24 ineligible to bid on the contract under subsection 2.

25 4. If the department determines that a company has submitted
26 a false certification under subsection 3, all of the following
27 apply:

28 *a.* The department shall assess the company a civil penalty
29 of not less than two hundred fifty thousand dollars, or twice
30 the amount of the contract for which a bid or proposal was
31 submitted, whichever is greater. Civil penalties collected
32 under this paragraph shall be deposited in the general fund of
33 the state.

34 *b.* The contract is void.

35 *c.* The company shall be ineligible to bid on a public

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1 contract for sixty months.

2 5. Notwithstanding subsection 2, the state or a political
3 subdivision of the state may enter into a contract for goods
4 manufactured by a foreign adversary company or federally banned
5 company if all of the following criteria are met:

6 a. There is no other reasonable option for procuring the
7 goods.

8 b. The contract is preapproved by the department.

9 c. Failure to procure the goods would pose a greater threat
10 to this state than the threat associated with procuring the
11 goods from a foreign adversary company or federally banned
12 company.

13 6. Each bid or offer submitted for a public contract must
14 include a disclosure of whether the bidder, offeror, or its
15 corporate parents or subsidiaries, within the twenty-four-month
16 period before submission of the bid or offer, had business
17 operations that involved contracts with or the provision of
18 supplies or services from or to a foreign adversary.

19 7. A bidder or offeror that does not include the disclosure
20 required by subsection 6 may be given a reasonable period after
21 the bid or offer is submitted to cure the nondisclosure. The
22 state or political subdivision may consider the disclosure when
23 evaluating the bid or offer or awarding the contract.

24 8. Each state entity or political subdivision that receives
25 a disclosure under subsection 6 shall provide the disclosure
26 to the department.

27 9. A company which wishes to submit a bid or offer for a
28 public contract with the state or political subdivision of the
29 state must certify that the bidder, offeror, or any of its
30 corporate parents or subsidiaries, has not within the sixty
31 months before submission of the bid or offer had business
32 operations that involved contracts with or the provision of
33 goods or services to a military entity of a foreign adversary,
34 a foreign adversary company, a political party of a foreign
35 adversary, or a federally banned company.

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1 banned company, or a company that offers to provide goods
2 or services manufactured or produced by such an entity from
3 bidding on or submitting a proposal for a contract to supply
4 goods or services to the state or a political subdivision of
5 the state.

6 The bill requires a company to certify that it is not
7 ineligible for a public contract under the bill. If the
8 certification is false, the department of administrative
9 services (DAS) must assess the company a civil penalty of
10 at least \$250,000, the contract is void, and the company is
11 ineligible to bid on a public contract for 60 months.

12 The bill permits a contract with a foreign adversary company
13 or federally banned company if there is no other reasonable
14 way to obtain the goods, the contract is preapproved by DAS,
15 and failure to obtain the goods poses a greater threat than
16 obtaining the goods from the prohibited entity.

17 When making a bid or offer on a public contract, a company
18 must disclose whether the bidder, offeror, or its corporate
19 parents or subsidiaries had contracts with, or provided or
20 received supplies or services to or from, a foreign adversary.
21 A company must also certify that the bidder, offeror, or its
22 corporate parents or subsidiaries has not had contracts with or
23 provided goods or services to a military entity or political
24 party of a foreign adversary, a foreign adversary company, or a
25 federally banned company 60 months before submission of the bid
26 or offer. The public entity must submit this information to
27 DAS. If the certification is false, the penalties previously
28 set forth apply.

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House File 2597 - Introduced

HOUSE FILE 2597

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2413)

A BILL FOR

1 An Act relating to the revocation or suspension of a law
2 enforcement officer's certification or a reserve peace
3 officer's certification.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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EXPLANATION

19 The bill provides that the law enforcement academy council
20 shall revoke the certification of a law enforcement officer or
21 reserve peace officer upon a finding that the law enforcement
22 officer or reserve peace officer has twice pled guilty to
23 or been convicted of operating while under the influence of
24 alcohol or a drug, while having an alcohol concentration of
25 .08 or more, or while any amount of a controlled substance was
26 present in the officer, as measured in the officer's blood or
27 urine. The second or subsequent conviction must occur after
28 July 1, 2024, for the officer to be decertified, regardless of
29 whether the currently certified officer is currently employed
30 by a law enforcement agency, and regardless of whether the
31 currently certified officer was employed at the time of the
32 violation or conviction.

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House File 2598 - Introduced

HOUSE FILE 2598
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2259)

A BILL FOR

1 An Act establishing the criminal offense of looting, and
2 providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **714.2B Looting.**

2 1. For purposes of this section, "*looting*" means the
3 intentional entry without authorization of any dwelling, place
4 of business, vehicle, watercraft, building, plant, or other
5 structure, moveable or immovable, by a person, acting in joint
6 criminal conduct, as defined in section 703.2, with another
7 person or any group of persons and the person obtains, exerts
8 control over, damages, or removes the property of another
9 without authorization.

10 2. The looting of property exceeding ten thousand dollars in
11 value, by any one person or all persons engaged in the looting
12 of the property, or the looting of any property not exceeding
13 ten thousand dollars in value by one person who has once before
14 been convicted of looting in the first or second degree, or
15 any looting that involves a dangerous weapon, is looting in
16 the first degree. Looting in the first degree is a class "C"
17 felony punishable by all of the following:

18 a. Commitment to the custody of the director of the
19 department of corrections for an indeterminate term not to
20 exceed ten years, with a mandatory minimum term of five years.

21 b. Assessment of a minimum fine of one thousand dollars and
22 a maximum fine of ten thousand dollars.

23 3. The looting of property exceeding one thousand dollars
24 in value but not exceeding ten thousand dollars in value, by
25 any one person or all persons engaged in the looting of the
26 property, or the looting of any property not exceeding one
27 thousand dollars in value by one person who has once before
28 been convicted of looting in the third degree, is looting in
29 the second degree. Looting in the second degree is a class "D"
30 felony punishable by all of the following:

31 a. Commitment to the custody of the director of the
32 department of corrections for an indeterminate term not to
33 exceed five years, with a mandatory minimum term of one and
34 one-half years.

35 b. Assessment of a minimum fine of six hundred fifty dollars

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1 other done in furtherance of the commission of the offense or
2 escape therefrom, and each person's guilt will be the same as
3 that of the person so acting.

4 The bill provides that the looting of property exceeding
5 \$10,000 in value, by any one person or all persons engaged in
6 the looting of the property, or the looting of any property not
7 exceeding \$10,000 in value by one person who has once before
8 been convicted of looting in the first or second degree, or
9 any looting that involves a dangerous weapon, is looting in
10 the first degree. Looting in the first degree is a class "C"
11 felony punishable by an indeterminate term of confinement not
12 to exceed 10 years, with a mandatory minimum term of five
13 years, and the assessment of a minimum fine of \$1,000 and a
14 maximum fine of \$10,000.

15 The bill provides that the looting of property exceeding
16 \$1,000 in value but not exceeding \$10,000 in value, by any one
17 person or all persons engaged in the looting of the property,
18 or the looting of any property not exceeding \$1,000 in value
19 by one person who has once before been convicted of looting in
20 the third degree, is looting in the second degree. Looting
21 in the second degree is a class "D" felony punishable by an
22 indeterminate term of confinement not to exceed five years,
23 with a mandatory minimum term of one and one-half years, and
24 the assessment of a minimum fine of \$650 and a maximum fine of
25 \$7,500.

26 The bill provides that the looting of property exceeding
27 \$300 but not exceeding \$1,000 in value, by any one person
28 or all persons engaged in the looting of the property, is
29 looting in the third degree. Looting in the third degree is an
30 aggravated misdemeanor punishable by an indeterminate term of
31 confinement not to exceed two years.

32 The bill provides that a person whose business or property
33 is directly or indirectly injured by looting may bring a civil
34 action against any person involved in the violation, and may
35 recover up to threefold the actual damages sustained and costs

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1 and expenses including reasonable attorney fees. Each person
2 exerting control over, damaging, or removing the property of
3 another shall be jointly and severally liable for any such
4 injury.

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House File 2599 - Introduced

HOUSE FILE 2599
BY COMMITTEE ON ECONOMIC
GROWTH AND TECHNOLOGY

(SUCCESSOR TO HF 2176)

A BILL FOR

1 An Act creating a grocer reinvestment program, a local produce
2 processing grant program, and a grocer reinvestment and
3 local food processing fund under the purview of the economic
4 development authority, modifying the local food and farm
5 program, and making appropriations.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

GROCER REINVESTMENT AND LOCAL PRODUCE PROCESSING

Section 1. NEW SECTION. 15.413 Grocer reinvestment program.

1. As used in this section:

a. "Financial assistance" means assistance, in the form of grants, provided only from the funds and assets legally available to the authority pursuant to this section.

b. "Grocery store" means an establishment also known as a supermarket that primarily engages in retailing a general line of food including canned and frozen food; fresh fruits and vegetables; and fresh and prepared meat, fish, and poultry.

c. "Low or moderate income community" means a census tract, as reported by the most recent federal decennial census, in which fifty-one percent of the persons residing in the census tract are at or below eighty percent of the area median income as determined by the United States department of housing and urban development.

d. "Program" means the grocer reinvestment program.

e. "Underserved community" means a census tract, as reported in the most recent federal decennial census, determined to be an area with low grocery store access as identified in the food access research atlas prepared by the United States department of agriculture, or by a methodology adopted by another governmental healthy food initiative.

2. The authority shall establish and administer the program for the purpose of awarding financial assistance to eligible grocery stores for the following projects at existing grocery stores, or new grocery stores to be located in this state:

a. Capital improvements to establish or expand capacity, including expansions and modifications.

b. Upgrades to utilities, including water, electric, heat, refrigeration, and freezing units.

c. Purchases of equipment and furnishings.

d. Expenditures for professional services.

e. Technology that allows increased capacity or business

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1 resilience, including software and hardware related to business
2 functions, logistics, inventory management, temperature
3 monitoring controls, cybersecurity, and internet site design
4 that enables electronic commerce.

5 3. The authority shall establish eligibility criteria for
6 the program by rule. The eligibility criteria must include all
7 of the following:

8 a. The grocery store has filed all required documents with
9 the secretary of state under the relevant filing statute as
10 described in section 9.11.

11 b. The grocery store is organized as a sole proprietorship,
12 partnership, limited liability company, corporation,
13 cooperative, nonprofit organization, or nonprofit community
14 development entity.

15 c. The grocery store owns five or fewer grocery stores.

16 d. The grocery store has the capacity to successfully
17 implement or complete the project, and demonstrates a plan for
18 sustainability.

19 4. In order to be awarded financial assistance under the
20 program, a grocery store must provide matching funds for the
21 project equal to the amount of the financial assistance award.
22 Financial assistance awarded under the program shall not exceed
23 two hundred thousand dollars.

24 5. The authority shall evaluate applications, and priority
25 shall be given to the grocery stores that commit to all of the
26 following:

27 a. Locating the project in an underserved community that
28 primarily serves the residents of low or moderate income
29 communities.

30 b. Accepting benefits under the United States department
31 of agriculture supplemental nutrition assistance program and
32 the special supplemental nutrition program for women, infants,
33 and children.

34 c. Creating or retaining jobs for local residents.

35 d. Making efforts to procure and offer local foods for sale.

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1 e. Other criteria determined by the authority.

2 6. By November 1, 2025, and each November 1 thereafter,
3 if financial assistance has been provided in the immediately
4 preceding fiscal year, the director shall submit a report to
5 the general assembly describing the activities of the program
6 including the geographic distribution of the projects, the
7 identity of the applicants, and the new investments or new jobs
8 created as a result of the financial assistance provided under
9 the program.

10 Sec. 2. NEW SECTION. 15.414 Local produce processing grant
11 program.

12 1. As used in this section:

13 a. "*Local produce*" means fruits and vegetables grown in this
14 state.

15 b. "*Local produce and processing*" means the preparation of
16 local produce for human consumption.

17 2. a. The authority shall establish and administer
18 the local produce processing grant program for the purpose
19 of awarding grants to Iowa-based entities to increase the
20 availability of local produce processing. In administering the
21 program, the authority shall prioritize grants to Iowa-based
22 entities that will increase any of the following as it relates
23 to local produce processing:

24 (1) Availability.

25 (2) Access.

26 (3) Efficiency.

27 (4) Capacity.

28 b. A grant shall not be awarded to an entity unless the
29 local produce processing includes local produce from multiple
30 Iowa-based farms.

31 3. The authority may adopt rules pursuant to chapter 17A to
32 administer this section.

33 Sec. 3. NEW SECTION. 15.415 Grocer reinvestment and local
34 food processing fund.

35 1. a. A grocer reinvestment and local food processing

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1 fund is created in the state treasury under the control of
2 the authority. The fund shall consist of moneys appropriated
3 to the authority and any other moneys available to, obtained
4 by, or accepted by the authority for placement in the fund.
5 The fund shall be used to award financial assistance as
6 provided under the grocer reinvestment program established in
7 section 15.413 and the local produce processing grant program
8 established in section 15.414.

9 **b.** Commencing with the fiscal year beginning July 1, 2024,
10 and each fiscal year thereafter, one hundred thousand dollars
11 of the annual appropriation to the fund, or ten percent of the
12 moneys in the fund available on July 1, whichever is less,
13 shall be allocated to the local produce processing grant
14 program established in section 15.414.

15 **c.** The authority may use not more than five percent of
16 the moneys in the fund at the beginning of the fiscal year
17 for purposes of administrative costs, marketing, technical
18 assistance, and other program support.

19 **2.** Notwithstanding section 8.33, moneys in the fund
20 that remain unencumbered or unobligated at the close of the
21 fiscal year shall not revert but shall remain available for
22 expenditure for the purposes designated until the close of
23 the succeeding fiscal year. Notwithstanding section 12C.7,
24 interest or earnings on moneys in the fund shall be credited
25 to the fund.

DIVISION II

LOCAL FOOD AND FARM PROGRAM — GROCERY STORES

28 **Sec. 4.** Section 267A.1, subsection 1, Code 2024, is amended
29 to read as follows:

30 **1.** The purpose of this chapter is to empower farmers, and
31 food entrepreneurs, and grocery stores to provide for strong
32 local food economies that promote self-sufficiency and job
33 growth in the agricultural sector and allied sectors of the
34 economy.

35 **Sec. 5.** Section 267A.1, subsection 2, paragraph d, Code

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1 2024, is amended to read as follows:

2 *d.* Increase the number of jobs in this state's farm and
3 business economies associated with producing, processing,
4 distributing, retailing, and marketing local food.

5 Sec. 6. Section 267A.1, subsection 2, Code 2024, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *e.* Increase the availability and viability
8 of grocery stores in this state.

9 Sec. 7. Section 267A.2, Code 2024, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 4A. "*Grocery store*" means the same as
12 defined in section 15.413.

13 Sec. 8. Section 267A.6, subsection 2, paragraphs a and c,
14 Code 2024, are amended to read as follows:

15 *a.* Improve communication and cooperation between and among
16 farmers, food entrepreneurs, grocers, and consumers.

17 *c.* Demonstrate the value of processing, distributing,
18 retailing, and marketing local foods. A demonstration project
19 must be capable of being replicated on a statewide basis.

20 DIVISION III

21 APPROPRIATIONS

22 Sec. 9. GROCER REINVESTMENT FUND — FY 2024-2025. There
23 is appropriated from the general fund of the state to the
24 economic development authority for the fiscal year beginning
25 July 1, 2024, and ending June 30, 2025, the following amount,
26 or so much thereof as is necessary, to be used for the purposes
27 designated:

28 For deposit in the grocer reinvestment and local food
29 processing fund created in section 15.415:

30 \$ 2,000,000

31 Sec. 10. GROCER REINVESTMENT FUND — FY 2025-2026. There
32 is appropriated from the general fund of the state to the
33 economic development authority for the fiscal year beginning
34 July 1, 2025, and ending June 30, 2026, the following amount,
35 or so much thereof as is necessary, to be used for the purposes

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1 designated:

2 For deposit in the grocer reinvestment and local food
3 processing fund created in section 15.415:
4 \$ 2,000,000

5 EXPLANATION

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

8 This bill creates a grocer reinvestment program (grocer
9 program), a local produce processing grant program (processing
10 program), a grocer reinvestment and local food processing fund
11 (fund), and makes appropriations.

12 DIVISION I. The bill defines "grocery store" to mean an
13 establishment also known as a supermarket that primarily
14 engages in retailing a general line of food including canned
15 and frozen food; fresh fruits and vegetables; and fresh and
16 prepared meat, fish, and poultry.

17 The bill defines "financial assistance" to mean assistance
18 provided in the form of a grant.

19 Under the bill, the economic development authority
20 (authority) shall administer the grocer program for the purpose
21 of awarding financial assistance to eligible grocery stores for
22 projects located in this state including capital improvements,
23 utility upgrades, equipment and furnishings, professional
24 services, and technology.

25 The bill allows the authority to establish the eligibility
26 criteria for the grocer program by rule. The eligibility
27 criteria must include compliance with any documents required
28 to be filed with the secretary of state; an organizational
29 structure that is either a sole proprietorship, partnership,
30 limited liability company, corporation, cooperative, nonprofit
31 organization, or nonprofit community development entity;
32 ownership of five or fewer grocery stores; and the capacity to
33 successfully complete the project and demonstrate a plan for
34 sustainability.

35 In order to be awarded financial assistance pursuant to

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1 the bill, a grocery store must provide matching funds for the
2 project that equal the amount of the financial assistance
3 award. The bill specifies a financial assistance award shall
4 not exceed \$200,000.

5 Under the bill, priority shall be given to projects located
6 in an underserved community that primarily serves residents of
7 low or moderate income communities; accepts benefits under the
8 United States department of agriculture supplemental nutrition
9 assistance program, and special supplemental nutrition program
10 for women, infants, and children; creates or retains jobs;
11 makes efforts to procure and offer local foods for sale; and
12 any other criteria determined by the authority.

13 The authority is required to submit a report to the
14 general assembly describing the activities of the grocer
15 program by November 1, 2025, and each November 1 thereafter,
16 if applicable. The report shall include the geographic
17 distribution of the projects, the identity of the applicants,
18 and new investments or new jobs created.

19 The bill also establishes the processing program. Under the
20 bill, the authority shall administer the processing program
21 for the purpose of awarding grants to Iowa-based entities to
22 increase the availability of local produce processing. The
23 bill defines both "local produce" and "local produce and
24 processing". The bill requires the authority to prioritize
25 grants to entities that increase the availability, access,
26 efficiency, or capacity of local produce processing. The bill
27 prohibits grants to an entity unless the entity processes local
28 produce from multiple Iowa-based farms.

29 The bill establishes the fund under the control of the
30 authority for the purpose of awarding financial assistance to
31 eligible grocery stores under the grocer program and awarding
32 grants to entities that increase local produce processing
33 under the processing program. Commencing with the fiscal
34 year beginning July 1, 2024, and each fiscal year thereafter,
35 \$100,000 of the annual appropriation, or 10 percent of the

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1 moneys available in the fund on July 1, whichever is less,
2 shall be allocated to the processing program created in the
3 bill.

4 DIVISION II. The bill changes the purpose and goals of the
5 local food and farm program in Code chapter 267A to include the
6 retailing of local food, and increasing the availability and
7 viability of grocery stores in this state.

8 DIVISION III. The bill appropriates \$2 million each of the
9 next two fiscal years (FY 2024-2025 and FY 2025-2026) from
10 the general fund of the state to the fund to award financial
11 assistance to eligible grocery stores under the grocer program,
12 and to award grants to entities that increase local produce
13 processing under the processing program.

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House File 2600 - Introduced

HOUSE FILE 2600
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2227)

A BILL FOR

1 An Act relating to the venue for prosecution of a controlled
2 substance violation resulting in the death or serious bodily
3 injury of another.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. 2600

EXPLANATION

17 The bill provides that a person who causes the death of
18 another person or who causes serious bodily injury to another
19 person while committing a violation of Code section 124.401(1)
20 (prohibited acts — manufacture, delivery, possession) may be
21 charged criminally in either the county where the controlled
22 substance violation occurred or in the county where the death
23 or serious bodily injury occurred. If two prosecuting agencies
24 are seeking to file criminal charges, the county where the
25 controlled substance violation occurred shall have priority.

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House File 2601 - Introduced

HOUSE FILE 2601

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 669)

A BILL FOR

1 An Act relating to public parking meters.

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

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H.F. 2601

1 Section 1. NEW SECTION. 321.361A Public parking meters —
2 requirements.

3 A parking meter used to regulate the standing or parking of
4 vehicles and operated or maintained by or on behalf of a state
5 entity or local authority, whether the meter accepts payment at
6 the meter, at a kiosk, or through an internet application, must
7 comply with all of the following:

8 1. The parking meter must authorize the use of a parking
9 space by all users for the duration purchased, regardless of
10 whether the purchasing user vacates the parking space prior to
11 the expiration of the purchased duration.

12 2. The parking meter, kiosk, or internet application, as
13 applicable, must display the remaining purchased duration for
14 the parking space from a prior user, if any, and allow a new
15 user to purchase additional time for the parking space.

16 EXPLANATION

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

19 This bill relates to public parking meters.

20 The bill requires a parking meter operated or maintained by
21 or on behalf of a state entity or local authority to authorize
22 the use of a parking space by all users for the duration
23 purchased, regardless of whether the purchasing user vacates
24 the parking space prior to the expiration of the purchased
25 duration. The bill also requires a parking meter, kiosk,
26 or internet application for a parking space to display any
27 remaining duration purchased by a prior user and allow a new
28 user to purchase additional time for the parking space.

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House File 2602 - Introduced

HOUSE FILE 2602
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 575)

A BILL FOR

1 An Act establishing a criminal offense of grooming and
2 providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 709.8A Grooming.

2 1. A person commits grooming when the person knowingly
3 performs an act in person or by conduct through a third party,
4 uses a computer, internet service, or any other electronic
5 storage or transmission device, or uses written communication
6 to seduce, solicit, lure, or entice, or attempt to seduce,
7 solicit, lure, or entice, a child or a person believed to be a
8 child to commit any sex act or to otherwise engage in unlawful
9 sexual conduct. As used in this section, "child" means a person
10 under eighteen years of age.

11 2. Grooming is a class "D" felony.

12 EXPLANATION

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

15 This bill establishes the criminal offense of grooming.

16 The bill provides that a person commits grooming when
17 the person knowingly performs an act in person or by conduct
18 through a third party, uses a computer, internet service, or
19 any other electronic data storage or transmission device, or
20 uses written communication to seduce, solicit, lure, or entice,
21 or attempt to seduce, solicit, lure, or entice, a child or
22 a person believed to be a child to commit any sex act or to
23 otherwise engage in any unlawful sexual conduct. The bill
24 defines "child" as a person under 18 years of age.

25 The bill provides that grooming is a class "D" felony. A
26 class "D" felony is punishable by confinement for no more than
27 five years and a fine of at least \$1,025 but not more than
28 \$10,245.

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House File 2603 - Introduced

HOUSE FILE 2603

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 546)

A BILL FOR

1 An Act relating to previous law enforcement certification by
2 other states.

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

H.F. 2603

EXPLANATION

16 In reference to the previous certification of a law
17 enforcement officer submitting a preliminary application for
18 certification in Iowa, the bill changes the phrase "certified
19 in another state" to "certified by another state".

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House File 2604 - Introduced

HOUSE FILE 2604

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 548)

A BILL FOR

1 An Act relating to short course law enforcement training
2 requirements.

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

H.F. 2604

3 3. An individual who submits an application pursuant to
4 subsection 1 shall, at a minimum, submit proof of successful
5 completion of a two-year or four-year police science or
6 criminal justice program at an accredited educational
7 institution ~~in this state~~ approved by the academy.

22 The bill removes the requirement that the two-year or
23 four-year police science or criminal justice program must be
24 from an accredited educational institution in Iowa, but retains
25 the requirement that the two-year or four-year police science
26 or criminal justice program be completed at an accredited
27 educational institution approved by the academy.

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House File 2605 - Introduced

HOUSE FILE 2605

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 665)

(COMPANION TO SF 2352 BY
COMMITTEE ON JUDICIARY)

A BILL FOR

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

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1 DIVISION I

2 IOWA HEMP ACT

3 Section 1. Section 204.2, Code 2024, is amended by adding
4 the following new subsections:

5 NEW SUBSECTION. 01. "*Advertise*" means to present a
6 commercial message in any medium, including but not limited
7 to print, radio, television, sign, display, label, tag, or
8 articulation.

9 NEW SUBSECTION. 6A. "*Distribute*" means to transfer
10 possession.

11 NEW SUBSECTION. 15A. "*Registrant*" means a person who is
12 registered with the department of health and human services
13 pursuant to section 204.7.

14 Sec. 2. Section 204.2, subsection 2, paragraph c, Code 2024,
15 is amended to read as follows:

16 c. A hemp product is deemed to be a consumable hemp product
17 if ~~it is any of the following~~ all of the following apply:

18 (1) It is any of the following:

19 (a) Designed by the processor, including the manufacturer,
20 to be introduced into the human body.

21 ~~(2) (b)~~ Advertised as an item to be introduced into the
22 human body.

23 ~~(3) (c)~~ Distributed, exported, ~~or~~ imported, offered for
24 sale, ~~or distribution~~ sold to be introduced into the human
25 body.

26 (2) Its maximum tetrahydrocannabinol concentration is less
27 than or equal to the maximum tetrahydrocannabinol concentration
28 allowed under section 124.204, subsection 7.

29 Sec. 3. Section 204.7, subsection 8, paragraph a,
30 subparagraph (3), Code 2024, is amended to read as follows:

31 (3) The consumable hemp product complies with packaging
32 and labeling requirements, which shall be established by rules
33 adopted by the department of health and human services ~~by rule.~~

34 Sec. 4. Section 204.7, subsection 8, paragraph a, Code 2024,
35 is amended by adding the following new subparagraphs:

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1 NEW SUBPARAGRAPH. (4) The consumable hemp product complies
2 with restrictions upon the sale or other distribution of a
3 consumable hemp product established by rules adopted by the
4 department of health and human services.

5 NEW SUBPARAGRAPH. (5) The consumable hemp product meets
6 requirements for total delta-9 tetrahydrocannabinol potency on
7 a per serving and per container basis, as set forth by rules
8 adopted by the department of health and human services.

9 Sec. 5. Section 204.7, subsection 8, Code 2024, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *Ob.* (1) A person is engaged in the retail
12 sale of a consumable hemp product, if any of the following
13 apply:

14 (a) The person offers to distribute a consumable hemp
15 product to a consumer in exchange for consideration.

16 (b) The person is an owner of a business that distributes
17 consumable hemp products to consumers in exchange for
18 consideration.

19 (c) The person is a business that distributes consumable
20 hemp products to consumers in exchange for consideration and
21 presents a consumable hemp product to a consumer in the form
22 of a gift.

23 (2) A person, including a business, is engaged in the sale
24 of a consumable hemp product regardless of whether the person
25 is registered with the department of health and human services
26 as provided in this section.

27 Sec. 6. Section 204.12, subsection 1, Code 2024, is amended
28 to read as follows:

29 1. A Unless another civil penalty is otherwise provided in
30 this chapter, a person who violates a provision of this chapter
31 is subject to a civil penalty of not less than five hundred
32 dollars and not more than two thousand five hundred dollars.
33 The department shall impose, assess, and collect the civil
34 penalty. Each day that a continuing violation occurs may be
35 considered a separate offense.

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1 Sec. 7. Section 204.14A, Code 2024, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 1A. A person shall not possess, use,
4 manufacture, market, transport, deliver, or distribute a
5 consumable hemp product if it is capable of inhalation by using
6 either method described in subsection 1, paragraph "b" or "c".

7 Sec. 8. Section 204.14A, subsection 2, Code 2024, is amended
8 to read as follows:

9 2. A person who violates subsection 1 or 1A is guilty of a
10 serious misdemeanor.

11 Sec. 9. NEW SECTION. **204.14B Sale of consumable hemp**
12 **product — failure to register — civil penalty.**

13 1. A person engaged in the retail sale of a consumable
14 hemp product in this state without being registered with the
15 department of health and human services as required in section
16 204.7 shall be subject to a civil penalty of not more than ten
17 thousand dollars. The department of health and human services
18 shall impose, assess, and collect the civil penalty. Each day
19 that a continuing violation occurs may be considered a separate
20 offense.

21 2. All civil penalties collected under this section shall be
22 deposited into the general fund of the state.

23 3. A person in violation of this section is not also subject
24 to a civil penalty as provided in section 204.12.

25 Sec. 10. NEW SECTION. **204.14C Sale of consumable hemp**
26 **product — failure to register — criminal penalty.**

27 1. *a.* A person engaged in the retail sale of a consumable
28 hemp product who is not registered with the department of
29 health and human services as required in section 204.7 commits
30 a serious misdemeanor.

31 *b.* A person engaged in the retail sale of an item advertised
32 as a consumable hemp product that is not a consumable hemp
33 product commits a serious misdemeanor.

34 2. This section shall be presumed not to be in conflict with
35 or limit a prosecution for a violation of any other provision

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1 of law, including but not limited to chapter 124 or 21 U.S.C.
2 ch. 13.

3 Sec. 11. NEW SECTION. **204.14D Persons under legal age —**
4 **criminal offense.**

5 1. A person shall not sell, give, or otherwise distribute
6 a consumable hemp product to a person under twenty-one years
7 of age.

8 2. A person who violates subsection 1 is guilty of a simple
9 misdemeanor.

10 Sec. 12. NEW SECTION. **204.14E Persons under legal age —**
11 **scheduled violation and community service.**

12 1. A person under twenty-one years of age shall not consume,
13 possess, purchase, or attempt to purchase a consumable hemp
14 product.

15 2. A person who violates subsection 1 shall be subject to a
16 scheduled violation in the form of a civil penalty pursuant to
17 section 805.8C, subsection 3, paragraph “d”.

18 3. In addition to the imposition of a civil penalty as
19 provided in subsection 2, a person who violates subsection 1
20 shall be subject to a court appearance as provided in section
21 805.10. The court shall sentence the person to perform a
22 specified number of hours of unpaid community service as deemed
23 appropriate by the court subject to the following:

24 a. For a first violation, eight hours, unless waived by the
25 court.

26 b. For a second offense, twelve hours.

27 c. For a third or subsequent offense, sixteen hours.

28 4. A person who violates this section is not subject to a
29 civil penalty as provided in section 204.12.

30 5. A person does not violate subsection 1 by possessing
31 a consumable hemp product if the person is employed by a
32 registrant and the person is possessing the consumable hemp
33 product as part of their employment.

34 Sec. 13. NEW SECTION. **204.14F Persons under legal age —**
35 **exception — cooperation with department of public safety or**

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1 local law enforcement agency.

2 1. a. A person who would otherwise act to commit an offense
3 under section 204.14D is not guilty of that offense if the
4 person acts under the direction or consent of the department
5 of public safety or a local law enforcement agency as part of
6 an enforcement investigation.

7 b. A person who would otherwise act to commit a violation
8 under section 204.14E is not subject to that offense if the
9 person acts under the direction or consent of the department
10 of public safety or a local law enforcement agency as part of
11 an enforcement investigation.

12 2. In enforcing this section, the department of public
13 safety or a local law enforcement agency shall take all
14 measures necessary to ensure that a consumable hemp product
15 is not introduced into the body of a person under the age of
16 twenty-one.

17 3. Notwithstanding chapter 22, any personal information
18 identifying the person committing an offense or violation as
19 described in this section shall be confidential.

20 Sec. 14. NEW SECTION. 204.15A Hemp products — order of
21 confiscation and disposal.

22 1. The department of health and human services may order the
23 confiscation and disposal of a hemp product based on any of the
24 following:

25 a. It is falsely advertised, sold, or distributed as a
26 consumable hemp product.

27 b. It exceeds the maximum tetrahydrocannabinol concentration
28 allowed under section 124.204, subsection 7, or this chapter.

29 c. It is a consumable hemp product manufactured, sold,
30 or distributed by a person who is not registered with the
31 department of health and human services as is required in
32 section 204.7.

33 2. The department of health and human services shall act
34 in consultation with the department of public safety. The
35 department of health and human services may request assistance

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1 from the department of public safety or a local law enforcement
2 agency as necessary to carry out the provisions of this
3 section. The department of health and human services, upon
4 request, shall deliver any sample of the item to the department
5 of public safety or a local law enforcement agency.

6 3. A person required to be registered with the department of
7 health and human services as provided in section 204.7 shall
8 pay the department of health and human services all actual
9 and reasonable costs of the destruction of the item. If that
10 department assumes any amount of the costs, it may charge that
11 amount to the person.

12 Sec. 15. Section 805.8C, subsection 3, Code 2024, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. d. (1) For violations of section 204.14E,
15 the scheduled fine is as follows:

16 (a) If the violation is a first offense, the scheduled fine
17 is seventy dollars.

18 (b) If the violation is a second offense, the scheduled fine
19 is one hundred thirty-five dollars.

20 (c) If the violation is a third or subsequent offense, the
21 scheduled fine is three hundred twenty-five dollars.

22 (2) The fine shall be imposed as a civil penalty.

23 (3) The crime services surcharge under section 911.1 shall
24 not be added to the penalty, and the court costs pursuant to
25 section 805.9, subsection 6, shall not be imposed.

26 (4) Notwithstanding section 805.12, any civil penalty paid
27 under this subsection shall be retained by the city or county
28 enforcing the violation.

29 Sec. 16. Section 805.10, subsection 1, Code 2024, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. e. When a violation charged involves the
32 consumption, possession, purchase, or attempt to purchase of
33 a consumable hemp product as provided in section 204.14E, for
34 which there is a community service sentence.

35 DIVISION II

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1 453B.12).

2 In order for cannabis to be classified as hemp and not
3 a controlled substance, a person must comply with IHA
4 requirements. The IHA in turn must satisfy certification
5 requirements adopted by the United States department of
6 agriculture (USDA) under the federal Agriculture Improvement
7 Act of 2018 (federal hemp law) (Pub. L. No. 115-334), which
8 allows states and tribes to assume primary regulatory
9 authority over its production, including harvest, storage,
10 and distribution. The IHA and the USDA has designated Iowa's
11 department of agriculture and land stewardship (DALS) as
12 primarily responsible for regulating hemp production in
13 cooperation with the department of public safety (DPS).

14 The IHA defines a hemp product as derived from or made by
15 processing hemp or parts of hemp. Generally, the IHA allows a
16 person to engage in the retail sale of a hemp product so long
17 as the hemp was produced in this state or another state in
18 compliance with the federal hemp law (Code section 204.7). By
19 its own terms, the federal hemp law is not construed to affect
20 or modify certain federal law, including the federal Food,
21 Drug, and Cosmetic Act (21 U.S.C. §301 et seq.). Generally,
22 the United States food and drug administration (FDA) regulates
23 human foods and additives, dietary supplements, drugs, and
24 cosmetics (see 7 U.S.C. §1639r), but the FDA has not adopted
25 a comprehensive regulatory framework. In the meantime,
26 the IHA recognizes a consumable hemp product (CHP) that is
27 metabolized when introduced into the human body, including by
28 ingestion or absorption but excluding inhalation (Code sections
29 204.2 and 204.14A). A person is prohibited from possessing,
30 using, manufacturing, marketing, transporting, delivering, or
31 distributing harvested hemp or a hemp product if the intended
32 use is introduction into the body by an article that utilizes
33 an electronic, chemical, or mechanical process, or a device
34 such as a cigarette, cigar, cigarillo, or pipe.

35 The IHA requires a person manufacturing or selling a CHP to

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1 register with the department of health and human services (HHS)
2 (Code section 204.7 and 641 IAC ch. 156). HHS's regulations
3 include packaging and labeling requirements.

4 A person violating the IHA is subject to a civil penalty
5 of not less than \$500 and not more than \$2,000 (Code section
6 204.12). DALS may impose, assess, and collect the civil
7 penalty (Code section 204.12). DALS in cooperation with
8 DPS or a local law enforcement agency (county sheriff or
9 municipal police department) may also confiscate and destroy
10 illegally produced hemp. DALS or the attorney general may seek
11 injunctive relief in order to restrain a person violating the
12 Code chapter by petitioning the district court (Code section
13 204.13). The injunction could address either hemp or a hemp
14 product.

15 BILL'S PROVISIONS — CONSUMABLE HEMP PRODUCTS (THC POTENCY).
16 The bill authorizes HHS to adopt rules regulating the sale of
17 consumable hemp products. The bill also authorizes HHS to
18 adopt rules setting forth the THC potency of consumable hemp
19 products on a per serving and per container basis (amended Code
20 section 204.7).

21 BILL'S PROVISIONS — CONSUMABLE HEMP PRODUCTS (USE IN
22 INHALATION — CRIMINAL PENALTY). The bill prohibits a
23 person from possessing, using, manufacturing, marketing,
24 transporting, delivering, or distributing a CHP if it is
25 capable of inhalation by using an article or device (Code
26 section 204.14A). A person in violation of the provision is
27 guilty of a serious misdemeanor. A serious misdemeanor is
28 punishable by confinement for no more than one year and a fine
29 of at least \$430 but not more than \$2,560.

30 BILL'S PROVISIONS — CONSUMABLE HEMP PRODUCTS (CRIMINAL AND
31 CIVIL PENALTY FOR FAILURE TO REGISTER). The bill provides
32 that a person engaged in the retail sale of a CHP who is not
33 registered with HHS commits both a serious misdemeanor and
34 is subject to a civil penalty assessed as an administrative
35 remedy (new Code sections 204.14B and 204.14C). The civil

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1 penalty cannot exceed \$10,000, with each day of a violation
2 constituting a separate offense.

3 BILL'S PROVISIONS — CONSUMABLE HEMP PRODUCTS (SALE TO
4 MINORS — CRIMINAL PENALTY AND SCHEDULED VIOLATION). The bill
5 provides that a person who sells or otherwise distributes
6 a CHP to a person under the age of 21 is guilty of a simple
7 misdemeanor (new Code section 204.14D). A simple misdemeanor
8 is punishable by confinement for no more than 30 days and a
9 fine of at least \$105 but not more than \$855. The bill also
10 provides that a person under the age of 21 is prohibited from
11 possessing or purchasing a CHP (new Code section 204.14E). The
12 penalty is a scheduled violation. The first offense is subject
13 to a scheduled fine of \$75, the second offense is subject to
14 a scheduled fine of \$135, and the third and each subsequent
15 offense is subject to a scheduled fine of \$325. Each fine is
16 a civil penalty (amended Code section 805.8C). In addition,
17 the person subject to the violation may also be sentenced to
18 perform a number of hours of community service; ranging from
19 8 to 16 hours depending upon the number of previous offenses
20 committed. The bill provides an exception for an offense
21 committed by a person under the age of 21 acting in cooperation
22 with the DPS or a local law enforcement agency (new Code
23 section 204.14F).

24 BILL'S PROVISIONS — CONSUMABLE HEMP PRODUCTS (CONFISCATION
25 AND DISPOSAL). The bill authorizes HHS to order the
26 confiscation and disposal of a hemp product under three
27 circumstances: it is falsely advertised, sold, or distributed
28 as a consumable hemp product; it exceeds the maximum THC limit;
29 or it is a consumable hemp product manufactured, sold, or
30 distributed by a person who is not registered as required (Code
31 section 204.7). The person may be assessed costs associated
32 with the order (Code section 204.15A).

33 BILL'S PROVISIONS — CONSUMABLE HEMP PRODUCTS (REGULATION
34 OF ALCOHOLIC BEVERAGES). The bill regulates persons engaged
35 in the business of selling alcoholic beverages (wine, beer, or

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1 spirits) in this state, including under a license, permit, or
2 certificate issued by the department of revenue (Code chapter
3 123). The bill prohibits such a person from manufacturing,
4 selling, giving, importing, or otherwise supplying any
5 alcoholic beverage containing tetrahydrocannabinol. By
6 operation of law, a person violating these provisions is
7 subject to criminal penalties set forth under Code sections
8 123.90 and 123.91.

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House File 2606 - Introduced

HOUSE FILE 2606

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2088)

A BILL FOR

1 An Act relating to additional penalties for violations for
2 failing to reduce speed when required or otherwise control a
3 motor vehicle that result in serious injury or death.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.482A, unnumbered paragraph 1, Code
2 2024, is amended to read as follows:

3 Notwithstanding [section 321.482](#), a person who is convicted
4 of operating a motor vehicle in violation of section 321.178,
5 subsection 2, paragraph "a", subparagraph (2), section
6 321.180B, subsection 6, [section 321.194](#), [subsection 2](#),
7 paragraph "b", subparagraph (2), [section 321.256](#), [321.257](#),
8 section 321.275, subsection 4, [section 321.276](#), [321.288](#),
9 [321.297](#), [321.298](#), [321.299](#), [321.302](#), [321.303](#), [321.304](#), [321.305](#),
10 [321.306](#), [321.307](#), [321.311](#), [321.319](#), [321.320](#), [321.321](#), [321.322](#),
11 [321.323](#), [321.324](#), [321.324A](#), [321.327](#), [321.329](#), [321.333](#), section
12 321.372, subsection 3, or [section 321.449B](#), causing serious
13 injury to or the death of another person may be subject to the
14 following penalties in addition to the penalty provided for
15 a scheduled violation in [section 805.8A](#) or any other penalty
16 provided by law:

17 EXPLANATION

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

20 Under current law, Code section 321.288 requires a person
21 operating a motor vehicle to control the vehicle at all times
22 and reduce the speed of the vehicle to a reasonable and proper
23 rate when approaching a pedestrian walking or an animal being
24 led, ridden, or driven on a highway; when approaching and
25 traversing a crossing, intersection, sharp turn, curve, or
26 steep descent on a highway; when approaching and passing
27 an emergency warning device, emergency vehicle displaying
28 revolving or flashing lights, or slow-moving vehicle displaying
29 reflective devices; and when approaching and passing through a
30 work zone. The scheduled fine for a violation of Code section
31 321.288 is \$135. Code section 321.482A sets forth additional
32 penalties applicable when a person is convicted of operating
33 a motor vehicle in violation of certain Code sections in Code
34 chapter 321 (motor vehicles and law of the road) if such
35 violation causes serious injury to or the death of another

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1 person.
2 This bill adds Code section 321.288 to the list of violations
3 subject to additional penalties under Code section 321.482A.
4 When a person is convicted of a violation causing serious
5 injury, the additional penalties include a fine of \$500 or
6 suspension of the violator's driver's license or operating
7 privileges for not more than 90 days, or both. When a person
8 is convicted of a violation causing death, the additional
9 penalties include a fine of \$1,000 or suspension of the
10 violator's driver's license or operating privileges for not
11 more than 180 days, or both.

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House File 2607 - Introduced

HOUSE FILE 2607
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 610)

A BILL FOR

1 An Act relating to vehicles, including the initial registration
2 and issuance of certificate of title by any county treasurer
3 and the definitions of terms for purposes of motor vehicle
4 franchisers.

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

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1 Section 1. Section 321.20, subsection 4, Code 2024, is
2 amended to read as follows:

3 4. Notwithstanding this section or any other provision of
4 law to the contrary, ~~if the program required by subsection~~
5 ~~2 is not implemented by July 1, 2019,~~ an owner of a vehicle
6 subject to registration or a lessor of a vehicle pursuant to
7 chapter 321F that is subject to registration and has a gross
8 vehicle weight of less than ten thousand pounds, may apply to
9 the any county treasurer of a county contiguous to the county
10 ~~designated for the owner under subsection 1~~ for the initial
11 registration and issuance of a certificate of title. However,
12 any reference in this chapter to the county where a vehicle
13 is registered or the county where a certificate of title was
14 issued shall be deemed to refer to the applicable county
15 described in subsection 1, regardless of which county treasurer
16 received application for and issued the initial registration
17 and certificate of title under this subsection.

18 Sec. 2. Section 321.166, subsection 2, Code 2024, is amended
19 to read as follows:

20 2. Every registration plate or pair of plates shall display
21 a registration plate number which shall consist of alphabetical
22 or numerical characters or a combination thereof and the name
23 of this state, which may be abbreviated. Every registration
24 plate issued by the county treasurer shall display the name
25 of the county, including any plate issued pursuant to section
26 321.34, except Pearl Harbor and purple heart registration
27 plates issued prior to January 1, 1997; ~~and~~ collegiate,
28 fire fighter, and medal of honor registration plates; ~~and~~
29 regular registration plates issued pursuant to section
30 321.20, subsection 4. Special truck registration plates shall
31 display the word "special". The department may adopt rules to
32 implement this subsection.

33 Sec. 3. Section 322A.1, unnumbered paragraph 1, Code 2024,
34 is amended to read as follows:

35 ~~When~~ The following words and phrases when used in this

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1 chapter shall, unless the context otherwise requires for
2 the purpose of this chapter, have the meanings respectively
3 ascribed to them:

4 EXPLANATION

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

7 Under current law, a person must generally apply for vehicle
8 registration and issuance of certificate of title to the county
9 treasurer where the person resides or where the primary users
10 of the vehicle are located. However, in 2016, the general
11 assembly required the department of transportation (DOT) to
12 develop and implement, by January 1, 2018, a program to allow
13 for electronic applications, titling, registering, and funds
14 transfers for vehicles subject to registration (program) in
15 order to improve the efficiency and timeliness of the processes
16 and to reduce costs for all parties involved. At the same
17 time, the general assembly conditionally authorized an owner
18 of a vehicle subject to registration to apply to the county
19 treasurer of a county contiguous to the county designated for
20 the owner if the DOT had not yet implemented the program by
21 January 1, 2018. In 2018, the general assembly amended the
22 program implementation date to July 1, 2019.

23 This bill strikes the contiguous county authorization and
24 instead provides for the initial registration and issuance of
25 certificate of title by any county treasurer. In addition to
26 an owner of a vehicle subject to registration, a lessor of a
27 vehicle pursuant to Code chapter 321F (leasing and renting of
28 vehicles), if such vehicle is subject to registration and has a
29 gross vehicle weight of less than 10,000 pounds, is authorized
30 to apply for initial registration and issuance of certificate
31 of title to any county treasurer. The bill does not make
32 corresponding changes. Instead, for all other registration
33 and certificate of title actions provided or required in Code
34 chapter 321 (motor vehicles and law of the road), references to
35 the county where a vehicle is registered or the county where

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1 a certificate of title was issued are deemed to refer to the
2 appropriate county under current law.

3 Current law requires registration plates to display the
4 name of the county that issues the plates, unless a specific
5 exception is provided. The bill specifies such an exception
6 for regular registration plates issued pursuant to the bill.

7 The bill removes the context clause applicable to defined
8 terms in Code chapter 322A (motor vehicle franchisers). In
9 2022, the Iowa supreme court relied on the context clause
10 included in Code section 322A.1 to apply an alternate
11 definition of "community" than how "community" is defined in
12 Code chapter 322A (Sioux City Truck Sales, Inc. v. Iowa Dept.
13 of Transportation, 975 N.W.2d 333 (Iowa 2022)). The bill
14 provides the same introduction to defined words and phrases to
15 Code chapter 322A as is used for Code chapter 321.

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House File 2608 - Introduced

HOUSE FILE 2608
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2112)

A BILL FOR

1 An Act relating to unlawful activities, including those
2 related to state residency and citizenship requirements
3 in determining eligibility for public assistance, and the
4 smuggling of persons, and providing penalties.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

STATE RESIDENCY AND CITIZENSHIP REQUIREMENTS FOR PUBLIC
ASSISTANCE

Section 1. NEW SECTION. 239.12 **Residency and citizen requirements for public assistance — verification of noncitizen status through the systematic alien verification for entitlements program.**

1. The department shall require that all noncitizen applicants, who are identified as noncitizens on their application, document and verify their noncitizen status. The department shall determine from the documentation obtained if the person is a noncitizen who may be eligible to receive public assistance. Only a noncitizen who is both a resident of Iowa and is a qualified alien shall be eligible for public assistance.

2. The department shall also verify the immigration status of all noncitizen applicants through the systematic alien verification for entitlements program administered by the United States department of homeland security.

3. For the purposes of this section:

a. "Qualified alien" means the same as defined in 8 U.S.C. §1641.

b. "Resident" means a person who is living in the state with the intent to remain permanently or for an indefinite period.

DIVISION II

SMUGGLING OF PERSONS

Sec. 2. NEW SECTION. 710.12 **Smuggling of persons.**

1. A person commits the offense of smuggling of persons when the person knowingly, for payment or some other benefit, does any following involving a noncitizen individual:

a. Uses a motor vehicle, aircraft, watercraft, or other means of conveyance to transport an individual with the intent to:

- (1) Conceal the individual from a peace officer.
- (2) Flee from a person the actor knows is a peace officer

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1 attempting to lawfully arrest or detain the actor.

2 *b.* Encourage or induce a person to enter or remain in
3 the United States in violation of federal law by concealing,
4 harboring, or shielding that person from detection.

5 *c.* Assist, guide, or direct two or more individuals to enter
6 or remain on agricultural land without the effective consent
7 of the owner.

8 2. An offense under this section is a class "C" felony,
9 except that the offense is:

10 *a.* A class "B" felony if the person or other party as
11 specified does any of the following:

12 (1) The person commits the offense in a manner that creates
13 a substantial likelihood that the smuggled individual will
14 suffer serious bodily injury or death.

15 (2) The person smuggles an individual who is a child younger
16 than eighteen years of age at the time of the offense.

17 (3) The person commits the offense with the intent to obtain
18 a pecuniary benefit.

19 (4) During the commission of the offense, the actor, another
20 party to the offense, or an individual assisted, guided, or
21 directed by the actor knowingly possessed a firearm.

22 *b.* A class "A" felony under any of the following
23 circumstances:

24 (1) If as a direct result of the commission of the offense,
25 the smuggled individual became a victim of sexual abuse in the
26 first degree under section 709.2 or sexual abuse in the second
27 degree under section 709.3.

28 (2) If the smuggled individual suffered serious bodily
29 injury or death.

30 3. It is an affirmative defense to prosecution of an offense
31 under this section, other than an offense punishable under
32 subsection 2, paragraph "a", subparagraph (1), or subsection
33 2, paragraph "b", that the actor is related to the smuggled
34 individual within the second degree of consanguinity or, at the
35 time of the offense, within the second degree of affinity.

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1 The bill provides that smuggling of persons is a class "C"
2 felony, except that the offense is a class "B" felony if the
3 person or other party specified in the bill does any of the
4 following: the person commits the offense in a manner that
5 creates a substantial likelihood that the smuggled individual
6 will suffer serious bodily injury or death; the person smuggled
7 an individual who is a child younger than 18 years of age at the
8 time of the offense; the person committed the offense with the
9 intent to obtain a pecuniary benefit; or during the commission
10 of the offense, the actor, another party to the offense,
11 or another individual assisted, guided, or directed by the
12 actor knowingly possessed a firearm. The bill provides that
13 a violation is a class "A" felony under any of the following
14 circumstances: if as a direct result of the commission of the
15 offense, the smuggled individual became a victim of sexual
16 abuse in the first degree under Code section 709.2 or sexual
17 abuse in the second degree under Code section 709.3; or if the
18 smuggled individual suffered serious bodily injury or death.

19 The bill provides that it is an affirmative defense to
20 prosecution of the offense of smuggling persons, other than
21 an offense committed in a manner that creates a substantial
22 likelihood that the smuggled individual will suffer serious
23 bodily injury or death, or violations resulting in a class
24 "A" felony charge, that the actor is related to the smuggled
25 individual within the second degree of consanguinity or, at the
26 time of the offense, within the second degree of affinity.

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House File 2609 - Introduced

HOUSE FILE 2609
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2189)

A BILL FOR

1 An Act authorizing the boards of directors of school districts
2 to appoint student liaisons to the boards.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 279.3, Code 2024, is amended to read as
2 follows:

3 **279.3 Appointment of secretary and treasurer — student**
4 **liaison.**

5 1. a. The board shall appoint a secretary who shall not be
6 a teacher employed by the board but may be another employee of
7 the board. The board shall also appoint a treasurer who may be
8 another employee of the board. However, the board may appoint
9 one person to serve as the secretary and the treasurer.

10 ~~2.~~ b. These officers shall be appointed from outside the
11 membership of the board and the appointment and qualification
12 shall be entered of record in the minutes of the secretary.
13 They shall qualify within ten days following appointment by
14 taking the oath of office in the manner required by section
15 277.28 and filing a bond as required by section 291.2 and shall
16 hold office until their successors are appointed and qualified.

17 2. a. The board shall develop and implement an application
18 and selection process for the position of student liaison,
19 who shall act as a liaison between the board, administrators,
20 teachers, the student council, and the general student
21 population. If an applicant for student liaison satisfies the
22 board's application and selection process, the board shall
23 select at least one applicant to act as a student liaison.

24 b. The student liaison shall have a seat at the table
25 of all regular meetings of the board and board subcommittee
26 meetings in a nonvoting capacity, and shall have access to all
27 nonconfidential board meeting materials. The student liaison
28 may advocate for student interests in regular meetings of the
29 board, provide school administrators and board members with
30 student viewpoints, assist in developing and monitoring the
31 implementation of education policy, and volunteer to perform
32 other functions of benefit to the students and the district
33 that the board deems appropriate for a student to carry out.

34 c. The student liaison shall not do any of the following:

35 (1) Participate in special meetings of the board.

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1 (2) Be involved in board meetings related to the discipline
2 of employees of the school district or students enrolled in the
3 school district.

4 (3) Have access to documents involving the discipline of
5 employees of the school district or students enrolled in the
6 school district.

7 EXPLANATION

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

10 This bill authorizes the boards of directors of school
11 districts to select students to act as liaisons between
12 the board, administrators, teachers, the student council,
13 and the general student population. The board must develop
14 and implement an application and selection process. If an
15 applicant satisfies the application and selection process,
16 the board is required to select at least one applicant to act
17 as a student liaison. The student liaison must have a seat
18 at the table of all regular meetings of the board and board
19 subcommittee meetings in a nonvoting capacity and must also
20 have access to all nonconfidential board meeting materials.
21 The student liaison may perform functions of benefit to the
22 students and the district that the board deems appropriate for
23 a student to carry out.

24 The bill prohibits the student liaison from participating in
25 special meetings of the board, being involved in board meetings
26 related to employee or student discipline, or having access to
27 documents involving employee or student discipline.

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House File 2610 - Introduced

HOUSE FILE 2610
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 697)

(COMPANION TO LSB 6288SV BY
COMMITTEE ON STATE GOVERNMENT)

A BILL FOR

1 An Act relating to the duties of the secretary of state,
2 including the address confidentiality program and the
3 conduct of elections.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

ADDRESS CONFIDENTIALITY PROGRAM

Section 1. Section 9E.3, subsection 1, paragraphs e and f, Code 2024, are amended to read as follows:

e. The residential address of the eligible person, disclosure of which could lead to an increased risk of domestic abuse, domestic abuse assault, sexual abuse, assault, stalking, or human trafficking. If the eligible person's residential address is a shelter known to the program, the applicant may provide the shelter's name and other contact information in lieu of the shelter's physical address.

f. If mail cannot be delivered to the residential address of the eligible person, the address to which mail can be sent to the eligible person. If the eligible person's mailing address is a shelter known to the program, the applicant may provide the shelter's name and other contact information in lieu of the shelter's physical address.

Sec. 2. Section 9E.4, subsection 2, Code 2024, is amended to read as follows:

2. The secretary shall cancel a program participant's certification ~~if the~~ for any of the following reasons:

a. The program participant's application contains false information.

b. The secretary receives information from a reliable source that the program participant has died.

Sec. 3. Section 9E.5, subsection 3, Code 2024, is amended to read as follows:

3. The secretary shall forward all mail sent to the designated address to the program participant. At the request of the program participant, the secretary may hold the program participant's mail for up to thirty days.

DIVISION II

CANDIDATE ELIGIBILITY OBJECTIONS

Sec. 4. Section 43.18, subsection 9, Code 2024, is amended to read as follows:

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1 9. A For a candidate for an office other than a federal
2 office, a statement that the candidate is aware that the
3 candidate is disqualified from holding office if the candidate
4 has been convicted of a felony or other infamous crime and the
5 candidate's rights have not been restored by the governor or by
6 the president of the United States.

7 Sec. 5. Section 43.24, subsection 1, Code 2024, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *c.* Objections to the eligibility of a
10 candidate for a federal office shall not be sustained unless
11 the objection is limited to the legal sufficiency of the
12 nomination petition or certificate of nomination, or to the
13 residency, age, or citizenship requirements as described in the
14 Constitution of the United States.

15 Sec. 6. Section 44.3, subsection 2, paragraph i, Code 2024,
16 is amended to read as follows:

17 *i.* A For a candidate for an office other than a federal
18 office, a statement that the candidate is aware that the
19 candidate is disqualified from holding office if the candidate
20 has been convicted of a felony or other infamous crime and the
21 candidate's rights have not been restored by the governor or by
22 the president of the United States.

23 Sec. 7. Section 44.6, Code 2024, is amended to read as
24 follows:

25 **44.6 Hearing before state commissioner.**

26 Objections filed with the state commissioner shall be
27 considered by the secretary of state and auditor of state and
28 attorney general, and a majority decision shall be final.
29 However, if the objection is to the certificate of nomination
30 of one or more of the above named officers, the officer or
31 officers objected to shall not pass upon the objection, but
32 their places shall be filled, respectively, by the treasurer
33 of state, the governor, and the secretary of agriculture.
34 Objections relating to incorrect or incomplete information
35 for information that is required under [section 44.3](#) shall be

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1 sustained. Objections to the eligibility of a candidate for
2 a federal office shall not be sustained unless the objection
3 is limited to the legal sufficiency of the nomination petition
4 or certificate of nomination, or to the residency, age, or
5 citizenship requirements as described in the Constitution of
6 the United States.

7 Sec. 8. Section 45.3, subsection 9, Code 2024, is amended
8 to read as follows:

9 9. A For a candidate for an office other than a federal
10 office, a statement that the candidate is aware that the
11 candidate is disqualified from holding office if the candidate
12 has been convicted of a felony or other infamous crime and the
13 candidate's rights have not been restored by the governor or by
14 the president of the United States.

15 Sec. 9. Section 54.5, Code 2024, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 5. An objection to a nomination made under
18 this section on any grounds other than the legal sufficiency
19 of the certificate of nomination shall not be sustained. The
20 certificate of nomination shall be presumed valid.

21 DIVISION III

22 RANKED CHOICE VOTING

23 Sec. 10. Section 49.93, Code 2024, is amended to read as
24 follows:

25 **49.93 Number of votes for each office.**

26 1. For an office to which one person is to be elected, a
27 voter shall not vote for more than one candidate. If two or
28 more persons are to be elected to an office, the voter shall
29 vote for no more than the number of persons to be elected. If a
30 person votes for more than the permitted number of candidates,
31 the vote for that office shall not count. Valid votes cast on
32 the rest of the ballot shall be counted.

33 2. a. An election in this state shall not be conducted
34 using ranked choice voting or instant runoff voting.

35 b. For the purposes of this section, *"ranked choice voting"*

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1 or “instant runoff voting” means a method of casting and
2 tabulating votes in which a voter ranks candidates in order of
3 preference, tabulation of ballots proceeds in rounds such that
4 in each round either a candidate is elected or the candidate
5 receiving the fewest votes is defeated, votes are transferred
6 from elected or defeated candidates to a voter’s next-ranked
7 candidate in order of preference, and tabulation ends when a
8 candidate receives the majority of votes cast or the number of
9 candidates elected equals the number of offices to be filled,
10 as applicable.

11 DIVISION IV

12 ABSENT VOTERS

13 Sec. 11. Section 39A.4, subsection 1, paragraph c,
14 subparagraphs (10) and (11), Code 2024, are amended to read as
15 follows:

16 (10) Returning a voted absentee ballot by mail, ~~to a ballot~~
17 ~~drop box~~, or in person, to the commissioner’s office and the
18 person returning the ballot is a person prohibited to collect
19 and deliver a completed ballot pursuant to [section 53.33](#).

20 (11) Making a false or untrue statement reporting that
21 a voted absentee ballot was returned to the commissioner’s
22 office, by mail or in person, ~~or to a ballot drop box~~, by a
23 person prohibited to collect and deliver a completed ballot
24 pursuant to [section 53.33](#).

25 Sec. 12. NEW SECTION. 53.1B Definitions.

26 For purposes of this subchapter, unless the context
27 otherwise requires:

28 1. “*Affidavit envelope*” means an envelope that includes
29 a serial number and bears on the back an affidavit for a
30 registered voter to mark the registered voter’s signature and
31 voter verification number in a form prescribed by the state
32 commissioner.

33 2. “*Delivery envelope*” means an envelope that bears on its
34 face the name and address of the registered voter requesting an
35 absentee ballot, the words “county commissioner of elections”,

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1 the address of the commissioner's office, and the same serial
2 number that appears on the affidavit envelope and return
3 envelope.

4 3. "*Return envelope*" means an envelope that is addressed
5 to the commissioner's office, bears appropriate return postage
6 or a postal permit guaranteeing that the commissioner will pay
7 the return postage, and includes the same serial number as the
8 affidavit envelope and delivery envelope.

9 4. "*Secrecy envelope*" means an envelope, folder, or sleeve
10 that hides all votes on a ballot when folded.

11 Sec. 13. Section 53.4, subsection 1, paragraph c,
12 subparagraph (2), Code 2024, is amended by striking the
13 subparagraph.

14 Sec. 14. Section 53.8, subsection 1, Code 2024, is amended
15 to read as follows:

16 1. a. Upon receipt of an application for an absentee ballot
17 and immediately after the absentee ballots are printed, but
18 not more than ~~twenty~~ twenty-two days before the election, the
19 commissioner shall mail an absentee ballot to the applicant
20 within twenty-four hours, except as otherwise provided in
21 subsection 3. The absentee ballot shall be ~~sent to the~~
22 ~~registered voter by one of the following methods:~~ enclosed
23 in an unsealed affidavit envelope. The absentee ballot and
24 affidavit envelope shall be enclosed in or with an unsealed
25 return envelope. The absentee ballot, affidavit envelope, and
26 return envelope shall be enclosed in the delivery envelope. If
27 the ballot cannot be folded so that all the votes on the ballot
28 will be hidden, the commissioner shall also enclose a secrecy
29 envelope with the absentee ballot.

30 ~~(1) The absentee ballot shall be enclosed in an unsealed~~
31 ~~envelope marked with a serial number and affidavit. The~~
32 ~~absentee ballot and affidavit envelope shall be enclosed in~~
33 ~~or with an unsealed return envelope marked postage paid which~~
34 ~~bears the same serial number as the affidavit envelope. The~~
35 ~~absentee ballot, affidavit envelope, and return envelope shall~~

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~~1 be enclosed in a third envelope to be sent to the registered
2 voter. If the ballot cannot be folded so that all of the votes
3 cast on the ballot will be hidden, the commissioner shall also
4 enclose a secrecy envelope with the absentee ballot.~~

~~5 (2) The absentee ballot shall be enclosed in an unsealed
6 return envelope marked with a serial number and affidavit
7 and marked postage paid. The absentee ballot and return
8 envelope shall be enclosed in a second envelope to be sent
9 to the registered voter. If the ballot cannot be folded so
10 that all of the votes cast on the ballot will be hidden, the
11 commissioner shall also enclose a secrecy envelope with the
12 absentee ballot.~~

~~13 b. The affidavit shall be marked on the appropriate envelope
14 in a form prescribed by the state commissioner of elections
15 registered voter requesting and receiving an absentee ballot
16 shall subscribe to the affidavit by signing and marking the
17 registered voter's voter verification number on the affidavit
18 envelope.~~

~~19 c. All domestic return envelope flaps or backs shall also
20 be printed or stamped with a notice of the deadline to return a
21 completed absentee ballot and the manner to track the status of
22 the ballot in a form prescribed by the state commissioner.~~

~~23 e. d. For envelopes mailed at any election other than the
24 primary election, the commissioner shall not mark any envelope
25 with any information related to the party affiliation of the
26 applicant.~~

~~27 Sec. 15. Section 53.8, subsection 2, paragraph a, Code 2024,
28 is amended to read as follows:~~

~~29 a. The commissioner shall enclose with the absentee ballot
30 a statement informing the applicant that the sealed return
31 envelope may be mailed to the commissioner by the registered
32 voter or a person not prohibited to collect and deliver a
33 completed ballot pursuant to [section 53.33](#), may be returned to
34 a drop box established by the commissioner pursuant to section
35 53.17, subsection 1, by the registered voter or a person not~~

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1 ~~prohibited to collect and deliver a completed ballot pursuant~~
2 ~~to [section 53.33](#), only if the commissioner has established~~
3 ~~such a drop box, or may be personally delivered to the~~
4 ~~commissioner's office by the registered voter or a person not~~
5 ~~prohibited to collect and deliver a completed ballot pursuant~~
6 ~~to [section 53.33](#). The statement shall also inform the voter~~
7 ~~that the voter may request that the person not prohibited to~~
8 ~~collect and deliver a completed ballot pursuant to section~~
9 ~~53.33 complete a receipt when retrieving the ballot from the~~
10 ~~voter. A blank receipt shall be enclosed with the absentee~~
11 ~~ballot.~~

12 Sec. 16. Section 53.10, subsection 2, paragraph a, Code
13 2024, is amended to read as follows:

14 a. Each person who wishes to vote by absentee ballot at
15 the commissioner's office shall first sign an application for
16 a ballot including the following information: name, current
17 address, voter verification number, and the election for which
18 the ballot is requested. The person may report a change of
19 address or other information on the person's voter registration
20 record at that time. Prior to furnishing a ballot, the
21 commissioner shall verify the person's identity as provided
22 in [section 49.78](#). The registered voter shall immediately
23 mark the ballot; enclose the ballot in a secrecy envelope,
24 if necessary, and seal ~~it the ballot in the envelope marked~~
25 ~~with the affidavit envelope~~; subscribe to the affidavit ~~on~~
26 ~~the reverse side of the envelope by signing and marking the~~
27 ~~registered voter's voter verification number~~; and return the
28 ~~sealed affidavit envelope containing the~~ absentee ballot to
29 the commissioner. The commissioner shall record the numbers
30 appearing on the application and affidavit envelope along with
31 the name of the registered voter.

32 Sec. 17. Section 53.12, Code 2024, is amended by striking
33 the section and inserting in lieu thereof the following:

34 **53.12 Duty of commissioner.**

35 The commissioner shall affix to the application the same

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1 serial number that appears on the affidavit envelope, return
2 envelope, and delivery envelope.

3 Sec. 18. Section 53.16, Code 2024, is amended by striking
4 the section and inserting in lieu thereof the following:

5 **53.16 Subscribing to affidavit.**

6 After marking the ballot, the voter shall enclose the ballot
7 in a secrecy envelope, if necessary, and seal the ballot in
8 the affidavit envelope; subscribe to the affidavit by signing
9 and marking the registered voter's voter verification number;
10 place the sealed affidavit envelope in the return envelope; and
11 securely seal the return envelope.

12 Sec. 19. Section 53.17, subsection 1, unnumbered paragraph
13 1, Code 2024, is amended to read as follows:

14 ~~If the commissioner mailed the ballot pursuant to section~~
15 ~~53.8, subsection 1, paragraph "a", subparagraph (1), the sealed~~
16 ~~envelope bearing the voter's affidavit and containing the~~
17 ~~absentee ballot shall be enclosed in a return envelope which~~
18 ~~shall be securely sealed. If the commissioner mailed the~~
19 ~~ballot pursuant to section 53.8, subsection 1, paragraph "a",~~
20 ~~subparagraph (2), the absentee ballot shall be enclosed in the~~
21 ~~return envelope which shall be securely sealed. The sealed~~
22 ~~return envelope shall be returned to the commissioner by one of~~
23 ~~the following methods:~~

24 Sec. 20. Section 53.17, subsection 1, paragraph a, Code
25 2024, is amended to read as follows:

26 a. The sealed return envelope may be delivered by the
27 registered voter, by the voter's designee, or by the special
28 precinct election officials designated pursuant to section
29 53.22, subsection 2, to the commissioner's office no later
30 than ~~the time the polls are closed~~ 5:00 p.m. on the day before
31 election day. However, if delivered by the voter's designee,
32 the envelope shall be delivered within seventy-two hours of
33 retrieving it from the voter or by 5:00 p.m. on the day before
34 ~~the closing of the polls on election day, whichever is earlier.~~

35 Sec. 21. Section 53.17, subsection 1, paragraph c, Code

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1 2024, is amended by striking the paragraph.

2 Sec. 22. Section 53.17, subsection 2, Code 2024, is amended
3 to read as follows:

4 2. In order for the ballot to be counted, the return
5 envelope must be received in the commissioner's office by 5:00
6 p.m. on the day before the polls close on election day and
7 recorded as received by the commissioner by 11:59 p.m. on the
8 day before election day.

9 Sec. 23. Section 53.17, subsection 4, paragraph f, Code
10 2024, is amended to read as follows:

11 f. A statement that the completed absentee ballot will be
12 delivered to the commissioner's office within seventy-two hours
13 of retrieving it from the voter or by the close of business
14 on the day before the closing of the polls on election day,
15 whichever is earlier, or that the completed absentee ballot
16 will be mailed to the commissioner within seventy-two hours of
17 retrieving it from the voter.

18 Sec. 24. Section 53.17A, subsection 3, paragraph a, Code
19 2024, is amended to read as follows:

20 a. An absentee ballot received after the ~~polls close~~
21 close of business on the day before election day but prior
22 to the official canvass shall be counted if the commissioner
23 determines that the ballot entered the federal mail system by
24 the deadline specified in [section 53.17](#) or [53.22](#). The date of
25 entry of such an absentee ballot into the federal mail system
26 shall only be verified as provided in paragraph "b".

27 Sec. 25. Section 53.18, subsections 2 and 3, Code 2024, are
28 amended to read as follows:

29 2. If the commissioner receives the return envelope
30 containing the completed absentee ballot by 5:00 p.m. on the
31 Saturday before the election for general elections and by 5:00
32 p.m. on the Friday before the election for all other elections,
33 the commissioner shall ~~review the affidavit marked on the~~
34 ~~return envelope, if applicable, for completeness or shall open~~
35 ~~the return envelope to review the affidavit for completeness~~

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1 open the return envelope, if applicable, and review the
2 affidavit marked on the affidavit envelope for completeness.
3 If the affidavit lacks the signature or voter verification
4 number of the registered voter, the commissioner shall, within
5 twenty-four hours of the receipt of the envelope, notify the
6 voter of the deficiency and inform the voter that the voter may
7 vote a replacement ballot as provided in subsection 3, cast a
8 ballot as provided in section 53.19, subsection 3, or complete
9 the affidavit in person at the office of the commissioner not
10 later than the time polls close on election day.

11 3. If the affidavit envelope ~~or the return envelope marked~~
12 ~~with the affidavit~~ contains a defect that would cause the
13 absentee ballot to be rejected by the absentee and special
14 voters precinct board, the commissioner shall immediately
15 notify the voter of that fact and that the voter's absentee
16 ballot shall not be counted unless the voter requests and
17 returns a replacement ballot in the time permitted under
18 section 53.17, subsection 2. For the purposes of this section,
19 ~~a return an affidavit~~ envelope marked with the affidavit
20 shall be considered to contain a defect if ~~it appears to~~
21 ~~the commissioner that the signature on the envelope has been~~
22 ~~signed by someone other than the registered voter, in comparing~~
23 ~~the signature on the envelope to the signature on record of~~
24 ~~the registered voter named on the envelope. A signature or~~
25 ~~marking made in accordance with section 39.3, subsection~~
26 ~~17, shall not be considered a defect for purposes of this~~
27 ~~section~~ the voter verification number provided does not match
28 the voter verification number associated with the voter's
29 voter registration. The voter may request a replacement
30 ballot in person, in writing, or over the telephone. The
31 same serial number that was assigned to the records of the
32 original absentee ballot application shall be used on the
33 envelope envelopes and records of the replacement ballot. The
34 affidavit envelope ~~marked with the affidavit and~~ containing
35 the completed replacement ballot shall be marked "Replacement

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1 ballot". The affidavit envelope ~~marked with the affidavit and~~
2 containing the original ballot shall be marked "Defective" and
3 the "Defective". The replacement ballot shall be attached to
4 ~~such~~ the affidavit envelope containing the original ballot and
5 shall be stored in a secure place until they are delivered to
6 the absentee and special voters precinct board, notwithstanding
7 sections 53.26 and 53.27.

8 Sec. 26. Section 53.19, subsection 1, Code 2024, is amended
9 to read as follows:

10 1. The commissioner shall maintain a list of the absentee
11 ballots provided to registered voters, the serial number
12 appearing on the unsealed envelope, the date the application
13 for the absentee ballot was received, the date the absentee
14 ballot was sent to the registered voter requesting the absentee
15 ballot, the date the absentee ballot was received by the
16 commissioner, the date the absentee ballot outer envelope was
17 opened, and whether the ballot was delivered by mail, or in
18 person, ~~to a ballot drop box,~~ or cast in person at a satellite
19 location. The information under this subsection shall be
20 reported separately at the same time as the information
21 reported under section 53.30, subsection 3.

22 Sec. 27. Section 53.21, subsection 2, paragraph b, Code
23 2024, is amended to read as follows:

24 b. The voter shall enclose one copy of the above statement
25 in the return envelope along with the affidavit envelope, ~~if~~
26 ~~the voter was mailed a separate affidavit envelope,~~ and shall
27 retain a copy for the voter's records.

28 Sec. 28. Section 53.23, subsection 3, paragraph b,
29 subparagraph (1), Code 2024, is amended to read as follows:

30 (1) The commissioner may direct the board to meet on the day
31 before the election for the purpose of reviewing the absentee
32 voters' affidavits appearing on the sealed envelopes. If in
33 the commissioner's judgment this procedure is necessary due
34 to the number of absentee ballots received, the members of
35 the board may open the sealed affidavit envelopes and remove

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1 the secrecy envelope containing the ballot, but under no
2 circumstances shall a secrecy envelope or ~~a return~~ an affidavit
3 envelope ~~marked with an affidavit~~ be opened before the board
4 convenes on election day, except as provided in paragraph
5 "c". If the affidavit envelopes are opened before election
6 day pursuant to this paragraph "b", the observers appointed
7 by each political party, as defined in [section 43.2](#), shall
8 witness the proceedings. Each political party may appoint up
9 to five observers under this paragraph "b". The observers
10 shall be appointed by the county chairperson or, if the
11 county chairperson fails to make an appointment, by the state
12 chairperson. However, if either or both political parties fail
13 to appoint an observer, the commissioner may continue with the
14 proceedings.

15 Sec. 29. Section 53.23, subsection 5, Code 2024, is amended
16 to read as follows:

17 5. The special precinct election board shall preserve the
18 secrecy of all absentee and provisional ballots. After the
19 affidavits on the affidavit envelopes have been reviewed and
20 the qualifications of the persons casting the ballots have been
21 determined, those that have been accepted for counting shall
22 be opened. The ballots shall be removed from the affidavit
23 envelopes ~~or return envelopes marked with the affidavit, as~~
24 ~~applicable,~~ without being unfolded or examined, and then shall
25 be thoroughly intermingled, after which they shall be unfolded
26 and tabulated. If secrecy ~~folders~~ or envelopes are used with
27 provisional paper ballots, the ballots shall be removed from
28 the secrecy ~~folders~~ envelopes after the ballots have been
29 intermingled.

30 Sec. 30. Section 53.25, subsection 1, paragraph a, Code
31 2024, is amended to read as follows:

32 a. If the absentee voter's affidavit lacks the voter's
33 signature or voter verification number, if the applicant is
34 not a duly registered voter on election day in the precinct
35 where the absentee ballot was cast, if the affidavit envelope

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1 ~~marked with the affidavit~~ contains more than one ballot of any
2 one kind, or if the voter has voted in person, such vote shall
3 be rejected by the absentee and special voters precinct board.
4 ~~If the affidavit envelope or return envelope marked with the~~
5 ~~affidavit~~ is open, or has been opened and resealed, or if the
6 ballot is not enclosed in ~~such~~ the affidavit envelope, and an
7 affidavit envelope or return envelope marked with the affidavit
8 with the same serial number and marked "Replacement ballot" is
9 not attached as provided in [section 53.18](#), the ballot shall be
10 rejected by the absentee and special voters precinct board.

11 Sec. 31. Section 53.25, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. If the absentee or provisional ballot is rejected prior
14 to the opening of the affidavit envelope ~~or return envelope~~
15 ~~marked with the affidavit~~, the voter casting the ballot shall
16 be notified by a precinct election official by the time the
17 canvass is completed of the reason for the rejection on a form
18 prescribed by the state commissioner of elections.

19 Sec. 32. Section 53.30, subsection 2, Code 2024, is amended
20 to read as follows:

21 2. At the conclusion of each meeting of the absentee and
22 special voters precinct board, the board shall securely seal
23 all ballots counted by them in the manner prescribed in section
24 50.12. The ballot envelopes, including the affidavit envelope
25 ~~if an affidavit envelope was provided~~, the return envelope, and
26 secrecy envelope bearing the signatures of precinct election
27 officials, as required by [section 53.23](#), shall be preserved.
28 All applications for absentee ballots, ballots rejected without
29 being opened, absentee ballot logs, and any other documents
30 pertaining to the absentee ballot process shall be preserved
31 until such time as the documents may be destroyed pursuant to
32 section 50.19.

33 Sec. 33. Section 53.32, Code 2024, is amended to read as
34 follows:

35 **53.32 Ballot of deceased voter.**

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1 When it shall be made to appear by due proof to the precinct
2 election officials that any elector, who has so marked and
3 forwarded a ballot, has died before the ~~envelope marked with~~
4 ~~the affidavit~~ affidavit envelope is opened, then the ballot of
5 such deceased voter shall be endorsed, "Rejected because voter
6 is dead", and be returned to the commissioner. The casting
7 of the ballot of a deceased voter shall not invalidate the
8 election.

9 Sec. 34. Section 53.33, subsection 7, paragraph a, Code
10 2024, is amended to read as follows:

11 a. Deliver the completed absentee ballot in person to the
12 commissioner's office. The delivery agent shall not deliver
13 the completed absentee ballot by mail ~~or to a ballot drop box~~.

14 DIVISION V

15 PERSONS PERMITTED IN VOTING BOOTHS

16 Sec. 35. Section 49.88, subsection 3, Code 2024, is amended
17 to read as follows:

18 3. A person standing for election on the ballot before a
19 voter ~~shall not occupy~~ commits a violation of this section by
20 occupying the voting booth with the voter, including to assist
21 the voter.

22 Sec. 36. Section 49.90, Code 2024, is amended to read as
23 follows:

24 **49.90 Assisting voter.**

25 1. Any voter who may declare upon oath that the voter is
26 blind, cannot read the English language, or is, by reason of
27 any physical disability other than intoxication, unable to cast
28 a vote without assistance, shall, upon request, be assisted by
29 the two officers as provided in section 49.89, or alternatively
30 by any other person the voter may select in casting the vote,
31 except that the voter shall not select a person standing for
32 election on the ballot. The officers, or the person selected
33 by the voter, shall cast the vote of the voter requiring
34 assistance, and shall thereafter give no information regarding
35 the vote cast. If any elector because of a disability cannot

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1 enter the building where the polling place for the elector's
2 precinct of residence is located, the two officers shall take
3 a paper ballot to the vehicle occupied by the elector with
4 a disability and allow the elector to cast the ballot in
5 the vehicle. Ballots cast by voters with disabilities shall
6 be deposited in the regular ballot box, or inserted in the
7 tabulating device, and counted in the usual manner.

8 2. A person standing for election on the ballot before a
9 voter commits a violation of section 49.88 by occupying the
10 voting booth with the voter.

DIVISION VI

VOTER REGISTRATION DATABASE PILOT PROGRAM

13 Sec. 37. NEW SECTION. **47.7A Statewide voter registration**
14 **database verification pilot program.**

15 1. A statewide voter registration database verification
16 pilot program is established within the office of the state
17 registrar as follows:

18 a. The state registrar shall contract with a third-party
19 vendor to develop or provide a program to allow the state
20 registrar to verify the status of records in the statewide
21 voter registration file and identify ineligible voters on an
22 ongoing basis.

23 b. During the first quarter of the calendar year 2025,
24 the state registrar shall utilize the program developed or
25 provided by the third-party vendor to verify the status of
26 records in the statewide voter registration file. The state
27 registrar shall forward the results of the analysis to each
28 county commissioner of registration prior to the date reports
29 are required to be submitted pursuant to section 48A.40.

30 c. The state registrar shall evaluate the efficacy and
31 cost of the pilot program as compared to the current method
32 of verifying the list of voters in the statewide voter
33 registration file.

34 2. This section is repealed December 31, 2027.

DIVISION VII

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1 state commissioner of elections to objections to the legal
2 sufficiency of the nomination petition or certificate of
3 election, or to the residency, age, or citizenship requirements
4 as described in the United States Constitution. With
5 respect to nominations for president or vice president of the
6 United States, the bill allows objections only to the legal
7 sufficiency of the certificate of nomination. The certificate
8 of nomination shall be presumed valid.

9 DIVISION III — RANKED CHOICE VOTING. This division relates
10 to the use of ranked choice and instant runoff voting for
11 elections in this state. The bill prohibits ranked choice and
12 instant runoff voting, defined in the bill as a system in which
13 voters rank multiple candidates for a single office in order of
14 preference and candidates are eliminated and votes transferred
15 between candidates in a series of rounds, from being used to
16 cast or tabulate ballots in any election in this state.

17 DIVISION IV — ABSENT VOTERS. This division relates to
18 the casting of ballots by absent voters. The bill strikes
19 provisions allowing a county commissioner of elections to
20 establish drop boxes to which a person can return an absentee
21 ballot.

22 The bill requires an absentee ballot that is mailed to a
23 voter to be enclosed in an unsealed affidavit envelope and with
24 or in an unsealed return envelope, which shall then be enclosed
25 in the delivery envelope. If the ballot cannot be folded so
26 that all the votes on the ballot will be hidden, the bill
27 requires the commissioner to also send a secrecy envelope. The
28 bill requires a registered voter to subscribe to an affidavit
29 on an affidavit envelope by signing the envelope and writing
30 the voter's voter verification number. The bill also requires
31 return envelopes to have printed on them the deadline to return
32 the ballot and the manner to track the status of the ballot.

33 The bill strikes a requirement that an affidavit envelope
34 be considered to contain a defect if it appears to the county
35 commissioner of elections that it was signed by a person other

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1 than the voter. The bill adds a requirement that an affidavit
2 envelope be considered to contain a defect if the voter
3 verification number on the envelope does not match the voter
4 verification number on file for the voter.

5 The bill repeals certain requirements regarding what
6 materials a commissioner shall include with an absentee ballot
7 and instead requires a commissioner to put the same serial
8 number on the affidavit, return, and delivery envelopes.
9 The bill requires all mailed absentee ballots to include an
10 affidavit envelope. The bill also requires the absentee and
11 special voters precinct board to reject an absentee ballot
12 if the affidavit envelope does not include the voter's voter
13 verification number.

14 The bill changes the timeline for the mailing and return
15 of absentee ballots. The bill allows a county commissioner
16 of elections to mail absentee ballots to voters beginning 22
17 days before an election and requires absentee ballots to be
18 delivered to the office of the county commissioner of elections
19 by 5:00 p.m. on the day before election day. The bill also
20 requires the county commissioner of elections to record
21 the ballot as received by 11:59 p.m. on the day before the
22 election. Under current law, county commissioners of elections
23 may mail absentee ballots beginning 20 days before an election
24 and absentee ballots must be delivered to the office of the
25 county commissioner of elections not later than the time polls
26 close on election day.

27 DIVISION V — PERSONS PERMITTED IN VOTING BOOTHS. This
28 division amends the subsection of Code section 49.88
29 (limitation on persons in booth and time for voting)
30 prohibiting a person standing for election on the ballot before
31 a voter from occupying the voting booth with the voter and
32 Code section 49.90 (assisting voter) to say that the candidate
33 violates Code section 49.88 by occupying the voting booth with
34 the voter.

35 DIVISION VI — VOTER REGISTRATION DATABASE PILOT PROGRAM.

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1 This division requires the state registrar of voters to
2 contract with a third-party vendor to develop or provide a
3 program to allow the state registrar to verify the status of
4 records in the statewide voter registration file and identify
5 ineligible voters on an ongoing basis. During the first
6 quarter of 2025, the bill requires the state registrar of
7 voters to utilize the program developed or provided by the
8 third-party vendor to verify the status of records in the
9 statewide voter registration file. The state registrar shall
10 forward the results of the analysis to each county commissioner
11 of registration prior to the date that county commissioners
12 of registration are required to submit voter list maintenance
13 reports. The bill requires the state registrar of voters to
14 evaluate the efficacy and cost of the pilot program as compared
15 to the current method of maintaining the statewide voter
16 registration database. The pilot program is repealed effective
17 December 31, 2027.

18 DIVISION VII — COUNTY HOSPITAL BOARD OF TRUSTEES. This
19 division strikes a provision setting the term length for
20 persons elected to a county hospital board of trustees in a
21 county with a population of at least 400,000 to six years,
22 returning the term length to four years. The bill does not
23 affect the term of office of a trustee elected to a county
24 public hospital board of trustees prior to July 1, 2024.

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House File 2611 - Introduced

HOUSE FILE 2611
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 714)

A BILL FOR

1 An Act relating to school funding, including the teacher salary
2 supplement cost per pupil and teacher and education support
3 professional compensation, and making appropriations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 257.10, subsection 9, paragraphs a and d,
2 Code 2024, are amended to read as follows:

3 a. (1) For the budget year beginning July 1, 2009, the
4 department of management shall add together the teacher
5 compensation allocation made to each district for the fiscal
6 year beginning July 1, 2008, pursuant to section 284.13,
7 subsection 1, paragraph "h", Code 2009, and the phase II
8 allocation made to each district for the fiscal year beginning
9 July 1, 2008, pursuant to [section 294A.9, Code 2009](#), and divide
10 that sum by the district's budget enrollment in the fiscal
11 year beginning July 1, 2009, to determine the teacher salary
12 supplement district cost per pupil. For the budget year
13 beginning July 1, 2010, and succeeding budget years beginning
14 before July 1, 2024, the teacher salary supplement district
15 cost per pupil for each school district for a budget year
16 is the teacher salary supplement program district cost per
17 pupil for the base year plus the teacher salary supplement
18 supplemental state aid amount for the budget year.

19 (2) (a) For the budget year beginning July 1, 2024, the
20 department of management shall calculate for each school
21 district a teacher salary supplement district cost per pupil
22 amount based on the sum of the following:

23 (i) An amount necessary to allow the school district to
24 provide a minimum teacher starting salary of forty-seven
25 thousand five hundred dollars in accordance with the
26 requirements of chapter 284, including costs associated with
27 the employer's share of contributions to the Iowa public
28 employees' retirement system and the employer's share of the
29 tax imposed by the federal Insurance Contributions Act.

30 (ii) An amount necessary to allow the school district
31 to provide an hourly wage of fifteen dollars per hour for
32 education support personnel, including costs associated with
33 the employer's share of contributions to the Iowa public
34 employees' retirement system and the employer's share of
35 the tax imposed by the federal Insurance Contributions Act.

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1 However, if the amount calculated under this subparagraph
2 subdivision for all school districts exceeds fourteen million
3 dollars, the department of management shall proportionally
4 reduce the amount calculated for school districts, based on the
5 original calculation, so that the total amount calculated for
6 all school districts is fourteen million dollars.

7 (b) For the budget year beginning July 1, 2025, the
8 department of management shall calculate for each school
9 district a teacher salary supplement district cost per pupil
10 amount based on the sum of the following:

11 (i) An amount necessary to allow the school district to
12 provide a minimum teacher starting salary of fifty thousand
13 dollars in accordance with the requirements of chapter 284,
14 including costs associated with the employer's share of
15 contributions to the Iowa public employees' retirement system
16 and the employer's share of the tax imposed by the federal
17 Insurance Contributions Act.

18 (ii) To allow each school district to provide an hourly wage
19 of fifteen dollars per hour to education support personnel, the
20 amount calculated for the base year under subparagraph division
21 (a), subparagraph subdivision (ii), after the reduction if
22 applicable, plus the product of that same amount multiplied
23 by the categorical percent of growth under section 257.8,
24 subsection 2, for the budget year.

25 (3) For the budget year beginning July 1, 2026, and
26 succeeding budget years, the teacher salary supplement district
27 cost per pupil for each school district for a budget year
28 is the teacher salary supplement program district cost per
29 pupil for the base year plus the teacher salary supplement
30 supplemental state aid amount for the budget year.

31 d. For the budget year beginning July 1, 2010, and
32 succeeding budget years, the use of the funds calculated under
33 this subsection or available for use as provided in subsection
34 10, paragraph "d", subsection 12, paragraph "d", or section
35 257.46, subsection 3, shall be distributed to teachers pursuant

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1 to [section 284.3A](#) and ~~shall comply~~ in compliance with the
2 requirements of [chapter 284](#) related to such distribution under
3 [section 284.3A](#) and may be distributed to education support
4 personnel as described in paragraph "a".

5 Sec. 2. Section 257.10, subsection 9, Code 2024, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *e.* For purposes of this subsection,
8 "*education support personnel*" means regular and part-time
9 employees of a school district who are not salaried.

10 Sec. 3. Section 257.10, subsection 12, paragraph d, Code
11 2024, is amended to read as follows:

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

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

14 Sec. 4. Section 284.15, subsection 2, paragraph a,
15 subparagraph (1), Code 2024, is amended to read as follows:

16 (1) (a) The For the fiscal year beginning July 1, 2024, the
17 salary for an initial teacher who has successfully completed an
18 approved practitioner preparation program as defined in section
19 256.145 or holds an initial or intern teacher license issued
20 under [chapter 256, subchapter VII, part 3](#), shall be at least
21 ~~thirty-three~~ forty-seven thousand five hundred dollars, which
22 shall also constitute the minimum salary for an Iowa teacher.

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

30 Sec. 5. Section 284.16, subsection 1, paragraph a,
31 unnumbered paragraph 1, Code 2024, is amended to read as
32 follows:

33 The For the fiscal year beginning July 1, 2024, the beginning
34 teacher shall be paid not less than ~~thirty-three~~ forty-seven
35 thousand five hundred dollars ~~and~~. For the fiscal year

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1 beginning July 1, 2025, and each subsequent fiscal year, the
2 beginning teacher shall be paid not less than fifty thousand
3 dollars. Each beginning teacher shall meet the following
4 requirements:

5 Sec. 6. Section 284.17, subsection 1, Code 2024, is amended
6 to read as follows:

7 1. a. A For the fiscal year beginning July 1, 2024, the
8 minimum salary of ~~thirty-three~~ forty-seven thousand five
9 hundred dollars for a full-time teacher.

10 b. For the fiscal year beginning July 1, 2025, and each
11 subsequent fiscal year, the minimum salary of fifty thousand
12 dollars for a full-time teacher.

13 Sec. 7. SCHOOL DISTRICT FUNDING SUPPLEMENT — FISCAL YEAR
14 2024-2025.

15 1. There is appropriated from the general fund of the state
16 to the department of education for the fiscal year beginning
17 July 1, 2024, and ending June 30, 2025, twenty-two million
18 dollars to make all payments to school districts required under
19 subsection 2.

20 2. a. Moneys appropriated to the department of education
21 under subsection 1 shall be used to provide a funding
22 supplement to each school district during the fiscal year
23 beginning July 1, 2024, and ending June 30, 2025.

24 b. Each school district's funding supplement amount shall
25 be equal to twenty-two million dollars multiplied by the
26 quotient of the school district's budget enrollment for the
27 budget year beginning July 1, 2023, and ending June 30, 2024,
28 divided by the statewide total budget enrollment for the budget
29 year beginning July 1, 2023, and ending June 30, 2024.

30 c. Moneys received by a school district under this section
31 shall be miscellaneous income for purposes of chapter 257 and
32 shall not be included in district cost.

33 d. The school district funding supplement received by a
34 school district under this section shall be used at the school
35 district's discretion to supplement teacher salaries and the

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1 salaries and wages of education support personnel in a manner
2 that promotes quality teaching and rewards experience.

3 3. Notwithstanding section 8.33, moneys appropriated in
4 this section that remain unencumbered or unobligated at the
5 close of the fiscal year shall not revert but shall remain
6 available for expenditure for the purposes designated until the
7 close of the succeeding fiscal year.

8 4. The payment of funding supplement amounts under this
9 section shall be paid by the department of education at
10 the same time and in the same manner as the teacher salary
11 supplement is paid under section 257.10, subsection 9, for the
12 fiscal year beginning July 1, 2024, and ending June 30, 2025.

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 This bill relates to school funding, including the teacher
17 salary supplement cost per pupil and teacher and education
18 support professional compensation.

19 Currently, Code chapter 284 (teacher compensation) provides
20 that the minimum annual salary for an initial teacher who has
21 successfully completed an approved practitioner preparation
22 program or holds an initial or intern teacher license issued
23 by the board of educational examiners (BOEE) shall be at least
24 \$33,500. For the 2024-2025 school year, the bill increases the
25 minimum teacher starting salary to \$47,500. For school years
26 beginning on or after July 1, 2026, the bill increases the
27 minimum teacher starting salary to \$50,000.

28 The bill defines "education support personnel" as regular
29 and part-time employees of a school district who are not
30 salaried.

31 For the budget year beginning July 1, 2024, the department of
32 management must calculate a teacher salary supplement district
33 cost per pupil in an amount equal to the sum of the amount
34 necessary to allow the school district to provide the minimum
35 starting teacher salary and the amount necessary, not to exceed

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1 \$14 million in the aggregate among all school districts, to
2 allow each school district to provide a minimum education
3 support personnel (ESP) wage of \$15 per hour including costs
4 associated with the employer's share of contributions to the
5 Iowa public employees' retirement system and the employer's
6 share of the tax imposed by the federal Insurance Contributions
7 Act. The bill requires similar calculations in the budget year
8 beginning July 1, 2025, to account for the increase in the
9 minimum annual teacher salary. The bill also provides that the
10 amount calculated related to ESP shall grow by the categorical
11 state percent of growth. For budget years beginning on or
12 after July 1, 2026, the teacher salary supplement district cost
13 per pupil for each school district for a budget year is the
14 teacher salary supplement program district cost per pupil for
15 the base year plus the teacher salary supplement supplemental
16 state aid amount for the budget year, which is the calculation
17 used for the budget year 2023-2024.

18 The bill appropriates \$22 million to the department of
19 education (DE) for FY 2024-2025 to provide a funding supplement
20 to each school district to be used at the school district's
21 discretion to supplement teacher salaries and the salaries and
22 wages of ESP in a manner that promotes quality teaching and
23 rewards experience. Each school district's funding supplement
24 amount will be an amount equal to \$22 million multiplied by
25 the quotient of the school district's budget enrollment for
26 the budget year beginning July 1, 2023, and ending June 30,
27 2024, divided by the statewide total budget enrollment for the
28 budget year beginning July 1, 2023, and ending June 30, 2024.
29 The moneys appropriated to the DE that remain unencumbered or
30 unobligated at the close of the fiscal year do not revert but
31 remain available for expenditure for the purposes designated
32 until the close of the succeeding fiscal year. The payment of
33 funding supplement amounts must be paid by the DE at the same
34 time and in the same manner as the teacher salary supplement
35 district cost is paid for FY 2024-2025.

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1 The bill makes conforming changes.

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House File 2612 - Introduced

HOUSE FILE 2612
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 713)

A BILL FOR

1 An Act relating to area education agencies, including
2 modifying provisions related to the duties and powers of
3 area education agencies, oversight by the department of
4 education, funding, shared operational functions, and
5 establishing a task force related to area education agency
6 property and operations, and including effective date and
7 applicability provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I

2 DIVISION OF SPECIAL EDUCATION OF THE DEPARTMENT OF EDUCATION

3 Section 1. Section 256B.3, Code 2024, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 15A. Beginning July 1, 2025, oversee the
6 operation of each area education agency to ensure the area
7 education agency complies with all applicable federal and state
8 laws related to special education.

9 Sec. 2. DIVISION OF SPECIAL EDUCATION — EMPLOYEES. From
10 July 1, 2024, to June 30, 2025, the division of special
11 education of the department of education shall do all of the
12 following:

13 1. Devote at least thirteen full-time equivalent positions
14 within the department of education's location in the city
15 of Des Moines to oversight of the area education agencies,
16 including the accreditation of area education agencies under
17 section 273.10.

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

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

22 c. At least one of the full-time equivalent positions shall
23 be a liaison for accredited nonpublic schools.

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

27 e. At least one of the full-time equivalent positions
28 shall be an employee whose primary job duties relate to best
29 practices concerning the development and implementation of
30 individualized education programs.

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

33 2. Devote five full-time equivalent positions within the
34 main office of each area education agency to ensure the area
35 education agency complies with all applicable federal and state

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1 laws related to special education and to review the services
2 provided by the area education agency.

3 DIVISION II

4 AREA EDUCATION AGENCIES — GENERAL PROVISIONS

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

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

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

33 b. The area education agencies may furnish evidence-based
34 professional development services to public or nonpublic
35 schools located within its boundaries which are on the list of

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1 accredited schools pursuant to section 256.11, subject to the
2 approval of the director of the department of education.

3 Sec. 4. Section 273.3, subsections 1, 11, and 12, Code 2024,
4 are amended to read as follows:

5 1. ~~Determine the policies of~~ Advise and consult with the
6 area education agency on policies and procedures for providing
7 programs and services.

8 11. Employ personnel to carry out the functions of the
9 area education agency which shall include the employment
10 of an administrator who shall possess a license issued
11 ~~under chapter 256, subchapter VII, part 3~~ by the board of
12 educational examiners and, beginning July 1, 2025, either
13 a teaching license with a special education endorsement or
14 a special education support personnel authorization. The
15 administrator shall be employed pursuant to section 279.20
16 and sections 279.23, 279.24, and 279.25. The salary for an
17 area education agency administrator shall be established by
18 the board based upon the previous experience and education
19 of the administrator; provided, however, that the salary for
20 an area education agency administrator shall not exceed the
21 average salary of all superintendents of the school districts
22 that are located within the boundaries of the area education
23 agency. Section 279.13 applies to the area education agency
24 board and to all teachers employed by the area education
25 agency. Sections 279.23, 279.24, and 279.25 apply to the area
26 education board and to all administrators employed by the area
27 education agency. Section 279.69 applies to the area education
28 agency board and employees of the board, including part-time,
29 substitute, or contract employees, who provide services to a
30 school or school district.

31 12. Prepare an annual budget estimating income and
32 expenditures for programs and services as provided in sections
33 273.1, 273.2, this section, sections 273.4 through 273.8,
34 and chapter 256B within the limits of funds provided under
35 section 256B.9 and chapter 257. The board shall ~~post notice~~

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~~1 of a public hearing on submit the proposed budget on the area~~
~~2 education agency's internet site and by publication in the~~
~~3 newspaper of general circulation in the territory of the area~~
~~4 education agency in which the principal place of business of~~
~~5 a school district that is a part of the area education agency~~
~~6 is located to the director of the department of education for~~
~~7 approval not later than March 1 of each year. The notice shall~~
~~8 specify the date, which shall be not later than March 1 of~~
~~9 each year, the time, and the location of the public hearing.~~
10 The proposed budget as approved by the ~~board~~ director of the
11 department of education shall then be submitted to the state
12 board of education, on forms provided by the department,
13 no later than March 15 preceding the next fiscal year for
14 approval. The state board shall review the proposed budget of
15 each area education agency and shall before May 1, either grant
16 approval or return the budget without approval with comments
17 of the state board included. An unapproved budget shall be
18 resubmitted to the state board for final approval not later
19 than May 15. The state board shall give final approval only to
20 budgets submitted by area education agencies accredited by the
21 state board or that have been given conditional accreditation
22 by the state board.

23 Sec. 5. Section 273.10, subsection 6, Code 2024, is amended
24 to read as follows:

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

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

31 (2) Contract with another area education agency or other
32 public educational institution for purposes of program
33 delivery.

34 b. The rules developed by the state board of education for
35 the accreditation process shall include provisions for removal

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1 of accreditation, including provisions for proper notice to the
2 administrator of the area education agency, each member of the
3 board of directors of the area education agency, the department
4 of education, and the superintendents and administrators of the
5 schools of the districts served by the area education agency.

6 Sec. 6. Section 273.11, Code 2024, is amended to read as
7 follows:

8 **273.11 Standards for accrediting area education programs.**

9 1. The state board of education, in consultation with the
10 department of education, shall develop standards and rules
11 for the accreditation of area education agencies. Standards
12 shall be general in nature, but at a minimum shall identify
13 requirements addressing the services provided by each division,
14 as well as identifying indicators of quality that will permit
15 area education agencies, school districts, the division of
16 special education of the department of education, and the
17 general public to judge accurately the effectiveness of area
18 education agency services.

19 2. Standards developed shall include, but are not limited
20 to, the following:

21 a. Support for school-community planning, including a means
22 of assessing needs, developing collaborative relationships
23 among community agencies, establishing shared direction, and
24 implementing program plans and reporting progress toward goals
25 for students with disabilities.

26 b. ~~Professional~~ Evidence-based professional development
27 programs that respond to current needs.

28 c. Support for curriculum development, instruction, and
29 assessment ~~for~~ services that address the areas of reading,
30 language arts, math, and science, using research-based
31 methodologies, for students with disabilities.

32 d. Special education compliance and support.

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

35 f. Support for instructional media services that supplement

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1 and support local district media centers and services.

2 g. Support for school technology planning and staff
3 development for implementing instructional technologies.

4 h. A program and services evaluation and reporting system
5 related to special education.

6 i. Support for school district libraries in accordance with
7 section 273.2, subsection 4.

8 j. Support for early childhood service coordination for
9 families and children, age birth through three years, to
10 meet health, safety, and learning needs, including service
11 coordination.

12 k. Support for schools and school districts in analyzing
13 student achievement data related to the learning environment,
14 comparing data to the external knowledge base, and using that
15 information to guide schools and school districts in setting
16 goals and implementing actions to improve student learning for
17 students with disabilities.

18 l. Support for addressing the diverse learning needs of
19 all children and youths with disabilities who are eligible for
20 special education, including through services that include
21 direct services to students with disabilities.

22 m. Support for schools and school districts to ensure
23 compliance with rules adopted by the state board of education
24 related to special education.

25 n. Support necessary to implement effective instruction
26 for all students with disabilities through school technology
27 services.

28 o. Support for students using educational programs and
29 services in a manner that is consistent with the educational
30 standards established pursuant to section 256.11.

31 p. Support for staff development and adult learners
32 utilizing evidence-based professional development in a manner
33 that meets the professional needs of staff and adult learners
34 consistent with standards adopted by the state board of
35 education.

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1 g. Compliance with all relevant federal and state laws
2 in the provision of services and supports to students with
3 disabilities.

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

5 1. The majority leader of the senate, the minority leader
6 of the senate, the speaker of the house of representatives,
7 and the minority leader of the house of representatives shall
8 convene an area education agency task force that shall study
9 and make recommendations related to all of the following:

10 a. The real property and facilities utilized by each area
11 education agency.

12 b. The media services, educational services, and special
13 education services provided by each area education agency.

14 c. What services area education agencies should provide.

15 d. Current accountability measures applicable to area
16 education agencies.

17 e. The special education services provided by the division
18 of special education of the department of education, area
19 education agencies, and school districts.

20 f. The overall organizational structure that determines how
21 special education services are provided to students in this
22 state.

23 g. How the operation of area education agencies is overseen.

24 h. The accreditation standards related to area education
25 agencies.

26 i. A timeline for modifications to the staffing numbers of
27 area education agencies and the transition of responsibilities
28 related to the oversight of area education agencies.

29 2. The task force shall consist of the following members:

30 a. Not more than three members who are appointed by the
31 majority leader of the senate and who are not members of the
32 general assembly.

33 b. Not more than two members who are appointed by the
34 minority leader of the senate and who are not members of the
35 general assembly.

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1 c. Not more than three members who are appointed by the
2 speaker of the house of representatives and who are not members
3 of the general assembly.

4 d. Not more than two members who are appointed by the
5 minority leader of the house of representatives and who are not
6 members of the general assembly.

7 3. Any expenses incurred by a member of the task force
8 shall be the responsibility of the individual member or the
9 respective entity represented by the member.

10 4. The task force shall submit its findings and
11 recommendations to the general assembly on or before December
12 31, 2024.

13 Sec. 8. EFFECTIVE DATE. The following take effect July 1,
14 2025:

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

17 2. The portion of the section of this division of this Act
18 amending section 273.3, subsection 1.

19 Sec. 9. APPLICABILITY. The following applies to employment
20 agreements entered into or renewed between an area education
21 agency and an area education agency administrator on or after
22 July 1, 2024:

23 The portion of the section of this division of this Act
24 amending section 273.3, subsection 11.

25 DIVISION III

26 AREA EDUCATION AGENCIES — FUNDING

27 Sec. 10. Section 257.1, subsection 3, Code 2024, is amended
28 to read as follows:

29 3. *Computations rounded.* In making computations and
30 payments under *this chapter*, except in the case of computations
31 relating to funding of special education support services,
32 media services, and educational services ~~provided through the~~
33 ~~area education agencies~~ under section 257.37, and the teacher
34 salary supplement, the professional development supplement,
35 the early intervention supplement, and the teacher leadership

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1 supplement, the department of management shall round amounts to
2 the nearest whole dollar.

3 Sec. 11. Section 257.10, subsection 7, Code 2024, is amended
4 to read as follows:

5 7. *Special education support services district cost.* Special
6 education support services district cost for a school district
7 for a budget year is equal to the special education support
8 services district cost per pupil for the budget year multiplied
9 by the special education support services weighted enrollment
10 for the district for the budget year. If the special education
11 support services district cost for a school district for
12 a budget year is less than the special education support
13 services district cost for that district for the base year, the
14 department of management shall adjust the special education
15 support services district cost for that district for the budget
16 year to equal the special education support services district
17 cost for the base year. Funds calculated under this subsection
18 and received by a school district shall be used by the school
19 district for special education support services contracted from
20 an area education agency.

21 Sec. 12. Section 257.10, subsection 8, paragraph a, Code
22 2024, is amended to read as follows:

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

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1 Sec. 13. Section 257.35, subsection 1, Code 2024, is amended
2 to read as follows:

3 1. a. (1) The For fiscal years beginning before July 1,
4 2025, the department of management shall deduct the amounts
5 calculated for special education support services, media
6 services, area education agency teacher salary supplement
7 district cost, area education agency professional development
8 supplement district cost, and educational services for each
9 school district from the state aid due to the district pursuant
10 to this chapter and shall pay the amounts to the respective
11 area education agencies on a monthly basis from September 15
12 through June 15 during each school year.

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

20 (b) For the fiscal year beginning July 1, 2025, and each
21 fiscal year thereafter, the department of management shall
22 deduct the area education agency professional development
23 supplement district cost from the state aid due to each school
24 district pursuant to this chapter and shall pay the amounts
25 to the department of education to be used for evidence-based
26 professional development purposes.

27 b. The department of management shall notify each school
28 district of the amount of state aid deducted for these purposes
29 and the balance of state aid shall be paid to the district. If
30 a district does not qualify for state aid under this chapter
31 in an amount sufficient to cover its amount due to the area
32 education agency or the department of education as calculated
33 by the department of management, the school district shall pay
34 the deficiency to the area education agency or department of
35 education, as applicable, from other moneys received by the

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1 district, on a quarterly basis during each school year.

2 Sec. 14. Section 257.36, subsection 1, Code 2024, is amended
3 to read as follows:

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

31 Sec. 15. Section 257.37, Code 2024, is amended to read as
32 follows:

33 **257.37 Funding media and educational services.**

34 Media services and educational services provided by a school
35 district or through the area education ~~agencies~~ agency shall be

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1 funded, to the extent provided, by an addition to the combined
2 district cost of each school district, determined as follows:
3 1. For the budget year beginning July 1, 1991, and
4 succeeding budget years, the total amount funded in each area
5 for media services shall be computed as provided in this
6 subsection. For the budget year beginning July 1, 1991, the
7 total amount funded in each area for media services in the base
8 year shall be divided by the enrollment served in the base year
9 to provide an area media services cost per pupil in the base
10 year, and the department of management shall compute the state
11 media services cost per pupil in the base year which is equal
12 to the average of the area media services costs per pupil in
13 the base year. For the budget year beginning July 1, 1991, and
14 succeeding budget years, the department of management shall
15 compute the supplemental state aid for media services in the
16 budget year by multiplying the state media services cost per
17 pupil in the base year times the state percent of growth for
18 the budget year, and the total amount funded in each area for
19 media services cost in the budget year equals the area media
20 services cost per pupil in the base year plus the supplemental
21 state aid for media services in the budget year times the
22 enrollment served in the budget year. Funds For fiscal years
23 beginning before July 1, 2025, funds shall be paid to area
24 education agencies as provided in section 257.35. For fiscal
25 years beginning on or after July 1, 2025, funds may be used by
26 the school district for media services provided by the district
27 or by contract through an area education agency. A school
28 district may use unreserved fund balances for media services
29 for special education support services.
30 ~~2. Up to thirty percent of the budget of an area for media~~
31 ~~services may be expended for media resource material including~~
32 ~~the purchase or replacement of material required in section~~
33 ~~273.6, subsection 1. Funds shall be paid to area education~~
34 ~~agencies as provided in section 257.35.~~
35 ~~3.~~ 2. For the budget year beginning July 1, 1991, and

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1 succeeding budget years, the total amount funded in each area
2 for educational services shall be computed as provided in this
3 subsection. For the budget year beginning July 1, 1991, the
4 total amount funded in each area for educational services
5 in the base year shall be divided by the enrollment served
6 in the area in the base year to provide an area educational
7 services cost per pupil in the base year, and the department of
8 management shall compute the state educational services cost
9 per pupil in the base year, which is equal to the average of
10 the area educational services costs per pupil in the base year.
11 For the budget year beginning July 1, 1991, and succeeding
12 budget years, the department of management shall compute the
13 supplemental state aid for educational services by multiplying
14 the state educational services cost per pupil in the base year
15 times the state percent of growth for the budget year, and the
16 total amount funded in each area for educational services for
17 the budget year equals the area educational services cost per
18 pupil for the base year plus the supplemental state aid for
19 educational services in the budget year times the enrollment
20 served in the area in the budget year. Funds For fiscal years
21 beginning before July 1, 2025, funds shall be paid to area
22 education agencies as provided in [section 257.35](#). For the
23 fiscal year beginning July 1, 2025, funds shall be used by the
24 school district for educational services contracted from an
25 area education agency. For fiscal years beginning on or after
26 July 1, 2026, funds may be used by the school district for
27 educational services provided by the district or by contract
28 through an area education agency. A school district may use
29 unreserved fund balances for educational services for special
30 education support services.

31 4. 3. "Enrollment served" means the basic enrollment of all
32 school districts within the boundaries of the area education
33 agency plus the number of nonpublic school pupils served by
34 the area education agency with media services or educational
35 services, as applicable, except that if a nonpublic school

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

14 ~~5.~~ 4. a. If For fiscal years beginning before July 1,
15 2025, if an area education agency does not serve nonpublic
16 school pupils in a manner comparable to services provided
17 public school pupils for media and educational services, as
18 determined by the state board of education, the state board
19 shall instruct the department of management to reduce the funds
20 for media services and educational services within the area one
21 time by an amount to compensate for such reduced services. The
22 media services budget shall be reduced by an amount equal to
23 the product of the cost per pupil in basic enrollment for the
24 budget year for media services times the difference between
25 the enrollment served and the basic enrollment recorded for
26 the area. The educational services budget shall be reduced by
27 an amount equal to the product of the cost per pupil in basic
28 enrollment for the budget year for educational services times
29 the difference between the enrollment served and the basic
30 enrollment recorded for the area.

31 b. This subsection applies only to media and educational
32 services which cannot be diverted for religious purposes.

33 c. Notwithstanding this subsection, an area education agency
34 shall distribute to nonpublic schools media materials purchased
35 wholly or partially with federal funds in a manner comparable

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

14 Sec. 16. Section 257.37A, subsection 2, paragraph d, Code
15 2024, is amended to read as follows:

16 d. The For budget years beginning before July 1, 2025,
17 the use of the funds calculated under this subsection shall
18 comply with requirements of chapter 284. For budget years
19 beginning on or after July 1, 2025, the funds calculated under
20 this subsection shall be paid to the department of education
21 as provided in section 257.35.

22 Sec. 17. Section 284.4, subsection 1, paragraph b,
23 subparagraph (3), Code 2024, is amended to read as follows:

24 (3) Determine, following the adoption of the Iowa
25 professional development model by the state board of education,
26 the use and distribution of the professional development
27 funds calculated and paid to the school district ~~or agency~~ as
28 provided in ~~section 257.9, subsection 10~~, ~~or~~ section 257.10,
29 subsection 10, based upon school district ~~or agency~~, attendance
30 center, and individual teacher and professional development
31 plans.

32 Sec. 18. Section 284.6, subsections 8 and 9, Code 2024, are
33 amended to read as follows:

34 8. For each year in which a school district receives funds
35 calculated and paid to school districts for professional

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1 development pursuant to [section 257.10, subsection 10](#), or
2 ~~[section 257.37A, subsection 2](#)~~, the school district shall create
3 quality professional development opportunities. Not less than
4 thirty-six hours in the school calendar, held outside of the
5 minimum school day, shall be set aside during nonpreparation
6 time or designated professional development time to allow
7 practitioners to collaborate with each other to deliver
8 educational programs and assess student learning, or to engage
9 in peer review pursuant to [section 284.8, subsection 1](#). The
10 funds may be used to implement the professional development
11 provisions of the teacher career paths and leadership roles
12 specified in [section 284.15](#), including but not limited to
13 providing professional development to teachers, including
14 additional salaries for time beyond the normal negotiated
15 agreement; activities and pay to support a beginning teacher
16 mentoring and induction program that meets the requirements
17 of [section 284.5](#); pay for substitute teachers, professional
18 development materials, speakers, and professional development
19 content; textbooks and curriculum materials used for classroom
20 purposes if such textbooks and curriculum materials include
21 professional development; administering assessments pursuant to
22 [section 256.7, subsection 21, paragraph "b"](#), subparagraphs (1)
23 and (2), if such assessments include professional development;
24 and costs associated with implementing the individual
25 professional development plans. The use of the funds shall
26 be balanced between school district, attendance center,
27 and individual professional development plans, making every
28 reasonable effort to provide equal access to all teachers.
29 9. Moneys received pursuant to [section 257.10, subsection](#)
30 [10](#), or ~~[section 257.37A, subsection 2](#)~~, shall be maintained
31 as a separate listing within a school district's ~~or area~~
32 ~~education agency's~~ budget for funds received and expenditures
33 made pursuant to [this subsection](#). The department shall not
34 require a school district ~~or area education agency~~ to allocate
35 a specific amount or percentage of moneys received pursuant to

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1 section 257.10, subsection 10, ~~or section 257.37A, subsection~~
2 ~~27~~, for professional development related to implementation of
3 the core curriculum under [section 256.7, subsection 26](#). A
4 school district shall certify to the department how the school
5 district allocated the funds and that moneys received under
6 this subsection were used to supplement, not supplant, the
7 professional development opportunities the school district
8 would otherwise make available. For budget years beginning
9 on or after July 1, 2017, all or a portion of the moneys
10 received pursuant to [section 257.10, subsection 10](#), that remain
11 unexpended and unobligated at the end of a fiscal year may,
12 pursuant to [section 257.10, subsection 10](#), paragraph “d”, be
13 transferred for deposit in the school district’s flexibility
14 account established under [section 298A.2, subsection 2](#).

15 Sec. 19. EFFECTIVE DATE. This division of this Act takes
16 effect January 1, 2025.

17 Sec. 20. APPLICABILITY. This division of this Act applies
18 July 1, 2025, for school budget years beginning on or after
19 that date.

20 DIVISION IV

21 SHARED OPERATIONAL FUNCTIONS

22 Sec. 21. Section 257.11, subsection 5, paragraph a,
23 subparagraph (2), subparagraph division (b), Code 2024, is
24 amended to read as follows:

25 (b) “*Political subdivision*” means a city, township, county,
26 school corporation, merged area, ~~area education agency,~~
27 institution governed by the state board of regents, or any
28 other governmental subdivision except for an area education
29 agency.

30 Sec. 22. Section 257.11, subsection 5, paragraph e, Code
31 2024, is amended to read as follows:

32 e. Supplementary weighting pursuant to [this subsection](#) shall
33 be available to an area education agency during the period
34 commencing with the budget year beginning July 1, 2014, through
35 the budget year beginning July 1, ~~2034~~ 2023. The minimum

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1 amount of additional funding for which an area education
2 agency shall be eligible in a budget year is thirty thousand
3 dollars, and the maximum amount of additional funding for which
4 an area education agency shall be eligible is two hundred
5 thousand dollars. The department of management shall annually
6 set a weighting for each area education agency to generate
7 the approved operational sharing expense using the area
8 education agency's special education cost per pupil amount and
9 foundation level. Criteria for determining the qualification
10 of operational functions for supplementary weighting shall be
11 determined by the department by rule, through consideration of
12 increased student opportunities.

13 Sec. 23. APPLICABILITY. This division of this Act applies
14 July 1, 2024, for school budget years beginning on or after
15 that date.

DIVISION V

DEPARTMENT OF EDUCATION REQUIREMENTS

18 Sec. 24. Section 256.9, Code 2024, is amended by adding the
19 following new subsections:

20 NEW SUBSECTION. 70. Develop and distribute to school
21 districts and accredited nonpublic schools a process to
22 facilitate the development of individualized education
23 programs and assist individualized education program teams
24 with decisions regarding free appropriate public education
25 and placement for students enrolled in accredited nonpublic
26 schools.

27 NEW SUBSECTION. 71. Provide professional learning and
28 other support materials and tools for individualized education
29 program teams, including students, families, teacher service
30 providers, and administrators of both school districts
31 and accredited nonpublic schools to help such individuals
32 understand the processes required under the federal law that
33 are relevant to students enrolled in accredited nonpublic
34 schools and to promote informed participation in individualized
35 education program meetings of students enrolled in accredited

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1 nonpublic schools.

2 NEW SUBSECTION. 72. Provide information to individualized
3 education program teams and public agencies that nonpublic
4 schools may be considered a placement option so long as the
5 individualized education program of a child with a disability
6 does not require some other arrangement.

7 NEW SUBSECTION. 73. Develop and distribute to school
8 districts professional learning and other materials for
9 meaningful consultation for representatives of area education
10 agencies, school districts, and accredited nonpublic schools.

11 NEW SUBSECTION. 74. Establish sustainable accountability
12 and data collection systems related to special education
13 that meet federal and state legal requirements and encourage
14 innovative models for meeting the needs of students.

15 NEW SUBSECTION. 75. Develop and distribute to school
16 districts and accredited nonpublic schools an implementation
17 plan related to identifying, evaluating, and promoting
18 strategies and models for providing special education and
19 related services with accredited nonpublic schools that improve
20 the experiences and outcomes for students with disabilities.

21 DIVISION VI

22 STATE MANDATE

23 Sec. 25. IMPLEMENTATION OF ACT. Section 25B.2, subsection
24 3, shall not apply to this Act.

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 relates to area education agencies, including
29 modifying provisions related to the duties and powers of area
30 education agencies, oversight by the department of education
31 (DE), funding, shared operational functions, and establishing
32 a task force related to area education agency property and
33 operations.

34 DIVISION I — DIVISION OF SPECIAL EDUCATION OF THE
35 DEPARTMENT OF EDUCATION. The bill requires the division of

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1 special education of DE to, beginning July 1, 2025, oversee
2 the operation of each area education agency to ensure the area
3 education agency complies with all applicable federal and state
4 laws related to special education.

5 The bill provides that, from July 1, 2024, to June 30, 2025,
6 the division of special education shall devote 13 full-time
7 equivalent positions to oversight of the area education
8 agencies and shall devote five full-time equivalent positions
9 within the main office of each area education agency to ensure
10 the area education agency complies with all applicable federal
11 and state laws related to special education and to review the
12 services provided by the area education agency.

13 DIVISION II — AREA EDUCATION AGENCIES — GENERAL
14 PROVISIONS. The bill provides that, effective July 1,
15 2025, the area education agencies will be under the general
16 supervision of the director of DE, and the boards of directors
17 of the area education agencies will serve in an advisory
18 capacity.

19 Current law requires the area education agency boards of
20 directors to determine the policies of the area education
21 agency for providing programs and services. The bill provides
22 that, beginning July 1, 2025, the area education agency boards
23 of directors are required to advise and consult with the area
24 education agency on policies and procedures for providing
25 programs and services.

26 Current law requires area education agencies to furnish
27 educational services and programs, including special education
28 services and programs, to the pupils enrolled in public or
29 nonpublic schools located within the area education agency's
30 boundaries. The bill modifies this provision to provide that
31 area education agencies shall furnish such educational services
32 and programs to pupils enrolled in public or nonpublic schools,
33 regardless of location within this state, that request to
34 receive such services.

35 The bill authorizes area education agencies to furnish

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1 evidence-based professional development services to public or
2 nonpublic schools located within their boundaries.

3 The bill requires an administrator employed by an area
4 education agency to, beginning July 1, 2025, possess either
5 a teaching license with a special education endorsement or a
6 special education support personnel authorization.

7 Current law requires the board of directors of an area
8 education agency to establish the administrator's salary
9 based upon the previous experience and education of the
10 administrator. The bill provides that the salary for an area
11 education agency administrator shall not exceed the average
12 salary of all superintendents of the school districts that are
13 located within the boundaries of the area education agency.
14 The bill provides that this provision applies to employment
15 agreements entered into or renewed between an area education
16 agency and an area education agency administrator on or after
17 July 1, 2024.

18 Current law requires the board of directors of an area
19 education agency to conduct a public hearing related to
20 the area education agency's proposed annual budget. The
21 bill strikes this provision and, instead, requires the area
22 education agency to submit the proposed annual budget to the
23 director of DE for approval not later than March 1 of each
24 year.

25 Current law provides that, if during the accreditation
26 process deficiencies in an area education agency program
27 have not been corrected, the board of directors of the area
28 education agency is required to either merge the deficient
29 program with a program from another accredited area education
30 agency or contract with another area education agency or
31 other public educational institution for purposes of program
32 delivery. The bill modifies this provision to, instead,
33 require the director of DE to take one of these steps. The
34 bill requires DE to be notified if the accreditation of an area
35 education agency is removed.

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1 The bill modifies the standards that are used for the
2 accreditation of area education agencies to include several
3 new standards, including but not limited to support for
4 schools and school districts to ensure compliance with rules
5 adopted by the state board of education related to special
6 education, support necessary to implement effective instruction
7 for all students with disabilities through school technology
8 services, support for students using educational programs and
9 services in a manner that is consistent with the educational
10 standards, and support for staff development and adult learners
11 utilizing professional development in a manner that meets the
12 professional needs of staff and adult learners consistent with
13 standards adopted by the state board of education.

14 The bill requires the majority leader of the senate, the
15 minority leader of the senate, the speaker of the house of
16 representatives, and the minority leader of the house of
17 representatives to convene an area education agency task force.
18 The bill establishes what the task force is to study and make
19 recommendations related to. The bill requires the task force
20 to submit its findings and recommendations to the general
21 assembly on or before December 31, 2024.

22 DIVISION III — AREA EDUCATION AGENCIES — FUNDING. The
23 bill modifies funding methodologies for area education agencies
24 and certain educational services provided by area education
25 agencies under current law.

26 Code section 257.35 generally requires the department
27 of management to deduct the amounts calculated for special
28 education support services, media services, area education
29 agency teacher salary supplement district cost, area education
30 agency professional development supplement district cost,
31 and educational services for each school district from the
32 state aid due to the district pursuant to Code chapter 257
33 and, instead, pay the amounts to the respective area education
34 agencies on a monthly basis. Beginning with the fiscal year
35 beginning July 1, 2025, the bill eliminates the required

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1 payment transfer to the area education agencies, except for the
2 amount of the area education agency teacher salary supplement
3 and also directs the department of management to pay the
4 amount of the area education agency professional development
5 supplement to DE to be used for professional development
6 opportunities as required by the bill. Consequently, the
7 amounts that were formerly paid to the area education agency
8 will remain part of the state aid paid to school districts.
9 The bill allows districts to use unreserved fund balances for
10 media services or educational services for special education
11 support services.

12 The bill makes corresponding changes to other provisions
13 governing funding reductions for unreserved and undesignated
14 fund balances and the purposes for which such funding
15 supplements may be used by school districts.

16 This division of the bill takes effect January 1, 2025, and
17 applies July 1, 2025, for school budget years beginning on or
18 after that date.

19 DIVISION IV — SHARED OPERATIONAL FUNCTIONS. Current
20 law allows school districts to share operational functions
21 with several types of political subdivisions, including area
22 education agencies, in order to provide additional funding to
23 increase student opportunities and redirect more resources
24 to student programming for such school districts. The bill
25 provides that area education agencies are no longer considered
26 political subdivisions for purposes of shared operational
27 functions.

28 Current law provides that supplementary weighting under
29 Code section 257.11(5) (shared operational functions) shall
30 be available to an area education agency through the budget
31 year beginning July 1, 2034. The minimum amount of additional
32 funding for which an area education agency shall be eligible in
33 a budget year pursuant to this provision is \$30,000, and the
34 maximum amount is \$200,000. The bill modifies this provision
35 to provide that such supplementary weighting shall not be

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1 available to an area education agency after the budget year
2 beginning July 1, 2023.

3 The bill provides that the division applies July 1, 2024, for
4 school budget years beginning on or after that date.

5 DIVISION V — DEPARTMENT OF EDUCATION REQUIREMENTS. The
6 bill requires the director of DE to develop and distribute to
7 school districts and accredited nonpublic schools a process
8 to facilitate the development of individualized education
9 programs, certain professional learning materials, and an
10 implementation plan related to identifying, evaluating, and
11 promoting strategies and models for providing special education
12 and related services with accredited nonpublic schools, provide
13 professional learning and other support materials and tools
14 for individualized education program teams, and establish
15 sustainable accountability and data collection systems related
16 to special education.

17 DIVISION VI — STATE MANDATE. The bill may include a state
18 mandate as defined in Code section 25B.3. The bill makes
19 inapplicable Code section 25B.2(3), which would relieve a
20 political subdivision from complying with a state mandate if
21 funding for the cost of the state mandate is not provided or
22 specified. Therefore, political subdivisions are required to
23 comply with any state mandate included in the bill.

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House File 2613 - Introduced

HOUSE FILE 2613
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 712)

A BILL FOR

1 An Act relating to school funding by establishing the state
2 percent of growth and the categorical state percent of
3 growth for the budget year beginning July 1, 2024, modifying
4 provisions relating to the property tax replacement
5 payments, making appropriations, and including effective
6 date provisions.

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

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

3 1. *State percent of growth.* ~~The state percent of growth for~~
4 ~~the budget year beginning July 1, 2021, is two and four-tenths~~
5 ~~percent.~~ The state percent of growth for the budget year
6 beginning July 1, 2022, is two and one-half percent. The
7 state percent of growth for the budget year beginning July 1,
8 2023, is three percent. The state percent of growth for the
9 budget year beginning July 1, 2024, is three percent. The
10 state percent of growth for each subsequent budget year shall
11 be established by statute which shall be enacted within thirty
12 days of the transmission of the governor's budget required by
13 February 1 under [section 8.21](#) during the regular legislative
14 session beginning in the base year.

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

34 Sec. 2. Section 257.16B, subsections 1 and 2, Code 2024, are
35 amended to read as follows:

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1 1. For each fiscal year beginning on or after July 1, 2021
2 2022, there is appropriated from the general fund of the state
3 to the department of education an amount necessary to make all
4 school district property tax replacement payments under this
5 section, as calculated in subsection 2.

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

9 ~~(1) The regular program state cost per pupil for the budget~~
10 ~~year beginning July 1, 2012, multiplied by one hundred percent~~
11 ~~less the regular program foundation base per pupil percentage~~
12 ~~pursuant to section 257.1 for the budget year beginning July~~
13 ~~1, 2021.~~

14 ~~(2) The regular program state cost per pupil for the budget~~
15 ~~year beginning July 1, 2021, multiplied by one hundred percent~~
16 ~~less the regular program foundation base per pupil percentage~~
17 ~~pursuant to section 257.1 for the budget year beginning July~~
18 ~~1, 2021.~~

19 ~~(3) The amount of each school district's property tax~~
20 ~~replacement payment. Each school district's property tax~~
21 ~~replacement payment equals the school district's weighted~~
22 ~~enrollment for the budget year beginning July 1, 2021,~~
23 ~~multiplied by the remainder of the amount calculated for~~
24 ~~the school district under subparagraph (2) minus the amount~~
25 ~~calculated for the school district under subparagraph (1).~~

26 ~~b. a.~~ (1) For the budget year beginning July 1, 2022,
27 the amount of each school district's property tax replacement
28 payment shall be the product of the school district's weighted
29 enrollment for the budget year multiplied by the per pupil
30 property tax replacement amount for the budget year calculated
31 under subparagraph (2).

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

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1 (a) The regular program state cost per pupil for the budget
2 year beginning July 1, 2022, multiplied by one hundred percent
3 less the regular program foundation base per pupil percentage
4 pursuant to [section 257.1](#) for the budget year beginning July
5 1, 2022.

6 (b) The regular program state cost per pupil for the budget
7 year beginning July 1, 2021, multiplied by one hundred percent
8 less the regular program foundation base per pupil percentage
9 pursuant to [section 257.1](#) for the budget year beginning July
10 1, 2022.

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

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

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

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

31 c. (1) For each budget year beginning on or after July
32 1, 2024, the amount of each school district's property
33 tax replacement payment shall be the product of the school
34 district's weighted enrollment for the budget year multiplied
35 by the per pupil property tax replacement amount for the budget

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1 year calculated under subparagraph (2).

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

6 (a) The regular program state cost per pupil for the budget
7 year beginning July 1, 2024, multiplied by one hundred percent
8 less the regular program foundation base per pupil percentage
9 pursuant to section 257.1 for the applicable budget year under
10 this paragraph.

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

16 Sec. 3. CODE SECTION 257.8 — IMPLEMENTATION. The
17 requirements of section 257.8, subsections 1 and 2, regarding
18 the enactment of bills establishing the state percent of growth
19 and the categorical state percent of growth within thirty
20 days of the transmission of the governor's budget required by
21 February 1 under section 8.21 during the regular legislative
22 session beginning in the base year, do not apply to this Act.

23 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
24 importance, takes effect upon enactment.

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 relates to school funding by establishing the
29 state percent of growth and the categorical state percent
30 of growth for the budget year beginning July 1, 2024, and
31 modifying provisions relating to the property tax replacement
32 payments.

33 The bill establishes a state percent of growth of 3 percent
34 for the budget year beginning July 1, 2024. The state percent
35 of growth is used to calculate the amount of supplemental state

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1 aid for a budget year as part of the state school foundation
2 program. The bill also establishes a categorical state percent
3 of growth of 3 percent for the budget year beginning July 1,
4 2024. The categorical state percent of growth is generally
5 used to calculate the amount of supplemental state aid for each
6 of the categorical funding supplements.

7 Under current law, the state percent of growth and the
8 categorical state percent of growth used to determine the
9 funding each school district shall receive for the upcoming
10 budget year is required to be set by statute within 30 days of
11 the transmission of the governor's budget required by February
12 1 under Code section 8.21. The bill allows the state percent
13 of growth and categorical state percent of growth to be set on
14 a date after 30 days from the transmission of the governor's
15 budget.

16 Code section 257.16B provides for school district property
17 tax replacement payments. For each budget year beginning on
18 or after July 1, 2023, the amount of each school district's
19 property tax replacement payment is the product of the school
20 district's weighted enrollment for the budget year multiplied
21 by the per pupil property tax replacement amount for the budget
22 year. The per pupil property tax replacement amount for budget
23 years beginning on or after July 1, 2023, is equal to the
24 sum of \$153 plus the difference between the following: (1)
25 the regular program state cost per pupil for the budget year
26 beginning July 1, 2023, multiplied by 100 percent less the
27 regular program foundation base per pupil percentage; and (2)
28 the regular program state cost per pupil for the budget year
29 beginning July 1, 2021, multiplied by 100 percent less the
30 regular program foundation base per pupil percentage. The
31 regular program foundation base per pupil percentage is 88.4
32 percent.

33 The bill modifies the property tax replacement payment
34 calculation for budget years beginning on or after July 1,
35 2024. For budget years beginning on or after July 1, 2024,

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1 the amount of each school district's property tax replacement
2 payment is the product of the school district's weighted
3 enrollment for the budget year multiplied by the per pupil
4 property tax replacement amount for the budget year. The
5 per pupil property tax replacement amount for budget years
6 beginning on or after July 1, 2024, is equal to the sum of \$153
7 plus the difference between the following: (1) the regular
8 program state cost per pupil for the budget year beginning July
9 1, 2024, multiplied by 100 percent less the regular program
10 foundation base per pupil percentage; and (2) the regular
11 program state cost per pupil for the budget year beginning July
12 1, 2021, multiplied by 100 percent less the regular program
13 foundation base per pupil percentage.
14 The bill takes effect upon enactment.

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House File 2614 - Introduced

HOUSE FILE 2614
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 674)

A BILL FOR

1 An Act relating to the conservation and improvement of
2 soil and water resources, including by providing for the
3 administration of associated programs and regulations,
4 making appropriations, and including effective date
5 provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

SOIL CONSERVATION DISTRICTS LAW

Section 1. Section 161A.2, Code 2024, is amended to read as follows:

161A.2 Declaration of policy.

It is hereby declared to be the policy of the legislature ~~state~~ to integrate the conservation of soil and water resources into the production of agricultural commodities to ~~insure~~ ensure the long-term protection of the soil and water resources of the state of Iowa, and to encourage the development of farm management and agricultural practices that are consistent with the capability of the land to sustain agriculture, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist and maintain the navigability of rivers and harbors, preserve wildlife, protect the tax base, protect public lands, and promote the health, safety, and public welfare of the people of this state.

Sec. 2. Section 161A.3, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. "*Soil health*" means the continuing capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans.

Sec. 3. Section 161A.4, subsection 2, paragraph g, Code 2024, is amended to read as follows:

g. To assist each soil and water conservation district in developing a district soil and water resource conservation plan as provided under [section 161A.7](#). The plan shall be developed according to rules adopted by the division to preserve and protect the public interest in the soil and water resources of this state for future generations and for this purpose to encourage, promote, facilitate, and where such public interest requires, to mandate the conservation and proper control of and use of the soil and water resources of this state, by measures including but not limited to the control of floods, the control of erosion by water or by wind, the improvement of soil health,

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1 and the preservation of the quality of water for its optimum
2 use for agricultural, irrigation, recreational, industrial,
3 and domestic purposes, all of which shall be presumed to be
4 conducive to the public health, convenience, and welfare, both
5 present and future.

6 Sec. 4. Section 161A.7, subsection 1, paragraphs f, h, m,
7 and n, Code 2024, are amended to read as follows:

8 *f.* To make available on such terms as it shall prescribe,
9 to landowners or occupiers within the district, agricultural
10 and engineering machinery and equipment, fertilizer, lime,
11 and such other material or equipment as will assist such
12 landowners or occupiers to carry on operations upon their lands
13 for the conservation of soil resources and for the prevention
14 and control of soil erosion; the improvement of soil health;
15 and ~~for~~ the prevention of erosion, floodwater, and sediment
16 damages.

17 *h.* To develop comprehensive plans for the conservation of
18 soil resources ~~and for~~; the improvement of soil health; the
19 control and prevention of soil erosion; and for the prevention
20 of erosion, floodwater, and sediment damages within the
21 district, ~~which.~~ The comprehensive plans shall specify in such
22 detail as may be possible, the acts, procedures, performances,
23 and avoidances which are necessary or desirable for the
24 effectuation of such plans, including the specification of
25 engineering operations, methods of cultivation, the growing of
26 vegetation, cropping programs, tillage practices, and changes
27 in the use of land, and to. The district shall publish such
28 plans and information and bring them to the attention of owners
29 and occupiers of lands within the district.

30 *m.* To encourage local school districts to provide
31 instruction in the importance of and in some of the basic
32 methods of soil conservation and soil health practices, as a
33 part of course work relating to agriculture, the conservation
34 of natural resources, and environmental awareness as required
35 in rules adopted by the state board of education pursuant

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1 to section 256.11, subsections 3 and 4 through 5, and to
2 offer technical assistance to schools in developing such
3 instructional programs.

4 ~~n.~~ To develop a soil and water resource conservation
5 district plan for the district.

6 (1) The district plan shall contain a comprehensive
7 long-range assessment of soil and surface water resources in
8 the district consistent with rules approved by the committee
9 under section 161A.4.

10 (2) In developing the district plan, the district may
11 receive technical support from the United States department
12 of agriculture natural resources conservation service and the
13 county board of supervisors in the county where the district
14 is located. The division and the Iowa cooperative extension
15 service in agriculture and home economics may provide technical
16 support to the district. The support may include but is not
17 limited to the following:

18 (a) Assessing the condition of soil and surface water in
19 the district, including an evaluation of the type, amount,
20 and quality of soil and water; the threat of soil erosion
21 and erosion, floodwater, and sediment damages; ~~and necessary~~
22 preventative and control measures; and soil restoration
23 efforts.

24 (b) Developing methods to maintain or improve soil health
25 and water ~~condition~~ quality.

26 (c) Cooperating with other state and federal agencies to
27 carry out this support.

28 ~~(2)~~ (3) The title page of the district plan and a
29 notification stating where the plan may be reviewed shall be
30 recorded with the recorder in the county in which the district
31 is located, and updated as necessary, after the committee
32 approves and the director of the division signs the district
33 plan. The commissioners shall provide notice of the recording
34 and may provide a copy of the approved district plan to the
35 county board of supervisors in the county where the district is

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1 located. The district plan shall be filed with the division
2 as part of the state soil and water resource conservation plan
3 provided in [section 161A.4](#).

4 Sec. 5. Section 161A.42, subsections 4 and 9, Code 2024, are
5 amended to read as follows:

6 4. ~~"Erosion control practices"~~ "Erosion control practice"
7 means any of the following:

8 a. The construction or installation of, and or the
9 maintenance of, of such structures a structure or devices
10 device as are is necessary to carry to a suitable outlet from
11 the site of any building housing four or more residential
12 units, any commercial or industrial development, or any
13 publicly or privately owned recreational or service facility of
14 any kind, not served by a central storm sewer system, any water
15 which that complies with all of the following:

16 (1) Would otherwise cause erosion in excess of the
17 applicable soil loss limit, ~~and~~.

18 (2) Does not carry nor constitute sewage, industrial waste,
19 or other waste as defined by [section 455B.171](#).

20 b. The employment of a temporary devices device or
21 ~~structures structure~~, temporary seeding, fibre mats, plastic,
22 straw, or other ~~measures measure~~ adequate to prevent erosion in
23 excess of the applicable soil loss limits from the site of, or
24 land directly affected by, the construction of any public or
25 private street, road, or highway, any residential, commercial,
26 or industrial building or development, or any publicly or
27 privately owned recreational or service facility of any kind,
28 at all times prior to completion of such construction.

29 c. The establishment and maintenance of vegetation upon the
30 right-of-way of any completed portion of any public street,
31 road, or highway, or the construction or installation thereon
32 of structures or devices, or other measures adequate to prevent
33 erosion from the right-of-way in excess of the applicable soil
34 loss limits.

35 9. a. ~~"Soil and water conservation practices"~~ "Soil and

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1 water conservation practice means any of the practices practice
2 designated in or pursuant to this subsection which ~~serve~~ serves
3 to prevent erosion of soil by wind or water, in excess of the
4 applicable soil loss limits, from land used for agricultural
5 or horticultural purposes only.

6 b. "Soil and water conservation practice" includes any of the
7 following:

8 a. (1) "Permanent soil and water conservation practices"
9 "Permanent soil and water conservation practice" which means the
10 planting of perennial grasses, legumes, shrubs, or trees, the
11 establishment of grassed waterways, and the construction of
12 terraces, or other permanent soil and water practices approved
13 by the committee.

14 b. (2) "Temporary soil and water conservation practices"
15 "Temporary soil and water conservation practice" which means
16 the planting of annual or biennial crops; the use of
17 strip-cropping, cover cropping, or contour planting, or;
18 no-tillage, minimum tillage, or mulch tillage, and; the
19 installation of an agriculture practice, silviculture practice,
20 aquaculture practice, or permaculture practice; the use of
21 extended crop rotation or rotational grazing; or the use of any
22 other cultural practices practice approved by the committee.

23 Sec. 6. Section 161A.53, Code 2024, is amended to read as
24 follows:

25 **161A.53 Cooperation with other agencies.**

26 1. Soil A soil and water conservation districts district
27 may enter into agreements an agreement with the federal
28 government or an agency of the federal government, as provided
29 by state law, or with the state of Iowa or an agency of the
30 state, any other soil and water conservation district, or any
31 other political subdivision of this state, for cooperation in
32 preventing, doing any of the following:

33 a. Preventing, controlling, or attempting to prevent or
34 control soil erosion. Soil

35 b. Improving or attempting to improve soil health, or

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1 performing a soil health assessment.

2 2. A soil and water conservation ~~districts~~ district may
3 accept, as provided by state law, money disbursed for soil
4 erosion control and soil health assessment purposes by the
5 federal government or an agency of the federal government, and
6 expend the money for the purposes for which it was received.

7 Sec. 7. Section 161A.71, subsection 1, Code 2024, is amended
8 to read as follows:

9 1. a. The division may establish a conservation practices
10 revolving loan fund composed of any money appropriated by the
11 general assembly for that purpose, and of any other moneys
12 available to and obtained or accepted by the committee from the
13 federal government or private sources for placement in that
14 fund. Except as otherwise provided by subsection 3, the assets
15 of the conservation practices revolving loan fund shall be used
16 only to make loans directly to owners of land in this state
17 for the purpose of establishing on that land any new permanent
18 soil and water conservation practice which the commissioners of
19 the soil and water conservation district in which the land is
20 located have found is necessary or advisable to meet the soil
21 loss limits established for that land.

22 (1) A loan made under this section shall not be made
23 for establishing a permanent soil and water conservation
24 practice on land that is subject to the restriction on state
25 cost-sharing funds of section 161A.76. Revolving loan funds
26 and public cost-sharing funds may be used in combination for
27 funding a particular soil and water conservation practice.

28 (2) Each loan made under this section shall be for a period
29 not to exceed ten years, shall bear no interest, and shall be
30 repayable to the conservation practices revolving loan fund in
31 equal yearly installments due March 1 of each year the loan is
32 in effect. The interest rate upon loans for which payment is
33 delinquent shall accelerate immediately to the current legal
34 usury limit. ~~Applicants are~~

35 (3) An applicant is eligible for ~~no~~ not more than twenty

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1 thousand dollars in loans outstanding at any time under this
2 program. ~~"Permanent soil and water conservation practices"~~

3 b. As used in this section, "permanent soil and water
4 conservation practice" has the same meaning as defined in
5 section 161A.42 and those established under this program are
6 subject to the requirements of [section 161A.7, subsection 3](#).

7 c. Loans made under this program shall come due for payment
8 upon sale of the land on which those practices are established.

9 Sec. 8. Section 161A.73, subsection 1, paragraph b, Code
10 2024, is amended to read as follows:

11 b. The allocation of moneys as financial incentives
12 provided for the purpose of establishing management practices
13 to control soil erosion ~~on land that is row cropped and~~
14 promote soil health, including but not limited to cover crops,
15 no-till planting, ridge-till planting, contouring, and contour
16 strip-cropping. The division shall by rule establish limits on
17 the amount of incentives ~~which shall be~~ authorized for payment
18 to landowners upon establishment of the practice.

19 Sec. 9. Section 161A.80A, subsection 3, Code 2024, is
20 amended to read as follows:

21 3. [This section](#) is repealed on ~~July~~ October 1, 2030 ~~2024~~.

22 Sec. 10. Section 161A.80B, subsection 1, Code 2024, is
23 amended to read as follows:

24 1. The principal and interest from any loan made pursuant
25 to [section 161A.80A](#), ~~as enacted in 2015 Iowa Acts, ch 132,~~
26 ~~\$45~~ Code 2024, remaining that are outstanding on ~~July 1, 2025~~
27 or after the effective date of this section of this Act, and
28 that prior to October 1, 2024, would have been payable to
29 the bluffslands protection revolving fund ~~created in section~~
30 ~~161A.80A~~, shall instead be paid to the division on or after
31 ~~July 1, 2025, pursuant to the terms of the loan agreement~~
32 deposited by the department of natural resources in the state
33 parks and recreation areas operations fund created in section
34 455A.10A. ~~The moneys paid to the division shall be credited to~~
35 ~~the rebuild Iowa infrastructure fund created in~~ [section 8.57](#).

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1 Sec. 11. Section 161D.7, Code 2024, is amended to read as
2 follows:

3 **161D.7 Program coordination.**

4 1. The department of natural resources shall coordinate the
5 blufflands protection program with the program and projects of
6 the loess hills alliance.

7 2. This section is repealed on October 1, 2024.

8 Sec. 12. NEW SECTION. **455A.10A State parks and recreation**
9 **areas operations fund.**

10 1. A state parks and recreation areas operations fund is
11 created in the state treasury under the management and control
12 of the department.

13 2. The state parks and recreation areas operations fund
14 shall include all of the following:

15 a. (1) Principal and interest paid from any loan made
16 pursuant to section 161A.80A, Code 2024, instead of being paid
17 to the blufflands protection revolving fund as described in
18 section 161A.80B.

19 (2) This paragraph is repealed on July 1, 2030.

20 b. Other moneys available to and obtained or accepted by the
21 department from public or private sources.

22 3. Moneys in the state parks and recreation areas operations
23 fund are appropriated to and shall be used exclusively by the
24 department to pay for maintaining and improving state parks
25 and recreation areas, including by supporting infrastructure
26 and the professional needs of park rangers and conservation
27 officers.

28 4. a. Notwithstanding section 12C.7, interest or earnings
29 on moneys in the fund shall be credited to the fund.

30 b. Notwithstanding section 8.33, moneys in the fund that
31 remain unencumbered or unobligated at the end of a fiscal year
32 shall not revert.

33 Sec. 13. **BLUFFLANDS PROTECTION REVOLVING FUND — TRANSFER**
34 **TO STATE PARKS AND RECREATION AREAS OPERATIONS FUND.** The
35 balance in the blufflands protection revolving fund created in

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1 section 161A.80A shall be transferred to the state parks and
2 recreation areas operations fund created in this Act not later
3 than September 30, 2024.

4 Sec. 14. STATE PARKS AND RECREATION AREAS OPERATIONS FUND —
5 APPROPRIATION. There is appropriated from the state parks and
6 recreation areas operations fund created in section 455A.10A
7 to the department of natural resources for the fiscal year
8 beginning July 1, 2024, and ending June 30, 2025, the following
9 amounts, or so much thereof as is necessary, to be used for the
10 purposes designated:

11 1. For purposes of equipping park rangers with
12 interoperative park officer radios:

13 \$ 456,000

14 2. For purposes of improving accessibility to state parks
15 and recreational areas by persons with disabilities, any
16 unencumbered or unobligated moneys remaining in the fund.

17 Sec. 15. SUSPENSION OF BLUFFLANDS PROTECTION PROGRAM
18 AND LIMITATION OF MONEYS EXPENDED FROM BLUFFLANDS PROTECTION
19 REVOLVING FUND.

20 1. The blufflands protection program created in section
21 161A.80A is suspended and moneys shall not be expended from the
22 blufflands protection revolving fund other than to wind down
23 existing obligations until its termination date.

24 2. This section is repealed on October 1, 2024.

25 Sec. 16. EFFECTIVE DATES.

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

28 2. The section of this division of this Act suspending the
29 blufflands protection program, and limiting the expenditure of
30 moneys from the blufflands protection revolving fund, being
31 deemed of immediate importance, takes effect upon enactment.

32 DIVISION II

33 GROUNDWATER PROTECTION ACT

34 Sec. 17. Section 455E.11, subsection 1, paragraph c, Code
35 2024, is amended by striking the paragraph.

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DIVISION III

INITIATIVE ON IMPROVING OUR WATERSHED ATTRIBUTES (I ON IOWA)

Sec. 18. Section 466.4, subsection 2, paragraphs d and e, Code 2024, are amended by striking the paragraphs.

Sec. 19. NEW SECTION. **466.4A Prairie seed harvest program.**

The department of natural resources shall establish a prairie seed harvest program to assist in the restoration of prairies and provide for private land stewardship and public resource management through assistance with the implementation of buffer and filter strip practices, and public or private habitat development and management. The department shall carry out these efforts through landowner contacts and cooperation with private and public organizations.

Sec. 20. Section 466.5, subsection 5, Code 2024, is amended by striking the subsection.

Sec. 21. Section 466.7, Code 2024, is amended to read as follows:

466.7 Water quality protection program.

~~1. The department of agriculture and land stewardship shall implement, in conjunction with the federal government and other entities, a program that provides multiobjective resource protections for flood control, water quality, erosion control, and natural resource conservation.~~

~~2. The department of agriculture and land stewardship shall implement a statewide, voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits. A demonstration program under this subsection may complement, but shall not duplicate, projects conducted by Iowa state university extension service. The demonstration program shall be designed to concentrate on management techniques in both the livestock and crop genres and shall be offered to farm operators through an educational setting and demonstration projects. The demonstration program shall be offered in conjunction with the community colleges,~~

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~~1 Iowa state university, and private farmer demonstrations.
2 Continuing education units shall be offered. The educational
3 program shall be offered at no cost to farm operators who file
4 a schedule F with the internal revenue service and do not have
5 permitted livestock facilities or are certified under a manure
6 management plan.~~

~~7 3. The department of agriculture and land stewardship shall
8 provide financial assistance for the establishment of permanent
9 soil and water conservation practices.~~

~~10 4. The department of natural resources shall provide local
11 watershed managers with geographic information system data for
12 their use in developing, monitoring, and displaying results
13 of their watershed work. The local watershed data shall be
14 considered public records and are accessible to the public
15 pursuant to [chapter 22](#).~~

~~16 5. The department of natural resources shall develop a
17 program that provides support to local volunteer management
18 efforts to the different programs concerned with water quality.
19 The department shall assist in coordinating and tracking of the
20 volunteer component of these programs to increase efficiency
21 and avoid duplication of efforts in water quality monitoring
22 and watershed improvement.~~

~~23 6. The department of natural resources shall provide for
24 activities supporting the analysis of water quality monitoring
25 data for trends and for the preparation and presentation of
26 data to the public.~~

~~27 7. The department of natural resources shall contract
28 to assist its staff with the review of national pollutant
29 discharge elimination system permits.~~

~~30 8. The department of natural resources shall expand
31 floodplain protection education to better inform local
32 officials that make decisions with regard to floodplain
33 management.~~

~~34 9. The department of natural resources shall continue
35 the establishment of an effective and efficient method~~

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~~1 of developing a total maximum daily load program, based
2 on information gathered on other states' programs and
3 investigation into alternative methods for satisfying the
4 requirements.~~

5 Sec. 22. NEW SECTION. **466.7A Water quality analysis.**

6 1. The department of natural resources shall provide local
7 watershed managers with geographic information system data for
8 their use in developing, monitoring, and displaying results
9 of their watershed work. The local watershed data shall be
10 considered public records and are accessible to the public
11 pursuant to chapter 22.

12 2. The department of natural resources shall support
13 local volunteer management efforts to the different programs
14 concerned with water quality. The department shall assist
15 in coordinating and tracking of the volunteer component of
16 these programs to increase efficiency and avoid duplication of
17 efforts in water quality monitoring and watershed improvement.

18 3. The department of natural resources shall provide for
19 activities supporting the analysis of water quality monitoring
20 data for trends and for the preparation and presentation of
21 data to the public.

22 4. The department of natural resources shall continue
23 the establishment of an effective and efficient method
24 of developing a total maximum daily load program, based
25 on information gathered on other states' programs and
26 investigation into alternative methods for satisfying the
27 requirements.

28 Sec. 23. Section 466.9, subsection 1, Code 2024, is amended
29 to read as follows:

30 1. An on-site wastewater systems assistance fund is
31 established as a separate fund in the state treasury under the
32 control of the department of natural resources. Moneys in the
33 fund are appropriated to the department of natural resources
34 for the exclusive purpose of supporting and administering the
35 on-site wastewater systems assistance program as established in

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1 section ~~466.8~~ 467.414.

2 Sec. 24. REPEAL. Sections 466.1, 466.2, and 466.3, Code
3 2024, are repealed.

4 DIVISION IV

5 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT

6 PART A

7 GENERAL

8 Sec. 25. Section 466B.2, Code 2024, is amended to read as
9 follows:

10 **466B.2 Definitions — chapter.**

11 For the purposes of [this chapter](#), unless the context
12 otherwise requires:

13 ~~1. "Council" means the water resources coordinating council~~
14 ~~created in [section 466B.3](#).~~

15 ~~2. 1. "Iowa nutrient reduction strategy" means the same as~~
16 ~~defined in [section 455B.171](#).~~

17 ~~3. "Political subdivision" means any of the following:~~

18 ~~a. A city.~~

19 ~~b. A county.~~

20 ~~c. A soil and water conservation district described in~~
21 ~~[section 161A.5](#).~~

22 ~~d. A benefited recreational lake district or a water quality~~
23 ~~district or a combined district incorporated as a public entity~~
24 ~~and organized pursuant to [chapter 357E](#).~~

25 ~~e. A rural improvement zone established pursuant to chapter~~
26 ~~357H.~~

27 ~~4. 2. "Regional watershed" means a watershed of hydrologic~~
28 ~~unit code scale 8.~~

29 ~~5. 3. "Subwatershed" means a watershed of hydrologic unit~~
30 ~~code scale 12 or smaller.~~

31 ~~6. 4. "Watershed" means a geographic area in which surface~~
32 ~~water is drained by rivers, streams, or other bodies of water.~~

33 PART B

34 WATER RESOURCE COORDINATING COUNCIL

35 Sec. 26. NEW SECTION. **466B.2A Definitions — subchapter.**

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

3 1. "*Council*" means the water resources coordinating council
4 established in section 467.202.

5 2. "*Secretary*" means the secretary of agriculture.

6 Sec. 27. Section 466B.3, subsection 2, Code 2024, is amended
7 to read as follows:

8 2. *Purpose.* The purpose of the council shall be to preserve
9 and protect Iowa's water resources, and to coordinate the
10 management of those resources in a sustainable and fiscally
11 responsible manner. ~~In the pursuit of this purpose, the~~
12 ~~council shall use an integrated approach to water resource~~
13 ~~management, recognizing that insufficiencies exist in current~~
14 ~~approaches and practices, as well as in funding sources and~~
15 ~~the utilization of funds. The integrated approach used by the~~
16 ~~council shall attempt to overcome old categories, labels, and~~
17 ~~obstacles with the primary goal of managing the state's water~~
18 ~~resources comprehensively rather than compartmentally.~~

19 Sec. 28. Section 466B.3, subsections 4, 5, and 6, Code 2024,
20 are amended by striking the subsections.

21 Sec. 29. NEW SECTION. **466B.3A Membership, meetings, and**
22 **quorum.**

23 1. The water resources coordinating council shall consist
24 of all of the following members:

25 a. The secretary of agriculture, who shall be the
26 chairperson, or the secretary's designee.

27 b. The director of the department of natural resources or
28 the director's designee.

29 c. The director of the division of soil conservation and
30 water quality within the department of agriculture and land
31 stewardship or the director's designee.

32 d. The director of the department of health and human
33 services or the director's designee.

34 e. The director of the department of homeland security and
35 emergency management or the director's designee.

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1 *f.* The dean of the college of agriculture and life sciences
2 at Iowa state university or the dean's designee.

3 *g.* The dean of the college of public health at the
4 university of Iowa or the dean's designee.

5 *h.* The dean of the college of natural sciences at the
6 university of northern Iowa or the dean's designee.

7 *i.* The director of transportation or the director's
8 designee.

9 *j.* The director of the economic development authority or the
10 director's designee.

11 *k.* The dean of the college of engineering at the university
12 of Iowa or the dean's designee.

13 2. As the chairperson, and in order to further the
14 coordination efforts of the council, the secretary may
15 invite representatives from any other public agency, private
16 organization, business, citizen group, or nonprofit entity to
17 give public input at council meetings, provided the entity has
18 an interest in the coordinated management of land resources,
19 soil conservation, flood mitigation, or water quality. The
20 secretary shall also invite and solicit advice from the
21 following:

22 *a.* The director of the Iowa water science center of the
23 United States geological survey or the director's designee.

24 *b.* The state conservationist from the Iowa office of the
25 United States department of agriculture's natural resources
26 conservation service or the state conservationist's designee.

27 *c.* The state director for Iowa from the United States
28 department of agriculture's farm services agency or the state
29 director's designee.

30 *d.* The state director for Iowa from the United States
31 department of agriculture's office of rural development or the
32 state director's designee.

33 *e.* The director of region seven of the United States
34 environmental protection agency or the director's designee.

35 *f.* The corps commander from the United States army corps of

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1 engineers' Rock Island district or the commander's designee.

2 3. a. The council shall be convened by the secretary at
3 least quarterly.

4 b. A majority of the members fixed by statute shall
5 constitute a quorum, and any action taken by the council must
6 be adopted by a majority of the voting membership.

7 Sec. 30. NEW SECTION. **466B.3B Duties and powers.**

8 1. The water resources coordinating council shall engage in
9 the regular coordination of water resource-related functions,
10 including protection strategies, planning, assessment,
11 prioritization, review, concurrence, advocacy, and education.

12 2. In coordinating water resource-related functions,
13 the water resources coordinating council may do all of the
14 following:

15 a. Consider the steps necessary to address the planning,
16 management, and implementation of water resource improvement.

17 b. Identify ways to facilitate communication and
18 participation among all water resource stakeholders, including
19 owners of land in Iowa whether they are residents or not.

20 c. Identify inefficiencies in current programs and recommend
21 ways to eliminate duplicative services.

22 d. Improve the availability and management of water resource
23 information.

24 e. Regularly assess and identify measurable improvements in
25 water quality.

26 f. Develop a protocol which identifies high-priority
27 watersheds, including local and community-based subwatersheds,
28 and which appropriately directs resources to those watersheds.

29 g. Review best available technologies on a regular basis,
30 so that investments of time and program resources can be
31 prioritized and directed to projects that will best and most
32 effectively improve water quality and reduce flood damage
33 within regional and community subwatersheds.

34 h. Review voluntary, performance-based standards for water
35 resource management, land management, and soil conservation.

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1 *i.* Engage in dialogue with, and pursue efforts to make
2 cooperative agreements with, other states when a watershed
3 extends beyond borders of this state.

4 Sec. 31. Section 466B.9, Code 2024, is amended to read as
5 follows:

6 **466B.9 Rulemaking authority.**

7 The department of ~~natural resources and the department~~
8 ~~of agriculture and land stewardship and the department of~~
9 natural resources shall have the power and authority reasonably
10 necessary to carry out the duties imposed by this chapter,
11 including the adoption of rules pursuant to chapter 17A. ~~As to~~
12 ~~the department of natural resources, this includes rulemaking~~
13 ~~authority to carry out the regional watershed assessment~~
14 ~~program described in section 466B.5.~~ ~~As to the department of~~
15 ~~agriculture and land stewardship, this includes rulemaking~~
16 ~~authority to assist in the implementation of community-based~~
17 ~~subwatershed improvement plans.~~

18 Sec. 32. REPEAL. Sections 466B.4, 466B.5, 466B.6, 466B.7,
19 466B.8, 466B.10, and 466B.11, Code 2024, are repealed.

20 PART C

21 WATERSHED PARTNERSHIPS

22 Sec. 33. Section 466B.21, Code 2024, is amended to read as
23 follows:

24 **466B.21 Definitions.**

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

27 ~~1. "Authority" means a watershed management authority~~
28 ~~created pursuant to a chapter 28E agreement as provided in this~~
29 ~~subchapter.~~

30 ~~2. 1. "Board" means a board of directors of a watershed~~
31 ~~management authority the governing body of the watershed~~
32 ~~partnership as provided in section 467.504.~~

33 ~~2. "Partnership" means a watershed partnership created~~
34 ~~pursuant to section 467.502.~~

35 ~~3. "Political subdivision" means any of the following:~~

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- 1 a. A city.
2 b. A county.
3 c. A soil and water conservation district described in
4 section 161A.5.
5 d. A benefited recreational lake district or a water quality
6 district or a combined district incorporated as a public entity
7 and organized pursuant to chapter 357E.
8 e. A rural improvement zone established pursuant to chapter
9 357H.

10 Sec. 34. Section 466B.22, Code 2024, is amended to read as
11 follows:

12 **466B.22 Watershed management authorities created partnerships**
13 **— establishment.**

14 1. Two or more political subdivisions may ~~create~~ establish,
15 by chapter 28E agreement, a watershed ~~management authority~~
16 partnership pursuant to this subchapter. The participating
17 political subdivisions must be located in the same United
18 States geological survey hydrologic unit code 8 watershed. All
19 political subdivisions within a watershed must be notified
20 within thirty days prior to organization of any watershed
21 ~~management authority partnership~~ within the watershed, and
22 provided the opportunity to participate.

23 2. The chapter 28E agreement shall include a map showing the
24 area and boundaries of the authority watershed partnership's
25 jurisdiction.

26 3. A political subdivision may participate in more than
27 one ~~authority watershed partnership~~ created pursuant to this
28 subchapter.

29 4. A political subdivision is not required to participate in
30 a watershed ~~management authority partnership~~ or be a party to a
31 chapter 28E agreement under this subchapter.

32 5. If a portion of a United States geological survey
33 hydrologic unit code 8 watershed is located outside of this
34 state, any political subdivision in such a watershed may
35 participate in any watershed ~~management authority partnership~~

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1 which includes the county in which the political subdivision
2 is located.

3 6. A watershed partnership is not a partnership governed
4 under chapter 486A or 488.

5 Sec. 35. Section 466B.23, Code 2024, is amended to read as
6 follows:

7 **466B.23 Duties Watershed partnership — duties.**

8 1. A watershed ~~management authority~~ partnership may perform
9 all of the following duties:

10 1. ~~a. Assess the flood risks in the watershed~~ Identify,
11 plan for, and assess options for reducing the risk of floods
12 in the watershed.

13 2. ~~b. Assess the water quality in the watershed.~~

14 3. ~~c. Assess options for reducing flood risk and improving~~
15 water quality in the watershed.

16 4. ~~d. Monitor federal flood risk planning and activities.~~

17 5. ~~e. Educate residents of the watershed area regarding~~
18 water quality and flood risks.

19 f. Support and implement water quality projects in the
20 watershed that are consistent with the Iowa nutrient reduction
21 strategy.

22 g. Engage in efforts to maximize efficiency and increase
23 capacity for implementation of water quality practices that are
24 consistent with the Iowa nutrient reduction strategy.

25 6. ~~h. Allocate moneys made available to the authority~~
26 watershed partnership for purposes of ~~water quality~~ and flood
27 mitigation and water quality.

28 i. Coordinate its undertakings with the department of
29 agriculture and land stewardship, the department of natural
30 resources, councils of governments, public drinking water
31 utilities, and soil and water conservation districts.

32 7. ~~j. Make and enter into contracts and agreements~~
33 and execute all instruments necessary or incidental to
34 the performance of the duties of the ~~authority~~ watershed
35 partnership.

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1 2. A watershed partnership shall not allocate moneys for
2 water quality nutrient reduction practices unless the moneys
3 are expended in a manner that is consistent with the Iowa
4 nutrient reduction strategy or the Iowa storm water management
5 manual published by the department of natural resources.

6 3. A watershed management authority partnership shall not
7 acquire property by eminent domain.

8 Sec. 36. Section 466B.24, Code 2024, is amended to read as
9 follows:

10 **466B.24 Board of directors Watershed partnership — governing**
11 **body.**

12 ~~1. An authority~~ A watershed partnership shall be governed
13 ~~administered by a board of directors~~ joint board as provided in
14 ~~section 28E.6.~~ Members of a board of directors of an authority
15 shall be divided among the political subdivisions comprising
16 the authority watershed partnership and shall be appointed
17 by the ~~their~~ respective political subdivision's elected
18 legislative body bodies.

19 ~~2. A board of directors shall consist of one representative~~
20 ~~of each participating political subdivision. This subsection~~
21 ~~shall not apply if a chapter 28E agreement under this~~
22 ~~subchapter provides an alternative board composition method.~~

23 ~~3. The directors shall serve staggered terms of four years.~~
24 ~~The initial board shall determine, by lot, the initial terms~~
25 ~~to be shortened and lengthened, as necessary, to achieve~~
26 ~~staggered terms. A person appointed to fill a vacancy shall be~~
27 ~~appointed in the same manner as the original appointment for~~
28 ~~the duration of the unexpired term. A director is eligible for~~
29 ~~reappointment. This subsection shall not apply if a chapter~~
30 ~~28E agreement under this subchapter provides an alternative~~
31 ~~for the length of term, appointment, and reappointment of~~
32 ~~directors.~~

33 ~~4. A board may provide procedures for the removal of a~~
34 ~~director who fails to attend three consecutive regular meetings~~
35 ~~of the board. If a director is so removed, a successor shall be~~

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~~1 appointed for the duration of the unexpired term of the removed
2 director in the same manner as the original appointment. The
3 appointing body may at any time remove a director appointed by
4 it for misfeasance, nonfeasance, or malfeasance in office.~~

~~5 5. A board shall adopt bylaws and shall elect one director
6 as chairperson and one director as vice chairperson, each for a
7 term of two years, and shall appoint a secretary who need not
8 be a director.~~

~~9 6. A majority of the membership of a board of directors
10 shall constitute a quorum for the purpose of holding a meeting
11 of the board. The affirmative vote of a majority of a quorum
12 shall be necessary for any action taken by an authority unless
13 the authority's bylaws specify those particular actions of the
14 authority requiring a greater number of affirmative votes. A
15 vacancy in the membership of the board shall not impair the
16 rights of a quorum to exercise all the rights and perform all
17 the duties of the authority.~~

18 Sec. 37. REPEAL. Section 466B.25, Code 2024, is repealed.

19 Sec. 38. TRANSITIONAL PROVISIONS — APPOINTMENT AND TERMS
20 OF BOARD OF DIRECTORS AND PRIOR ACTIONS BY THE BOARD.

21 1. This division of this Act, and the transfers directed
22 by this Act, shall not affect the appointment or any term of
23 office of an individual who served as a director of a watershed
24 management authority immediately prior to the effective date
25 of this Act and who now serves as a member of a joint board
26 for a watershed partnership. That individual shall continue
27 to serve on the joint board of the watershed partnership until
28 the individual's term would otherwise expire or the individual
29 is otherwise replaced.

30 2. A watershed partnership which existed as a watershed
31 management authority shall change its name as it appears on
32 all formal documents which are in force and effect as soon as
33 practicable in a cost-effective manner.

34 3. Any affirmative action adopted by a political
35 subdivision creating a watershed management authority under

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1 section 466B.22, Code 2024, or the board of directors of a
2 watershed management authority operating under section 466B.24,
3 Code 2024, that is in force and effect immediately prior to the
4 effective date of this Act, shall continue in full force and
5 effect until the earlier of the following:

6 a. It is amended, rescinded, or supplemented by the
7 affirmative action of the watershed partnership.

8 b. It expires by its own terms.

9 PART D

10 WATERSHED PLANNING ADVISORY COUNCIL

11 Sec. 39. REPEAL. Section 466B.31, Code 2024, is repealed.

12 PART E

13 WATER QUALITY INITIATIVE — NUTRIENTS

14 Sec. 40. Section 466B.41, Code 2024, is amended to read as
15 follows:

16 **466B.41 Definitions.**

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

19 1. “Center” means the Iowa nutrient research center
20 established pursuant to [section 466B.47 467.321](#).

21 2. “Council” means the Iowa nutrient research center
22 advisory council established pursuant to section ~~466B.48~~
23 [467.322](#).

24 3. “Division” means the division of soil conservation and
25 water quality created within the department of agriculture and
26 land stewardship pursuant to [section 159.5](#).

27 ~~4. “Fund” means the water quality initiative fund created~~
28 ~~in [section 466B.45](#).~~

29 ~~5. 4. “Nutrient” includes nitrogen and phosphorus.~~

30 Sec. 41. Section 466B.43, subsection 1, Code 2024, is
31 amended to read as follows:

32 1. As part of the water quality initiative established
33 pursuant to [section 466B.42 467.311](#), the division shall
34 administer water quality agriculture infrastructure programs
35 created in [this section](#).

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1 Sec. 42. Section 466B.44, subsection 1, Code 2024, is
2 amended to read as follows:

3 1. As part of the water quality initiative established
4 pursuant to [section 466B.42 467.311](#), the division shall
5 administer a water quality urban infrastructure program.

6 Sec. 43. Section 466B.44, subsection 5, paragraph b, Code
7 2024, is amended to read as follows:

8 **b.** Support water quality agriculture infrastructure programs
9 created in [section 466B.43 467.313](#), to the extent that moneys
10 are not obligated or encumbered during a fiscal year to
11 adequately support all urban infrastructure program projects
12 that meet the division's requirements.

13 Sec. 44. Section 466B.46, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. Moneys in the fund are appropriated to the center and
16 shall be used exclusively by the center to carry out its
17 purpose as described in [section 466B.47 467.321](#).

18 Sec. 45. Section 466B.48, subsection 4, Code 2024, is
19 amended to read as follows:

20 4. The council shall function on a continuing basis for the
21 study and recommendation of solutions for consideration by the
22 Iowa nutrient research center in carrying out its purpose as
23 provided in [section 466B.47 467.321](#).

DIVISION V

COORDINATING AMENDMENTS

26 Sec. 46. Section 8.57B, subsection 3, Code 2024, is amended
27 to read as follows:

28 3. Moneys in the fund are appropriated to the division
29 of soil conservation and water quality of the department of
30 agriculture and land stewardship for the exclusive purpose of
31 supporting water quality agriculture infrastructure programs
32 created in [section 466B.43 467.313](#).

33 Sec. 47. Section 16.134A, subsection 3, paragraph c, Code
34 2024, is amended to read as follows:

35 **c.** Fifteen percent to the division of soil conservation

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1 and water quality of the department of agriculture and land
2 stewardship to support the water quality urban infrastructure
3 program created in [section 466B.44 467.314](#).

4 Sec. 48. Section 455B.109, subsection 5, paragraph b, Code
5 2024, is amended to read as follows:

6 b. Civil penalties assessed and collected by or on behalf of
7 the department and interest on the civil penalties as provided
8 in [sections 459.602, 459.603, 459.604, 459A.502, and 459B.402](#)
9 shall be credited to the Iowa nutrient research fund created in
10 section ~~466B.46~~ [467.323](#).

11 Sec. 49. Section 455E.11, subsection 2, paragraph b,
12 subparagraph (2), subparagraph division (a), Code 2024, is
13 amended to read as follows:

14 (a) Thirty-five percent is appropriated annually to the
15 Iowa nutrient research fund created in [section 466B.46 467.323](#).
16 Of the moneys appropriated pursuant to this subparagraph
17 division, five hundred thousand dollars or one-third of the
18 moneys appropriated, whichever is higher, shall be deposited in
19 the water quality initiative fund created in section ~~466B.45~~
20 [467.312](#) for purposes of supporting the water quality initiative
21 administered by the division of soil conservation and water
22 quality as provided in [section 466B.42 467.311](#).

23 Sec. 50. Section 459.602, Code 2024, is amended to read as
24 follows:

25 **459.602 Air quality violations — civil penalty.**

26 A person who violates [subchapter II](#) shall be subject to
27 a civil penalty which shall be established, assessed, and
28 collected in the same manner as provided in [section 455B.109](#).
29 Any collected civil penalty and interest on a civil penalty
30 shall be credited to the Iowa nutrient research fund created in
31 section ~~466B.46~~ [467.323](#).

32 Sec. 51. Section 459.603, Code 2024, is amended to read as
33 follows:

34 **459.603 Water quality violations — civil penalty.**

35 A person who violates [subchapter III](#) shall be subject to

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1 a civil penalty which shall be established, assessed, and
2 collected in the same manner as provided in [section 455B.109](#) or
3 [455B.191](#). Any collected civil penalty and interest on a civil
4 penalty shall be credited to the Iowa nutrient research fund
5 created in [section ~~466B.46~~ 467.323](#).

6 Sec. 52. Section 459.604, subsection 2, Code 2024, is
7 amended to read as follows:

8 2. Moneys assessed and collected in civil penalties, and
9 interest earned on civil penalties, arising out of a violation
10 involving an animal feeding operation shall be credited to the
11 Iowa nutrient research fund created in [section ~~466B.46~~ 467.323](#).

12 Sec. 53. Section 459A.502, Code 2024, is amended to read as
13 follows:

14 **459A.502 Violations — civil penalty.**

15 A person who violates [this chapter](#) shall be subject to
16 a civil penalty which shall be established, assessed, and
17 collected in the same manner as provided in [section 455B.191](#).
18 Any collected civil penalty and interest on a civil penalty
19 shall be credited to the Iowa nutrient research fund created
20 in [section ~~466B.46~~ 467.323](#). A person shall not be subject to a
21 penalty under [this section](#) and a penalty under [section 459.603](#)
22 for the same violation.

23 Sec. 54. Section 459B.402, Code 2024, is amended to read as
24 follows:

25 **459B.402 Violations — civil penalty.**

26 A person who violates [section 459B.301](#) shall be subject to
27 the same penalty as provided in [section 459.602](#), and a person
28 who violates any other provision of [this chapter](#) shall be
29 subject to the same penalty as provided in [section 459.603](#).
30 Any collected civil penalty and interest on a civil penalty
31 shall be credited to the Iowa nutrient research fund created in
32 [section ~~466B.46~~ 467.323](#).

33 Sec. 55. Section 461.33, subsection 2, paragraph a, Code
34 2024, is amended to read as follows:

35 a. Soil conservation and watershed protection, including by

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1 supporting the division of soil conservation and water quality
2 within the department of agriculture and land stewardship
3 and soil and water conservation district commissioners. The
4 department may provide for the installation of conservation
5 practices and watershed protection improvements as provided in
6 chapters 161A, 161C, 461A, and 466 467.

7 Sec. 56. Section 461.34, subsection 2, Code 2024, is amended
8 to read as follows:

9 2. The account shall be used cooperatively by the department
10 of natural resources and the department of agriculture and land
11 stewardship to support all of the following initiatives:

12 a. Water resource projects administered by the department
13 of natural resources to preserve watersheds, including but not
14 limited to ~~all of the following:~~

15 ~~(1) Projects projects~~ to protect, restore, or enhance
16 water quality in the state through the provision of financial
17 assistance to communities for impairment-based, locally
18 directed watershed projects. The department may use the
19 account to support the water resource restoration sponsor
20 program as provided in ~~section 455B.199.~~

21 ~~(2) Regional and community watershed assessment, planning,~~
22 ~~and prioritization efforts, including as provided in chapter~~
23 ~~466B.~~

24 b. Surface water protection projects and practices
25 administered by the department of agriculture and land
26 stewardship ~~or the department of natural resources~~, including
27 but not limited to the installation of permanent vegetation
28 cover, filter strips, grass waterways, and riparian forest
29 buffers; dredging; and bank stabilization. The ~~departments~~
30 ~~of agriculture and land stewardship and natural resources~~
31 department may use the account to support the conservation
32 buffer strip program provided in ~~section 466.4~~ 467.401 and the
33 conservation reserve enhancement program as provided in section
34 ~~466.5~~ 467.402.

35 c. The prairie seed harvest program administered by the

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1 department of natural resources as provided in section 467.405.

2 DIVISION VI

3 CODE ORGANIZATION

4 Sec. 57. DIRECTIONS TO CODE EDITOR — TRANSFERS. The
5 Code editor is directed to place chapter 467 in Title XI,
6 subtitle 2, and organize chapter 467 in subchapters, parts,
7 and sections, including as amended or enacted by this Act, as
8 follows:

9 1. Subchapter I which shall include the following
10 transferred sections:

- 11 a. Section 466B.1 to section 467.101.
- 12 b. Section 466B.2 to section 467.102.
- 13 c. Section 466B.9 to section 467.103.

14 2. Subchapter II, which shall include the following
15 transferred sections:

- 16 a. Section 466B.2A to section 467.201.
- 17 b. Section 466B.3 to section 467.202.
- 18 c. Section 466B.3A to section 467.203.
- 19 d. Section 466B.3B to section 467.204.

20 3. Subchapter III, which shall include the following parts:

21 a. Part 1 which shall include the following transferred
22 sections:

- 23 (1) Section 466B.41 to section 467.301.
- 24 (2) Section 466B.49 to section 467.302.

25 b. Part 2 which shall include the following transferred
26 sections:

- 27 (1) Section 466B.42 to section 467.311.
- 28 (2) Section 466B.45 to section 467.312.
- 29 (3) Section 466B.43 to section 467.313.
- 30 (4) Section 466B.44 to section 467.314.

31 c. Part 3 which shall include the following transferred
32 sections:

- 33 (1) Section 466B.47 to section 467.321.
- 34 (2) Section 466B.48 to section 467.322.
- 35 (3) Section 466B.46 to section 467.323.

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1 the "Surface Water Protection and Flood Mitigation Act"
2 (Code chapter 466B) which includes a number of subchapters,
3 including surface water protection and flood mitigation
4 (subchapter I), watershed management authorities (subchapter
5 II), watershed planning activities (subchapter III), and water
6 quality initiative — nutrients (subchapter IV). The bill then
7 transfers Code sections in Code chapters 466 and 466B to new
8 Code chapter 467, including subchapters.

9 SOIL CONSERVATION DISTRICTS LAW — BACKGROUND. Code chapter
10 161A is administered by the soil conservation and water quality
11 division (division) of DALS in cooperation with the state soil
12 conservation and water quality committee and the commissioners
13 (commissioners) of Iowa's 100 soil and water conservation
14 districts (districts) (Code section 161A.5). The Code chapter
15 authorizes the payment of cost-share incentive payments to
16 landowners voluntarily installing practices to control erosion
17 and conserve water resources, and preserve or improve water
18 quality. The installation of a soil and water conservation
19 practice is designed to prevent erosion by wind or water in
20 excess of the district's soil loss limit, meaning the maximum
21 amount of soil loss measured in tons per acre per year due
22 to erosion determined by the commissioners to be acceptable
23 in their district (Code section 161A.42). A soil and water
24 conservation practice may be permanent, meaning that it has an
25 existence of multiple crop years, or temporary, meaning that
26 it has an existence of a single crop year. The division is
27 responsible for providing funding to assist in the installation
28 of a soil and water conservation practice (Code section
29 161A.73) and assisting each district in developing a district
30 soil and water resource conservation plan (district plan) to
31 meet its soil loss limit (Code sections 161A.4 and 161A.7).

32 SOIL CONSERVATION DISTRICTS LAW (SOIL CONSERVATION AND
33 WATER QUALITY AND SOIL HEALTH) — BILL. The bill provides
34 for efforts to improve soil health, defined as the continuing
35 capacity of soil to function as a vital ecosystem that

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1 sustains plants, animals, and humans (Code section 161A.3).
2 The bill provides that a district plan must provide for the
3 improvement of soil health and that the division may support
4 the establishment of soil and water conservation practices that
5 improve soil health.

6 SOIL CONSERVATION DISTRICTS LAW (TEMPORARY SOIL AND
7 WATER CONSERVATION PRACTICES) — BILL. The bill expands the
8 definition of a temporary soil and water conservation practice
9 to include the use of cover crops, no-tillage, the installation
10 of an agriculture practice, silviculture practice, aquaculture
11 practice, or permaculture practice, or the use of extended crop
12 rotation or rotational grazing (Code section 161A.42).

13 SOIL CONSERVATION DISTRICTS LAW/BLUFFLANDS PROTECTION —
14 BACKGROUND AND BILL. A blufflands protection program (Code
15 section 161A.80A) and blufflands protection revolving fund
16 were enacted in 2015 (2015 Iowa Acts, chapter 132, sections 45
17 and 46). The purpose of the program and fund is to make loans
18 to conservation organizations purchasing bluffland properties
19 adjacent to state public lands. The principal and interest
20 from any loan made from the fund outstanding on July 1, 2025,
21 that would have been payable to the fund must instead be
22 payable to the rebuild Iowa infrastructure fund created in Code
23 section 8.57 (Code section 161A.80B). The bill eliminates the
24 program and fund on October 1, 2024. Under current law, the
25 program and fund are to be eliminated on July 1, 2030. Until
26 then, the administration of the program and fund are suspended
27 other than as needed to wind up their affairs. Moneys in the
28 fund are transferred to a new state parks and recreation areas
29 operations fund under the control of DNR. The new fund is
30 also supported by principal and interest on loans that would
31 otherwise be paid into the eliminated fund or later to the
32 rebuild Iowa infrastructure fund. For FY 2024-2025, moneys
33 in the new fund are appropriated to support the purchase of
34 interoperative park officer radios and improving accessibility
35 to state parks and recreational areas by persons with

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1 disabilities.

2 GROUNDWATER PROTECTION ACT (ANNUAL REPORT) — BACKGROUND
3 AND BILL. The declared policy of the state is to prevent
4 groundwater contamination from point and nonpoint sources and
5 to restore the state's groundwater to a potable condition
6 (Code section 455E.4). The bill amends the groundwater
7 protection fund (Code section 455E.11). The fund receives
8 moneys from various fees, is divided into several accounts,
9 and moneys from the fund are distributed to various entities
10 to carry out a stated purpose. DNR's director is responsible
11 for administering the fund and preparing a budget each year
12 regarding the expenditure of moneys in the fund. The secretary
13 of agriculture is required to submit a report to the governor
14 on a biennial basis regarding past and future expenditures.
15 The bill eliminates that requirement.

16 INITIATIVE ON IMPROVING OUR WATERSHED ATTRIBUTES (I ON IOWA)
17 — BACKGROUND AND BILL. The bill eliminates the provisions
18 naming the Code chapter (Code section 466.1) and its purpose
19 to develop a comprehensive water quality program that will
20 result in water quality improvements while reducing proposed
21 regulatory impacts (Code section 466.2). The bill also
22 eliminates the clean water award administered by DALs and DNR
23 (Code section 466.3). The bill revises the conservation buffer
24 strip program administered by DALs (Code section 466.4). The
25 bill eliminates a provision enacted as part of that program
26 in 2000, setting a five-year goal of enrolling an additional
27 475,000 acres. It also strikes a subsection and reenacts it
28 as a new stand-alone Code section requiring DNR to establish
29 a prairie seed harvest program (Code section 466.4A). The
30 bill revises the conservation reserve enhancement program
31 established to restore or construct wetlands, administered by
32 DALs (Code section 466.5). It eliminates a subsection enacted
33 in 2000, setting a five-year goal of establishing 32,500 acres
34 of wetlands. The bill does not amend a provision requiring
35 DNR to operate water quality monitoring stations (Code

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1 section 466.6). The bill amends the Code section enacting
2 the water quality protection program (Code section 466.7).
3 That Code section includes nine subsections, each specifying
4 responsibilities to be carried by DALS or DNR, with the first
5 three of the nine subsections administered by DALS and the last
6 six of the nine subsections administered by DNR. Subsection
7 1 provides for multiobjective resource protections for flood
8 control, water quality, erosion control, and natural resource
9 conservation, which is not revised. Subsection 2 provides
10 for a statewide, voluntary farm management demonstration
11 program which is eliminated. Subsection 3 provides financial
12 assistance for the establishment of permanent soil and water
13 conservation practices, which is also eliminated. The next
14 three of the nine subsections, administered by DNR, relate to
15 the collection or analysis of data for use in determining water
16 quality on a watershed level. Subsection 4 provides for the
17 collection and use of geographic information system data, which
18 is not amended; subsection 5 requires DNR to support local
19 volunteer management efforts; and subsection 6 requires DNR to
20 support the analysis of water quality monitoring data. The
21 provisions in each of these three subsections are eliminated
22 and reenacted as subsections in a new Code section (Code
23 section 466.7A). The last three of the nine subsections,
24 administered by DNR, relate to the same powers exercised under
25 Code chapter 455B, subchapter III, regulating water quality.
26 Subsection 7 authorizes DNR to enter into contracts to assist
27 its staff in reviewing national pollutant discharge elimination
28 permit system (NPDES) permits; subsection 8 requires DNR to
29 expand floodplain education; and subsection 9 requires DNR to
30 develop a total maximum daily load (TMDL) program. All three
31 of these final subsections are eliminated. The bill does not
32 revise the on-site wastewater systems assistance program (Code
33 section 466.8) or the on-site wastewater systems assistance
34 fund (Code section 466.9), both administered by DNR.

35 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT —

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1 BACKGROUND. Code chapter 466B requires DALs, DNR, and ISU
2 to administer programs providing measures to preserve and
3 improve surface water and prevent or mitigate floods. The
4 Code chapter is divided into the following subchapters:
5 subchapter I providing for surface water protection and flood
6 mitigation, first enacted in 2008 (2008 Iowa Acts, chapter
7 1034); subchapter II providing for watershed management
8 authorities, first enacted in 2010 (2010 Iowa Acts, chapter
9 1116); subchapter III providing for watershed planning
10 activities, also first enacted in that same Act; and subchapter
11 IV providing for a water quality initiative and water quality
12 initiative fund, first enacted in 2013 (2013 Iowa Acts, chapter
13 132), and the Iowa nutrient research center enacted in the same
14 Act.

15 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (GENERAL)
16 — BILL. The bill does not amend the Code chapter's short
17 title (Code section 466B.1). It amends the definitions Code
18 section by eliminating two terms, "council" and "political
19 subdivision", that do not apply to the entire Code chapter
20 (Code section 466B.2) and reenacts those terms in their
21 relevant subchapters. The definition of the term "council" is
22 enacted as a new Code section in the subchapter providing for
23 surface water protection and the flood mitigation (Code section
24 466B.2A) and the definition of the term "political subdivision"
25 is enacted in the subchapter providing for watershed management
26 authorities (Code section 466B.21).

27 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATER
28 RESOURCES COORDINATING COUNCIL) — BILL. The bill revises
29 the purposes of the water resources coordinating council by
30 eliminating a provision that refers to using an integrated
31 approach of water resource management (Code section 466B.3).
32 The bill strikes three subsections and reenacts them as
33 new Code sections, including subsections 4 and 5 providing
34 for the council's membership, meetings, and quorums (Code
35 section 466B.3A) and subsection 6 providing for the council's

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1 powers and duties (Code section 466B.3B). The bill amends a
2 provision authorizing DALS and DNR to adopt rules necessary
3 to administer the Code chapter, including by eliminating
4 provisions that refer to repealed Code sections (Code section
5 466B.9). Those repealed Code sections include legislative
6 findings and a marketing campaign (Code section 466B.4), the
7 creation of a regional watershed assessment, planning, and
8 prioritization, administered by DNR (Code section 466B.5), the
9 creation of community-based subwatershed improvement plans
10 administered by DNR (Code section 466B.6), community-based
11 subwatershed monitoring administered by DNR (Code section
12 466B.7), a wastewater and storm water infrastructure assessment
13 administered by DNR (Code section 466B.8), efforts to form a
14 chapter of the association of floodplain managers administered
15 by the council (Code section 466B.10), and education provided
16 to the general public regarding floodplains (Code section
17 466B.11).

18 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED
19 MANAGEMENT AUTHORITIES) — BACKGROUND. Two or more political
20 subdivisions may enter into a Code chapter 28E agreement to
21 participate in joint projects to improve watershed quality
22 by forming an entity referred to as a watershed management
23 authority (authority). The relevant provisions include
24 definitions (Code section 466B.21), procedures to create an
25 authority (Code section 466B.22), the duties of an authority
26 (Code section 466B.23), the authority's board of directors
27 (Code section 466B.24), and the authority's ability to
28 coordinate its activities with DNR.

29 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED
30 MANAGEMENT AUTHORITIES) — BILL. The bill changes the
31 name of a watershed management authority to a watershed
32 management partnership (partnership). The bill provides that
33 a partnership may identify, plan for, and assess options
34 to reduce the risk of flood in the watershed (Code section
35 466B.23). It also eliminates provisions in that Code section

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1 authorizing a partnership to assess water quality, and engage
2 in education efforts regarding water quality. The bill
3 authorizes a partnership to coordinate its efforts with DALs,
4 DNR, councils of governments, a public drinking water utility,
5 and a soil and water conservation district. The bill prohibits
6 a partnership from allocating moneys for water quality, unless
7 the moneys are expended consistent with the Iowa nutrient
8 reduction strategy (see Code section 455B.171) or DNR's Iowa
9 storm water management manual. The name of the governing
10 body is changed from a board of directors to a joint board
11 in conformance with chapter 28E agreement requirements (Code
12 section 28E.6). The bill eliminates requirements establishing
13 a number of board members and their terms, cause for their
14 removals, the designation of officers, and quorum requirements.
15 The bill includes a temporary provision carrying over the terms
16 of the board of directors and continuing actions taken by the
17 board of directors. The bill eliminates the provision which
18 expressly allows a partnership to coordinate its activities
19 with DNR (Code section 466B.25).

20 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATERSHED
21 PLANNING ADVISORY COUNCIL) — BACKGROUND AND BILL. The
22 watershed planning advisory council represents diverse
23 stakeholders for purposes of reviewing research and making
24 recommendations to various state entities regarding methods
25 to protect water resources in the state, assure an adequate
26 supply of water, mitigate and prevent floods, and coordinate
27 the management of those resources in a sustainable, fiscally
28 responsible, and environmentally responsible manner (Code
29 section 466B.31). The bill eliminates the council.

30 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (WATER
31 QUALITY INITIATIVE) — BACKGROUND AND BILL. The water quality
32 initiative is established in order to assess and reduce
33 nutrients in this state's watersheds, including subwatersheds
34 and regional watersheds, and to implement programs to reduce
35 nutrients in surface waters from nonpoint sources in a

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1 scientific, reasonable, and cost-effective manner (Code section
2 466B.42). The initiative is administered by DALS acting
3 through the division. Information received by these entities
4 that identifies participating landowners is confidential
5 (Code section 466B.49). The division administers two water
6 quality agriculture infrastructure programs, including
7 an edge-of-field infrastructure program and an in-field
8 infrastructure program (Code section 466B.43). The purpose of
9 the programs is to support projects that reduce contributing
10 nutrient loads, associated sediment, or contaminants to surface
11 waters consistent with the Iowa nutrient reduction strategy.
12 The division also administers an urban infrastructure
13 program to support watershed projects that decrease erosion,
14 precipitation-induced surface runoff, and storm water
15 discharges and that increase water infiltration rates based
16 on DNR's Iowa's storm water management manual (Code section
17 466B.44). Moneys deposited into the water quality initiative
18 fund (Code section 466B.45) are used to support the initiative.
19 The bill eliminates the term "fund" from the Code section
20 defining terms in the subchapter since the subchapter includes
21 two funds (Code section 466B.41). The bill does not revise
22 the remaining Code sections other than to provide coordinating
23 amendments due to their transfer to Code chapter 467.

24 SURFACE WATER PROTECTION AND FLOOD MITIGATION ACT (NUTRIENT
25 RESEARCH) — BACKGROUND AND BILL. The Iowa nutrient research
26 center is established as part of ISU to pursue a science-based
27 approach to nutrient management research that provides
28 recommendations for the development and implementation of
29 nutrient management practices (Code section 466.47). An Iowa
30 nutrient research center advisory council recommends possible
31 research issues for the center (Code section 466B.48). Moneys
32 deposited into the Iowa nutrient research fund are used to
33 support the initiative (Code section 466B.46). The bill does
34 not revise the remaining Code sections other than to provide
35 coordinating amendments due to their transfer to Code chapter

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1 467.

2 TRANSFERS. The bill provides that the amended or enacted
3 Code sections in Code chapters 466 and 466B are to be
4 transferred to new Code chapter 467 which is to be divided into
5 five subchapters. The bill also makes a number of conforming
6 changes by amending provisions which refer to repealed Code
7 sections discussed above. Many of the conforming changes
8 amend Code sections that provide sources of moneys used to
9 support water quality initiative programs and the Iowa nutrient
10 research center without making substantive changes. Sources
11 of moneys used to support initiative programs include the
12 groundwater protection fund (Code section 455E.11) and the
13 water quality infrastructure fund (Code section 8.57B) that
14 includes moneys from the rebuild Iowa infrastructure fund
15 (Code section 8.57) and the water quality financial assistance
16 fund (Code section 16.134A) financed from moneys generated
17 from water service tax revenues (Code section 423G.6); and any
18 future moneys from the soil conservation and water protection
19 account (Code section 461.33) of the natural resources and
20 outdoor recreation trust fund (Code section 461.31). Amended
21 Code sections that provide sources of moneys used to support
22 the center include the groundwater protection fund and the
23 moneys collected from persons assessed civil penalties for
24 violating animal feeding operation statutes and rules (Code
25 sections 459.602, 459.603, 459.604, 459A.502, and 459B.402).

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House File 2615 - Introduced

HOUSE FILE 2615
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2347)

A BILL FOR

1 An Act relating to education, including by requiring community
2 colleges to publish information related to graduates,
3 requiring school districts to provide students enrolled
4 in grades eleven and twelve with information related to
5 graduates of community colleges and the average income
6 and student debt of graduates of institutions of higher
7 education governed by the state board of regents, and
8 modifying provisions related to supplementary weighting.
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 257.11, subsection 5, paragraph d, Code
2 2024, is amended to read as follows:

3 d. Supplementary weighting pursuant to [this subsection](#)
4 shall be available to a school district during the period
5 commencing with the budget year beginning July 1, 2014, through
6 the budget year beginning July 1, 2034. The maximum amount
7 of additional weighting for which a school district shall be
8 eligible in a budget year is twenty-one additional pupils;
9 provided, however, that for budget years beginning on or after
10 July 1, 2024, the supplementary weighting assigned for a shared
11 operational function in the area of a college and career
12 transition counselor or coordinator shall not count toward this
13 maximum amount. Criteria for determining the qualification
14 of operational functions for supplementary weighting shall be
15 determined by the department by rule, through consideration of
16 increased student opportunities.

17 Sec. 2. Section 260C.14, Code 2024, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 25. Publish on the community college's
20 internet site a link to the Iowa student outcomes internet site
21 maintained by the department of education.

22 Sec. 3. NEW SECTION. **279.84 College and career transition**
23 **counselors or coordinators — information related to the**
24 **completion of postsecondary programs.**

25 1. The board of directors of each school district shall
26 provide each student enrolled in the school district in
27 grades eleven and twelve who has expressed an interest in
28 postsecondary education, including in the student's individual
29 career and academic plan created pursuant to section 279.61,
30 with all of the following:

31 a. The most recent copy of the report published by the state
32 board of regents pursuant to section 262.9, subsection 38.

33 b. A link to the Iowa student outcomes internet site
34 maintained by the department of education.

35 2. If the school district employs a college and career

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1 transition counselor or coordinator, the college and career
2 transition counselor or coordinator shall be responsible for
3 providing the information described in subsection 1.

4 3. For purposes of this section, "*college and career*
5 *transition counselor or coordinator*" means a licensed school
6 counselor or an appropriately trained individual responsible
7 for providing direct services to students, parents, families,
8 schools, and postsecondary institutions to support college
9 preparation and postsecondary success, such as college
10 preparation, financial aid processing, and transition to
11 postsecondary institution enrollment.

12 Sec. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
13 with section 25B.2, subsection 3, the state cost of requiring
14 compliance with any state mandate included in this Act shall
15 be paid by a school district from state school foundation aid
16 received by the school district under section 257.16. This
17 specification of the payment of the state cost shall be deemed
18 to meet all of the state funding-related requirements of
19 section 25B.2, subsection 3, and no additional state funding
20 shall be necessary for the full implementation of this Act
21 by and enforcement of this Act against all affected school
22 districts.

23 EXPLANATION

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

26 This bill relates to education, including by requiring
27 community colleges to publish information related to graduates,
28 requiring school districts to provide students enrolled in
29 grades 11 and 12 with information related to graduates of
30 community colleges and the average income and student debt of
31 graduates of institutions of higher education governed by the
32 state board of regents, and modifying provisions related to
33 supplementary weighting.

34 The bill requires community colleges to publish a link
35 to the Iowa student outcomes internet site on the community

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1 college's internet site. The Iowa student outcomes internet
2 site contains a compilation of data and information related
3 to student success in secondary school, college readiness,
4 postsecondary education, gainful employment, and adult literacy
5 programs. The bill requires each school district to provide
6 to each student in grades 11 and 12 who has expressed an
7 interest in postsecondary education with a copy of a report
8 prepared by the state board of regents that relates to the
9 income and student loan debt of students who have completed
10 a baccalaureate degree program at an institution of higher
11 education under the control of the state board of regents and
12 a link to the Iowa student outcomes internet site. The bill
13 establishes that, if the school district employs a college and
14 career transition counselor or coordinator, such counselor
15 or coordinator is responsible for providing these materials.
16 The bill defines "college and career transition counselor
17 or coordinator" to mean a licensed school counselor or an
18 appropriately trained individual responsible for providing
19 direct services to students, parents, families, schools, and
20 postsecondary institutions to support college preparation and
21 postsecondary success, such as college preparation, financial
22 aid processing, and transition to postsecondary institution
23 enrollment.

24 Current law provides that a school district that shares
25 with a political subdivision one or more operational functions
26 in certain specified areas for at least 20 percent of the
27 school year shall be assigned a supplementary weighting
28 for each shared operational function. The purpose of the
29 supplementary weighting is to provide additional funding to
30 increase student opportunities and redirect more resources
31 to student programming for school districts. Under current
32 law, the supplementary weighting associated with a college and
33 career transition counselor or coordinator is two pupils for
34 the school budget years beginning on or after July 1, 2022,
35 but before July 1, 2035. In addition, under current law the

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1 maximum amount of additional weighting for which a school
2 district is eligible in a budget year is 21 additional pupils.
3 The bill provides that the supplementary weighting associated
4 with a shared operational function in the area of a college
5 and career transition counselor or coordinator shall not count
6 toward the maximum amount of additional weighting for budget
7 years beginning on or after July 1, 2024.

8 The bill may include a state mandate as defined in Code
9 section 25B.3. The bill requires that the state cost of
10 any state mandate included in the bill be paid by a school
11 district from state school foundation aid received by the
12 school district under Code section 257.16. The specification
13 is deemed to constitute state compliance with any state mandate
14 funding-related requirements of Code section 25B.2. The
15 inclusion of this specification is intended to reinstate the
16 requirement of political subdivisions to comply with any state
17 mandates included in the bill.

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House File 2616 - Introduced

HOUSE FILE 2616
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 528)

A BILL FOR

1 An Act relating to defense subpoenas in criminal cases, and
2 providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

3 For purposes of [this chapter](#), [chapters 13B](#), [229A](#), [232](#), [665](#),
4 [812](#), [814](#), and [822](#), and ~~section~~ sections [811.1A](#) and [821A.1](#), and
5 the rules of criminal procedure, a person is indigent if the
6 person is entitled to an attorney appointed by the court as
7 follows:

8 Sec. 2. NEW SECTION. **821A.1 Defense subpoenas in criminal**
9 **actions.**

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

15 (1) There is a compelling need for the evidence sought and
16 that such evidence is material, necessary, exculpatory, and
17 admissible at trial.

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

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

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

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

32 2. Notwithstanding any rule of criminal procedure
33 concerning the issuance of a subpoena, this section is the
34 exclusive mechanism for a criminal defendant or counsel acting
35 on the defendant's behalf to issue a subpoena for documents or

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1 other evidence.

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

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

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

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

17 7. Documents or other evidence obtained through a defense
18 subpoena must be provided to the prosecuting attorney within
19 three business days after the receipt of the documents or other
20 evidence.

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

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

26 10. An applicant for postconviction relief shall not be
27 entitled to relief on a claim of ineffective assistance of
28 counsel as a result of evidence obtained through a defense
29 subpoena.

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 defense subpoenas in criminal cases.

34 The bill provides that a criminal defendant or counsel
35 acting on the defendant's behalf shall not issue any subpoena

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1 for documents or other evidence except upon application to the
2 court. An application shall not be granted unless a defendant
3 proves by a preponderance of the evidence there is a compelling
4 need for the evidence sought and that such evidence is
5 material, necessary, exculpatory, and admissible at trial; and
6 the evidence sought does not include the private information of
7 a crime victim or any other person except for the defendant's
8 own private information.

9 Notwithstanding any rule of criminal procedure concerning
10 the issuance of a subpoena, the bill provides that the
11 procedure set forth in the bill is the exclusive mechanism
12 for a criminal defendant or counsel acting on behalf of the
13 defendant to issue a subpoena for documents or other evidence.
14 Documents or other evidence obtained by a subpoena that does
15 not comply with the requirements of the bill shall not be
16 admissible in any criminal action if offered by the defendant,
17 and an attorney who knowingly issues a defense subpoena that
18 does not comply with the requirements of the bill may be
19 sanctioned by the court. An application for a defense subpoena
20 shall not be made or reviewed ex parte. Any documents or
21 evidence obtained by a defense subpoena must be provided to the
22 prosecuting attorney within three business days of obtaining
23 the documents or evidence.

24 The bill provides that upon application by a crime victim or
25 the prosecuting attorney, the court shall appoint an attorney
26 to represent a person or entity served with a defense subpoena,
27 if the person or entity is indigent.

28 The bill provides that an applicant for postconviction
29 relief shall not be entitled to relief on a claim of
30 ineffective assistance of counsel as a result of evidence
31 obtained through a defense subpoena.

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House File 2617 - Introduced

HOUSE FILE 2617
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2031)

A BILL FOR

1 An Act incorporating provisions related to pregnancy and
2 fetal development into the human growth and development and
3 health curriculum provided by school districts, accredited
4 nonpublic schools, charter schools, and innovation zone
5 schools to students enrolled in grades seven through twelve.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 256.11, subsection 4, Code 2024, is
2 amended to read as follows:

3 4. The following shall be taught in grades seven and
4 eight: English-language arts; social studies; mathematics;
5 science; health; age-appropriate and research-based human
6 growth and development; career exploration and development;
7 physical education; music; and visual art. Computer science
8 instruction incorporating the standards established under
9 section 256.7, subsection 26, paragraph "a", subparagraph (4),
10 shall be offered in at least one grade level commencing with
11 the school year beginning July 1, 2023. Career exploration
12 and development shall be designed so that students are
13 appropriately prepared to create an individual career
14 and academic plan pursuant to [section 279.61](#), incorporate
15 foundational career and technical education concepts aligned
16 with the six career and technical education service areas as
17 defined in [subsection 5](#), paragraph "h", incorporate relevant
18 twenty-first century skills to facilitate career readiness,
19 and introduce students to career opportunities within the
20 local community and across this state. The health curriculum
21 shall include age-appropriate and research-based information
22 regarding the characteristics of sexually transmitted diseases.
23 The state board as part of accreditation standards shall adopt
24 curriculum definitions for implementing the program in grades
25 seven and eight. However, [this subsection](#) shall not apply to
26 the teaching of career exploration and development in nonpublic
27 schools. The human growth and development curriculum shall
28 include all of the following:
29 a. Human biology related to pregnancy.
30 b. Human development inside the womb.
31 c. A high-definition ultrasound video, at least three
32 minutes in duration, showing the development of the brain,
33 heart, sex organs, and other vital organs in early fetal
34 development.
35 d. A high-quality, computer-generated rendering or

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1 animation, comparable to the meet baby Olivia video developed
2 by live action, showing the process of fertilization and
3 every stage of human development inside the uterus, noting
4 significant markers in cell growth and organ development for
5 every significant marker of pregnancy until birth.

6 Sec. 2. Section 256.11, subsection 5, paragraph j,
7 subparagraph (1), Code 2024, is amended to read as follows:

8 (1) One unit of health education which may include personal
9 health; food and nutrition; environmental health; safety and
10 survival skills; consumer health; family life; age-appropriate
11 and research-based human growth and development; substance
12 use disorder and nonuse; emotional and social health; health
13 resources; cardiopulmonary resuscitation; and prevention
14 and control of disease, including age-appropriate and
15 research-based information regarding sexually transmitted
16 diseases. The health education curriculum shall include all
17 of the following:

18 (a) Human biology related to pregnancy.

19 (b) Human development inside the womb.

20 (c) A high-definition ultrasound video, at least three
21 minutes in duration, showing the development of the brain,
22 heart, sex organs, and other vital organs in early fetal
23 development.

24 (d) A high-quality, computer-generated rendering or
25 animation, comparable to the meet baby Olivia video developed
26 by live action, showing the process of fertilization and
27 every stage of human development inside the uterus, noting
28 significant markers in cell growth and organ development for
29 every significant marker of pregnancy until birth.

30 Sec. 3. Section 256E.7, subsection 2, paragraph g, Code
31 2024, is amended to read as follows:

32 g. Be subject to and comply with the requirements of section
33 256.7, subsection 21, and the educational standards of section
34 256.11, unless specifically waived by the state board during
35 the application process; provided, however, that the state

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7 NEW PARAGRAPH. *p.* Be subject to and comply with the
8 requirements of section 256.11 relating to the human growth
9 and development curriculum for grades seven and eight and the
10 health curriculum for grades nine through twelve.

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

14 This bill incorporates provisions related to pregnancy and
15 fetal development into the human growth and development and
16 health curriculum provided by school districts, accredited
17 nonpublic schools, charter schools, and innovation zone schools
18 to students enrolled in grades 7 through 12.

19 The bill requires that the human growth and development
20 curriculum provided by school districts, nonpublic schools,
21 charter schools, and innovation zone schools in grades 7 and
22 8, and the health curriculum in grades 9 through 12, include
23 instruction regarding human biology related to pregnancy and
24 human development inside the womb. The bill also requires
25 that such curriculum include a video, at least three minutes
26 in duration, showing the development of the brain, heart, sex
27 organs, and other vital organs in early fetal development,
28 and a rendering or animation, comparable to the meet baby
29 Olivia video developed by live action, showing the process of
30 fertilization and every stage of human development inside the
31 uterus, noting significant markers in cell growth and organ
32 development for every significant marker of pregnancy until
33 birth.

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House File 2618 - Introduced

HOUSE FILE 2618
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 650)

A BILL FOR

1 An Act relating to elementary literacy by modifying teacher
2 preparation program requirements, requiring personalized
3 reading plans for certain students, and providing parent and
4 guardian discretion for their students to be retained at
5 grade level.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 256.16, subsection 1, Code 2024, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *m.* (1) Administer, prior to a student's
4 completion of the approved practitioner preparation program, an
5 examination identical to the foundations of reading assessment
6 administered in 2012 as part of the Massachusetts tests
7 for educator licensure, or the most current version of such
8 assessment. To successfully complete the program, a student
9 must attain a score on the assessment that is at or above
10 the minimum passing score established by the department. In
11 establishing the minimum passing score for purposes of this
12 paragraph, the department shall consider the minimum passing
13 score recommended by the developer of the assessment and the
14 current teaching standards in this state.

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

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

29 NEW PARAGRAPH. *c.* (1) Each school district shall provide
30 written notice to the parent or guardian of any student in
31 grade three who is not reading proficiently of the student's
32 level of reading or reading readiness. The written notice
33 shall contain a description of the parent's or guardian's
34 authority to request that the student be retained in grade
35 three pursuant to subparagraph (2).

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1 practitioner preparation programs to administer, prior to a
2 student's completion of the program, an examination identical
3 to the foundations of reading assessment administered in 2012
4 as part of the Massachusetts tests for educator licensure,
5 or the most current version of such assessment. The bill
6 establishes that, to successfully complete the program,
7 a student must attain a score on the assessment that is
8 at or above the minimum passing score established by the
9 department. In establishing the minimum passing score, the
10 bill requires the department to consider the minimum passing
11 score recommended by the developer of the assessment and the
12 current teaching standards in this state. The bill requires
13 higher education institutions to report to the department
14 annually the scores students receive on the assessment and
15 any services or opportunities the institution makes available
16 to students who fail the assessment. Additionally, the bill
17 requires the department to compile these reports and publish
18 on the department's internet site the compiled reports related
19 to students enrolled in the program who plan to teach in
20 kindergarten through grade six.

21 The bill requires a school district to provide written
22 notice to the parent or guardian of any student in grade
23 three who is not reading proficiently of the student's level
24 of reading or reading readiness. The bill provides that the
25 written notice shall indicate that if the parent or guardian
26 submits a request that the student be retained in grade three,
27 the school district shall not promote the student to grade four
28 but shall retain the student at grade three for the subsequent
29 school year. However, the bill establishes that, if during the
30 student's grade three year, the administrator and the student's
31 classroom teacher provide evidence to the student's parent or
32 guardian that the student has made adequate progress and is
33 reading at grade level, the student's parent or guardian may
34 withdraw the request and the school district may promote the
35 student to grade four.

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1 The bill requires a school district to provide to students
2 who are not reading proficiently at the start of the student's
3 grade three school year with a personalized reading plan.

4 The bill provides that the school district shall continue to
5 provide such plans to students in grade three through the end
6 of grade six if necessary.

7 The bill may include a state mandate as defined in Code
8 section 25B.3. The bill makes inapplicable Code section 25B.2,
9 subsection 3, which would relieve a political subdivision from
10 complying with a state mandate if funding for the cost of
11 the state mandate is not provided or specified. Therefore,
12 political subdivisions are required to comply with any state
13 mandate included in the bill.

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House File 2619 - Introduced

HOUSE FILE 2619
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 529)

A BILL FOR

1 An Act relating to the judicial retirement fund.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. 2619

1 Section 1. Section 602.9104, subsection 4, Code 2024, is
2 amended to read as follows:

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

5 ~~a. "Actuarial valuation" means an actuarial valuation of the~~
6 ~~judicial retirement system or an annual actuarial update of an~~
7 ~~actuarial valuation, as required pursuant to [section 602.9116](#).~~

8 ~~b. "Fully funded status" means that the most recent~~
9 ~~actuarial valuation reflects that the funded status of the~~
10 ~~system is at least one hundred percent, based upon the benefits~~
11 ~~provided for judges through the judicial retirement system as~~
12 ~~of July 1, 2006.~~

13 ~~c. a. "Judge's required contribution" means an amount equal~~
14 ~~to the basic salary of the judge multiplied by the following~~
15 ~~applicable percentage:~~

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

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

20 ~~(3) For nine and thirty-five hundredths percent for~~
21 ~~the fiscal year beginning July 1, 2010 2024, and for each~~
22 ~~subsequent fiscal year until the system attains fully funded~~
23 ~~status, nine and thirty-five hundredths percent.~~

24 ~~(4) Commencing with the first fiscal year in which the~~
25 ~~system attains fully funded status, and for each subsequent~~
26 ~~fiscal year, the percentage rate equal to forty percent of the~~
27 ~~required contribution rate.~~

28 ~~d. "Required contribution rate" means that percentage of the~~
29 ~~basic salary of all judges covered under [this article](#) equal to~~
30 ~~the actuarially required contribution rate determined by the~~
31 ~~actuary pursuant to [section 602.9116](#).~~

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

35 ~~(1) For thirty and six-tenths percent for the fiscal year~~

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1 beginning July 1, 2008 2024, and for each subsequent fiscal
2 year ~~until the system attains fully funded status, thirty and~~
3 ~~six-tenths percent.~~

4 ~~{2} Commencing with the first fiscal year in which the~~
5 ~~system attains fully funded status, and for each subsequent~~
6 ~~fiscal year, the percentage rate equal to sixty percent of the~~
7 ~~required contribution rate.~~

8 Sec. 2. Section 602.9116, subsection 1, Code 2024, is
9 amended to read as follows:

10 1. The court administrator shall cause an actuarial
11 valuation to be made of the assets and liabilities of the
12 judicial retirement fund at least once every four years
13 commencing with the fiscal year beginning July 1, 1981. For
14 each fiscal year in which an actuarial valuation is not
15 conducted, the court administrator shall cause an annual
16 actuarial update to be prepared for the purpose of determining
17 the adequacy of the contribution rates specified in section
18 602.9104. The court administrator shall adopt actuarial
19 methods and assumptions, mortality tables, and other necessary
20 factors for use in the actuarial calculations required for
21 the valuation upon the recommendation of the actuary. In
22 addition, ~~effective with the fiscal year beginning July 1,~~
23 ~~2008,~~ the actuarial valuation or actuarial update required to
24 be conducted shall include information as required by section
25 97D.5. Following the actuarial valuation or annual actuarial
26 update, the court administrator shall determine the condition
27 of the system, ~~determine the actuarially required contribution~~
28 ~~rate for each fiscal year which is the rate required by the~~
29 ~~system to discharge its liabilities, stated as a percentage of~~
30 ~~the basic salary of all judges covered under this article,~~ and
31 shall report any findings and recommendations to the general
32 assembly.

EXPLANATION

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

LSB 5250HV (1) 90
cm/ns

2/3

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1 This bill modifies the contribution rates for the judicial
2 retirement fund. The bill redefines the term "judge's required
3 contribution" to mean an amount equal to the basic salary of
4 the judge multiplied by 9.35 percent beginning in FY 2024-2025,
5 and the term "state's required contribution" to mean an amount
6 equal to the basic salary of all judges multiplied by 30.6
7 percent beginning in FY 2024-2025. The bill's contribution
8 rates apply regardless of whether the judicial retirement fund
9 is fully funded.

10 The bill amends the actuarial valuation procedure by the
11 court administrator to strike associated provisions.

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House Study Bill 716 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED AUDITOR OF STATE
BILL)

A BILL FOR

1 An Act exempting from state income tax income received by a
2 certified public accountant performing certain audits or
3 examinations of governmental subdivisions, and including
4 retroactive applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. H.F.

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S.F. _____ H.F. _____

1 after January 1, 2024.

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Senate File 2268

S-5007

1 Amend Senate File 2268 as follows:

2 1. Page 2, lines 20 and 21, by striking <services, including
3 lease restrictions and additional payments> and inserting

4 <services>

5 2. Page 3, line 17, by striking <premises> and inserting
6 <leased premises, the landlord's property, any other person's
7 property,>

8 3. Page 3, line 18, by striking <premises> and inserting
9 <leased premises, the landlord's property, any other person's
10 property>

SCOTT WEBSTER

Iowa General Assembly
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Senate File 2275

S-5008

1 Amend Senate File 2275 as follows:

2 1. Page 1, by striking lines 1 through 13.

3 2. Page 1, line 29, by striking <petitions and>

4 3. Title page, line 1, before <actions> and inserting
5 <appellate>

6 4. By renumbering as necessary.

MIKE BOUSSELOT

Iowa General Assembly
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Senate File 2275

S-5009

1 Amend Senate File 2275 as follows:

2 1. Page 1, line 3, before <A> by inserting <1.>

3 2. Page 1, line 6, by striking <1.> and inserting <a.>

4 3. Page 1, line 9, by striking <2.> and inserting <b.>

5 4. Page 1, after line 13 by inserting:

6 <2. After notice has been served pursuant to subsection 1,
7 the chief clerk of the house shall promptly provide the notice
8 and copy of the pleading, motion, or petition to the speaker
9 of the house of representatives and the minority leader of
10 the house of representatives, and the secretary of the senate
11 shall promptly provide the notice and copy of the pleading,
12 motion, or petition to the majority leader of the senate and
13 the minority leader of the senate.>

14 5. Page 1, line 16, before <In> by inserting <1.>

15 6. Page 1, line 18, by striking <1.> and inserting <a.>

16 7. Page 1, line 21, by striking <2.> and inserting <b.>

17 8. Page 1, after line 26 by inserting:

18 <2. After notice has been served pursuant to subsection 1,
19 the chief clerk of the house shall promptly provide the notice
20 and copy of the pleading, motion, or petition to the speaker
21 of the house of representatives and the minority leader of
22 the house of representatives, and the secretary of the senate
23 shall promptly provide the notice and copy of the pleading,
24 motion, or petition to the majority leader of the senate and
25 the minority leader of the senate.>

JANET PETERSEN

Iowa General Assembly
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Senate File 2251

S-5010

1 Amend Senate File 2251 as follows:

2 1. Page 1, by striking lines 1 through 18 and inserting:

3 <Section 1. Section 249A.3, subsection 1, paragraph h, Code
4 2024, is amended to read as follows:

5 h. Is a woman who, while pregnant, meets eligibility
6 requirements for assistance under the federal Social Security
7 Act, section 1902(1), and continues to meet the requirements
8 except for income. The woman is eligible to receive assistance
9 until ~~sixty days~~ twelve months after the date pregnancy ends.>

10 2. Page 1, line 20, by striking <AMENDMENTS> and inserting
11 <AMENDMENT>

12 3. By striking page 1, line 28, through page 2, line 1, and
13 inserting <eligibility under the Medicaid program to pregnant
14 women beginning January 1, 2025.>

15 4. Page 2, line 5, by striking <state plan amendments> and
16 inserting <a state plan amendment>

17 5. Page 2, by striking lines 10 and 11 and inserting:

18 <The section of this Act amending section 249A.3, subsection
19 1, paragraph "h".>

JANET PETERSEN

Iowa General Assembly
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Senate File 2252

S-5011

1 Amend Senate File 2252 as follows:

2 1. Page 1, by striking line 22 and inserting:

3 <(1) "Pregnancy support services" means those evidence-based
4 nonmedical>

5 2. Page 1, by striking line 24 and inserting <counseling
6 provided by a licensed mental health professional, and
7 evidence-based support services that assist pregnant women or>

8 3. Page 3, by striking lines 28 and 29 and inserting:

9 <f. Offer, at a minimum, counseling by a licensed mental
10 health professional, or evidence-based services for women who
11 are or may be experiencing unplanned pregnancies.>

12 4. Page 4, after line 9 by inserting:

13 <k. Provide public disclosure in large, readable, boldface
14 type, that the provider of pregnancy support services is not
15 a licensed health care provider. The public disclosure shall
16 include information regarding the hospital or clinic nearest to
17 the location of the provider of pregnancy support services that
18 provides pregnancy delivery services, and shall be available,
19 at a minimum, as follows:

20 (1) Prominently, physically displayed at a conspicuous
21 location, clearly visible to the public, at all outside
22 entrances to any location of the provider of pregnancy support
23 services.

24 (2) Included in all advertising and marketing materials of
25 the provider of pregnancy support services, and in all other
26 media and formats.

27 (3) Posted on the internet site of the provider of pregnancy
28 support services. The posted disclosure shall be readily
29 accessible to the public, including by not requiring a login
30 credential or other restriction to access the disclosure.

31 (4) Included in all pregnancy support services and office
32 forms distributed by a provider of pregnancy support services.

33 1. Ensure that any ultrasounds performed are performed by a
34 licensed health care provider qualified to interpret ultrasound
35 results.>

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JANET PETERSEN

Iowa General Assembly
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Senate File 2252

S-5012

1 Amend Senate File 2252 as follows:

2 1. Page 4, line 9, after <laws.> by inserting <A provider
3 of pregnancy support services shall comply with the federal
4 Health Insurance Portability and Accountability Act or HIPAA
5 as defined in section 135D.2, whether or not the provider is a
6 covered entity as defined under HIPAA or is otherwise subject
7 to HIPAA.>

8 2. Page 4, after line 9 by inserting:

9 <k. Secure written informed consent from a pregnant woman
10 prior to provision of an ultrasound if the ultrasound is to
11 be performed by a person who is not a licensed health care
12 provider qualified to interpret ultrasound results. The
13 provider shall retain a copy of the written informed consent in
14 the provider's records.

15 4A. The department shall publish the complete text of each
16 contract entered into with a provider of pregnancy support
17 services on the department's internet site.>

18 3. Page 4, before line 12 by inserting:

19 <5. The department shall establish a complaints process for
20 submission of reports of alleged violations of this section,
21 including alleged violations of administrative rules or the
22 terms of contracts entered into under this section. A provider
23 of pregnancy support services determined by the department to
24 have three or more substantiated complaints is deemed to have
25 breached the provider's contract, and is subject to repayment
26 of any unexpended funds received under the contract.>

27 4. Page 4, by striking line 13 and inserting <17A to
28 administer the program, ~~and~~ including the process for reporting
29 and substantiating complaints. If the department selects>

30 5. Page 5, before line 2 by inserting:

31 <f. For each provider of pregnancy support services under
32 contract, the number of Iowans served by the provider, the type
33 of services provided, and the amount of state funding expended
34 for each service.

35 g. The number of complaints submitted to the department, the

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1 number of complaints substantiated, and any action taken on the
2 substantiated complaints.>
3 6. By renumbering as necessary.

SARAH TRONE GARRIOTT

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Senate File 2205

S-5013

1 Amend Senate File 2205 as follows:

2 1. Page 1, line 3, after <2.> by inserting <a.>

3 2. Page 1, by striking line 12 and inserting <field of
4 examination.>

5 3. Page 1, before line 13 by inserting:

6 <b. An applicant who has successfully>

7 4. Page 1, line 24, after <agency.> by inserting <However,
8 the applicant shall complete and pass the applicable physical
9 examination provided in subsection 1 prior to beginning the new
10 employment.>

SCOTT WEBSTER

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Senate File 2275

S-5014

1 Amend Senate File 2275, as follows:

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

4 <Section 1. NEW SECTION. 625A.7 Challenges to
5 constitutionality of statutes — notice to general assembly.

6 1. In an action that challenges the constitutionality of a
7 statute, the appellant shall do all of the following:

8 a. File a notice of constitutional question stating the
9 question and identifying the pleading, motion, or petition that
10 raises the challenge to the constitutionality of the statute.

11 b. Serve notice and a copy of the pleading, motion, or
12 petition that raises the challenge to the constitutionality of
13 the statute upon the general assembly by the chief clerk of the
14 house and the secretary of the senate by personal service or
15 by restricted certified mail at the time of application for
16 interlocutory appeal or notice of appeal is filed.

17 2. After notice has been served upon the general assembly
18 pursuant to subsection 1, both of the following shall occur:

19 a. The chief clerk of the house shall promptly provide the
20 notice and copy of the pleading, motion, or petition to the
21 speaker of the house of representatives and the minority leader
22 of the house of representatives.

23 b. The secretary of the senate shall promptly provide the
24 notice and copy of the pleading, motion, or petition to the
25 majority leader of the senate and the minority leader of the
26 senate.

27 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
28 importance, takes effect upon enactment.

29 Sec. 3. APPLICABILITY. This Act applies to appeals filed on
30 or after the effective date of this Act.>

31 2. Title page, line 1, before <actions> and inserting
32 <appellate>

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MIKE BOUSSELOT

Iowa General Assembly
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Senate File 2355

S-5015

1 Amend Senate File 2355 as follows:

2 1. Page 2, line 28, by striking <department upon the
3 department's request,> and inserting <department,>

WAYLON BROWN

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Senate File 2385 - Introduced

SENATE FILE 2385
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 3172)

A BILL FOR

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

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

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S.F. 2385

1 DIVISION I

2 ESTABLISHMENT AND REVIEW OF BOARDS, COMMISSIONS, COMMITTEES,

3 AND COUNCILS

4 Section 1. NEW SECTION. 4A.1 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

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

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

11 3. "*Nonhealth profession*" means a profession regulated by
12 this state other than as provided in Title IV, subtitle 3.

13 4. "*Regulated health profession*" means a profession
14 regulated pursuant to Title IV, subtitle 3.

15 5. "*Unregulated health profession*" means a profession
16 pursuant to Title IV, subtitle 3, that is not regulated by any
17 entity of this state.

18 6. "*Unregulated nonhealth profession*" means a profession
19 that is not regulated by any entity of this state and is not an
20 unregulated health profession.

21 Sec. 2. NEW SECTION. 4A.2 Committee — duties.

22 1. The committee shall carry out the functions provided in
23 this chapter.

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

26 Sec. 3. NEW SECTION. 4A.3 Board reviews.

27 1. The committee shall review the usefulness, performance,
28 and efficacy of each board as provided in subsection 2. The
29 committee shall hold hearings to receive the testimony of the
30 public, the chief executive officer of the board, and any other
31 person deemed necessary by the committee. After completing a
32 review, the committee shall prepare and publish a report of its
33 findings and recommendations as provided in section 4A.4.

34 2. The committee shall establish a schedule for the
35 committee to review each board such that the committee reviews

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1 approximately one-fourth of all boards each calendar year.
2 Each board shall be reviewed once between the calendar years
3 2025 and 2029, and once every four years thereafter. The
4 committee may modify the schedule as necessary to facilitate
5 the efficient administration of the committee.

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

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

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

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

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

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

24 a. Whether continuation of the board is necessary to protect
25 the health or safety of the public, and if so, whether the
26 board's authority is narrowly tailored to protect against
27 present, recognizable, and significant harms to the health or
28 safety of the public.

29 b. Whether the public could be protected or served in an
30 alternate or less restrictive manner.

31 c. Whether the board serves a specific private interest.

32 d. Whether rules adopted by the board are consistent with
33 the legislative mandate of the board as expressed in the
34 statutes that created and empowered the board.

35 e. The extent to which the board's jurisdiction and programs

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1 overlap or duplicate those of other boards, the extent to which
2 the board coordinates with those other boards, and the extent
3 to which the board's programs could be consolidated with the
4 programs of other state departments or boards.

5 *f.* The number of other states that regulate the occupation,
6 whether a license is required to engage in the occupation in
7 other states, whether the initial licensing and license renewal
8 requirements for the occupation are substantially equivalent
9 in every state, and the amount of regulation exercised by the
10 board compared to the regulation, if any, in other states.

11 *g.* Whether the board recognizes national uniform licensure
12 requirements for the occupation.

13 *h.* Whether private contractors could be used, in an
14 effective and efficient manner, either to assist the board in
15 the performance of its duties or to perform the board's duties
16 in place of the board.

17 *i.* Whether the operation of the board has inhibited economic
18 growth, reduced efficiency, or increased government costs.

19 *j.* An assessment of the authority of the board regarding
20 fees, inspections, enforcement, and penalties.

21 *k.* The extent to which the board has permitted qualified
22 applicants to serve the public.

23 *l.* The extent to which the board has allowed individuals to
24 practice elements of the occupation without a license.

25 *m.* The cost-effectiveness of the board in terms of the
26 number of employees, services rendered, and administrative
27 costs incurred, both past and present.

28 *n.* Whether the board's operation has been impeded or
29 enhanced by existing statutes and procedures and by budgetary,
30 resource, and personnel practices.

31 *o.* Whether the board has recommended statutory changes to
32 the general assembly that would benefit the public rather than
33 the individuals regulated by the board, if any, and whether the
34 board's recommendations and other policies have been adopted
35 and implemented.

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1 *p.* Whether the board has required any individuals subject to
2 the board's regulations to report to the board the impact of
3 board rules and decisions on the public as they affect service
4 costs and service delivery.

5 *q.* Whether individuals regulated by the board, if any, have
6 been required to assess problems in their business operations
7 that affect the public.

8 *r.* Whether the board has encouraged public participation in
9 its rulemaking and decision making.

10 *s.* The efficiency with which formal public complaints filed
11 with the board have been processed to completion.

12 *t.* Whether the purpose for which the board was created has
13 been fulfilled, has changed, or no longer exists.

14 *u.* Whether federal law requires that the board exist in some
15 form.

16 *v.* An assessment of the administrative hearing process of
17 the board if the board has an administrative hearing process,
18 and whether the hearing process is consistent with due process
19 rights.

20 *w.* Whether the requirement for an occupational license
21 is consistent with the principles expressed in section 4A.4,
22 subsection 2, serves the public health or safety, and provides
23 the least restrictive form of regulation that adequately
24 protects the public health or safety.

25 *x.* The extent to which licensing ensures that practitioners
26 have occupational skill sets or competencies that are
27 substantially related to protecting consumers from present,
28 significant, and substantiated harms that threaten the public
29 health or safety, and the impact that those criteria have on
30 applicants for a license, particularly those with moderate or
31 low incomes, seeking to enter the occupation or profession.

32 *y.* The extent to which the requirement for the occupational
33 license stimulates or restricts competition, affects consumer
34 choice, and affects the cost of services.

35 *z.* An assessment of whether changes are needed in the

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1 enabling laws of the board in order for the board to comply
2 with the criteria listed in this subsection.

3 Sec. 4. NEW SECTION. **4A.4 Reports.**

4 1. After completing a review of a board pursuant to section
5 4A.3, the committee shall prepare and submit a report of its
6 findings and recommendations by December 21 of each year.
7 A report may include findings and recommendations for more
8 than one board. Copies of the report shall be submitted
9 to the president of the senate, the speaker of the house
10 of representatives, the governor, and each affected board,
11 and shall be made publicly available on the internet site
12 of the general assembly. The committee shall present its
13 recommendations to the general assembly in the form of a bill.

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

17 *a.* Improve efficiency in the management of state government.
18 *b.* Improve services rendered to citizens of the state.
19 *c.* Simplify and improve preparation of the state budget.
20 *d.* Conserve the natural resources of the state.
21 *e.* Promote the orderly growth of the state and its
22 government.

23 *f.* Promote occupational regulations to increase economic
24 opportunities, encourage competition, and encourage innovation.

25 *g.* Provide for the least restrictive regulations by
26 repealing current regulations and replacing them with less
27 restrictive regulations.

28 *h.* Improve the effectiveness of the services performed by
29 the boards of the state.

30 *i.* Avoid duplication of effort by state agencies or boards.

31 *j.* Improve the organization and coordination of the state
32 government.

33 Sec. 5. NEW SECTION. **4A.5 Boards and governmental entities**
34 **— dissolution.**

35 1. Except as provided in subsection 2, an Act of the general

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1 assembly establishing a board after the effective date of this
2 division of this Act shall include a dissolution date for the
3 board not more than four years after the establishment of the
4 board.

5 2. An Act of the general assembly establishing a board for
6 the exclusive purpose of providing advice or recommendations
7 after the effective date of this division of this Act shall
8 include a dissolution date of the board not more than two years
9 after the establishment of the board.

10 Sec. 6. NEW SECTION. 4A.6 State government efficiency
11 review committee established.

12 1. A state government efficiency review committee is
13 established which shall meet as necessary to efficiently
14 review all boards according to the schedule established by the
15 committee pursuant to section 4A.3.

16 2. a. The committee shall consist of one member of the
17 senate appointed by the majority leader of the senate, one
18 member of the senate appointed by the minority leader of the
19 senate, one member of the house of representatives appointed
20 by the speaker of the house of representatives, one member of
21 the house of representatives appointed by the minority leader
22 of the house of representatives, an employee of the office of
23 the governor appointed by the governor, the director of the
24 department of management or the director's designee, and three
25 members appointed by the governor, at least one of whom serves
26 on a board at the time of appointment.

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

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

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

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

12 Sec. 7. NEW SECTION. **4A.7 Regulation of unregulated health**
13 **professions.**

14 1. An unregulated health profession shall not be subject
15 to regulation by any entity of this state for the purpose of
16 prohibiting competition but may be subject to such regulation
17 only for the exclusive purpose of protecting the public health
18 or safety. All proposed legislation to create a board or
19 commission to regulate an unregulated health profession shall
20 be reviewed by the general assembly to determine that all of
21 the following conditions are met:

22 a. There is credible evidence that the unregulated practice
23 of the unregulated health profession will clearly harm or
24 endanger the public health or safety and the potential for harm
25 is easily recognizable and not remote.

26 b. The public needs and can reasonably be expected
27 to benefit from an assurance of initial and continuing
28 professional ability.

29 c. The public cannot be effectively protected by other means
30 in a more cost-efficient manner.

31 2. Prior to considering proposed legislation to create
32 a board or commission to regulate an unregulated health
33 profession for passage to the floor of the senate or the
34 house of representatives, a legislative standing committee to
35 which proposed legislation to create a board or commission to

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1 regulate an unregulated health profession has been referred
2 shall consider whether the conditions in subsection 1 have been
3 met. If the committee finds that the conditions in subsection
4 1 have been met, the committee shall consider whether the
5 legislation is the least restrictive method of regulation
6 to address the specific harm or danger identified in this
7 subsection.

8 3. The legislative standing committee shall submit its
9 findings regarding whether the proposed legislation meets
10 the conditions in subsections 1 and 2 to the president of
11 the senate or the speaker of the house of representatives,
12 as applicable, who shall make the findings available to each
13 member of the general assembly on the internet site of the
14 general assembly.

15 4. This section does not allow a person to practice an
16 unregulated health profession if the profession includes
17 practices within the scope of practice of an existing regulated
18 health profession.

19 Sec. 8. NEW SECTION. **4A.8 Proposed regulation of**
20 **unregulated health professions — written reports.**

21 1. A member of the general assembly introducing proposed
22 legislation to create a board or commission to regulate an
23 unregulated health profession shall submit with the legislation
24 a report, prepared by the legislative services agency,
25 addressing the requirements contained in subsection 2. The
26 report shall be submitted to the president of the senate or the
27 speaker of the house of representatives, as applicable, prior
28 to full consideration of the legislation by the senate or the
29 house of representatives and made available on the internet
30 site of the general assembly.

31 2. The report must address all of the following and identify
32 the source of all information contained in the report:

33 a. Why regulation is necessary, including all of the
34 following:

35 (1) The nature of the proven harm to the public if the

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1 unregulated health profession is not regulated and the extent
2 to which there is a threat to the public health or safety.

3 (2) The extent to which a practitioner has autonomy, as
4 indicated by the extent to which the profession calls for the
5 exercise of independent judgment and the extent to which a
6 practitioner is supervised.

7 *b.* The efforts made to address the problem the legislation
8 is intended to solve, including all of the following:

9 (1) Voluntary efforts, if any, undertaken by members of the
10 profession.

11 (2) Recourse to, and the extent of use of, applicable law
12 and whether the law could be amended to control the problem.

13 *c.* The alternatives considered, including all of the
14 following:

15 (1) Regulation of business employers or practitioners
16 rather than employee practitioners.

17 (2) Regulation of the program or service rather than
18 individual practitioners.

19 (3) Registration of all practitioners.

20 (4) Certification of all practitioners.

21 (5) Other viable alternatives.

22 (6) If licensing is sought, why licensing would serve to
23 protect the public health or safety.

24 *d.* The benefit to the public health or safety if regulation
25 is granted, including all of the following:

26 (1) The extent to which the incidence of specific problems
27 present in the unregulated health profession can reasonably be
28 expected to be reduced by regulation.

29 (2) Whether the public can identify qualified
30 practitioners.

31 (3) The extent to which qualified practitioners are
32 competent, including all of the following:

33 (a) The composition, powers, duties, and practices of the
34 proposed regulatory entity.

35 (b) Whether current practitioners of an unregulated health

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1 profession will be allowed to continue to practice and whether
2 they will be required to meet the qualifications for the
3 regulated health profession.

4 (c) The nature of the standards proposed for registration,
5 certification, or licensure as compared with the standards in
6 other jurisdictions.

7 (d) Whether the proposed regulatory entity would be
8 authorized to enter into reciprocity agreements with other
9 jurisdictions.

10 (e) The nature and duration of any training and experience
11 required, whether applicants will be required to pass an
12 examination, and whether there will be alternative methods to
13 enter the health profession.

14 (4) Assurances to the public that practitioners have
15 maintained their competence, including all of the following:

16 (a) Whether a registration, certificate, or license will
17 include an expiration date.

18 (b) Whether the renewal of a registration, certificate,
19 or license will be based only on payment of a fee or whether
20 renewal will involve reexamination, peer review, or other
21 enforcement.

22 e. The extent to which regulation might harm the public,
23 including all of the following:

24 (1) The extent to which regulation will restrict entry into
25 the profession, including whether the proposed standards are
26 more restrictive than necessary to ensure a practitioner's safe
27 and effective performance in the practice of the profession.

28 (2) Whether there are professions similar to the
29 unregulated health profession that should be included in, or
30 portions of the unregulated health profession that should be
31 excluded from, the proposed legislation.

32 f. The maintenance of professional standards, including all
33 of the following:

34 (1) Whether effective quality assurance standards exist
35 in the profession such as legal requirements associated with

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1 specific programs that define or enforce standards or a code
2 of ethics.

3 (2) How the proposed legislation will ensure quality,
4 including whether a code of ethics will be adopted and the
5 grounds for suspension or revocation of a registration,
6 certificate, or license.

7 g. A description of the group proposed for regulation,
8 including a list of associations, organizations, and other
9 professional groups representing practitioners in this state,
10 an estimate of the number of practitioners in each professional
11 group, and whether the professional groups represent different
12 levels of practice.

13 h. The expected costs of regulation, including the impact of
14 costs on the public and costs imposed on this state.

15 Sec. 9. NEW SECTION. **4A.9 Regulation of unregulated**
16 **nonhealth professions.**

17 1. An unregulated nonhealth profession shall not be
18 regulated except for the exclusive purpose of protecting the
19 public health or safety. All proposed legislation to create
20 a board or commission to regulate an unregulated nonhealth
21 profession shall be reviewed by the legislative standing
22 committee to which the proposed legislation is referred to
23 ensure that all of the following requirements are met:

24 a. The unregulated practice of the nonhealth profession can
25 clearly harm the public health or safety.

26 b. The actual or anticipated public benefit of the
27 regulation clearly exceeds the costs imposed by the regulation
28 on consumers, businesses, and individuals.

29 c. The public needs and can reasonably be expected
30 to benefit from an assurance of initial and continuing
31 professional ability.

32 d. The public cannot be effectively protected by private
33 certification or other alternatives.

34 2. If a legislative standing committee finds that the
35 proposed legislation satisfies the conditions in subsection

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1 1, the committee shall examine data from multiple sources and
2 shall consider evidence of actual harm to the public related
3 to the unregulated nonhealth profession being considered for
4 regulation. The evidence may include industry association
5 data; federal, state, and local government data; business
6 reports; complaints to law enforcement, relevant state
7 agencies, and the better business bureau; and data from
8 agencies in other states with and without similar systems of
9 regulation.

10 3. If, after consideration of evidence pursuant to
11 subsection 2, the legislative standing committee finds that it
12 is necessary to create a board or commission to regulate an
13 unregulated nonhealth profession, the committee shall review
14 the proposed legislation to determine whether it is the least
15 restrictive regulation necessary and whether the regulation
16 protects a discrete interest group from economic competition.

17 4. The legislative standing committee shall submit its
18 findings regarding whether the proposed legislation meets the
19 requirements of subsections 1, 2, and 3, to the president of
20 the senate or the speaker of the house of representatives,
21 as applicable, who shall make the findings available to each
22 member of the general assembly on the internet site of the
23 general assembly.

24 5. This section does not allow a person to practice an
25 unregulated nonhealth profession if the profession includes
26 practices within the scope of practice of an existing regulated
27 nonhealth profession.

28 Sec. 10. NEW SECTION. 4A.10 Proposed regulation of
29 unregulated nonhealth professions — written reports.

30 1. A member of the general assembly introducing legislation
31 to regulate an unregulated nonhealth profession shall submit
32 with the legislation a report, prepared by the legislative
33 services agency, addressing the requirements contained in
34 subsection 2. The report shall be submitted to the president
35 of the senate or the speaker of the house of representatives,

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1 as applicable, prior to full consideration of the legislation
2 by the senate or the house of representatives and made
3 available on the internet site of the general assembly.

4 2. The report must address all of the following and identify
5 the source of all information contained in the report:

6 *a.* Why regulation is necessary including what particular
7 problem regulation would address.

8 *b.* The efforts made to address the problem.

9 *c.* The alternatives considered.

10 *d.* The benefit to the public health or safety of regulating
11 the profession.

12 *e.* The extent to which regulation might harm the public.

13 *f.* The maintenance of professional standards, including all
14 of the following:

15 (1) Whether effective quality assurance standards exist
16 in the profession such as legal requirements associated with
17 specific programs that define or enforce standards or a code
18 of ethics.

19 (2) How the proposed legislation will assure quality
20 including the extent to which a code of ethics will be
21 adopted and the grounds for the suspension or revocation of a
22 registration, certificate, or license.

23 *g.* A description of the profession proposed for regulation,
24 including a list of associations, organizations, and other
25 professional groups representing practitioners in this state,
26 an estimate of the number of practitioners in each profession,
27 and whether the professional groups represent different levels
28 of practice.

29 *h.* The expected costs of regulation, including the impact of
30 costs on the public and costs imposed on this state.

31 Sec. 11. NEW SECTION. **4A.11 Dissolution of boards.**

32 The committee shall establish a dissolution date for each
33 board existing on the effective date of this division of this
34 Act on a date not sooner than four years after the effective
35 date of this division of this Act. The committee shall

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1 establish, on or before December 31, 2024, a schedule for the
2 staggered dates of dissolution of all existing boards to align
3 with the duty to establish a schedule for the review of each
4 board pursuant to section 4A.3, and shall include the schedule
5 in a report submitted to the governor and the general assembly.

6 Sec. 12. Section 69.16D, subsection 1, Code 2024, is amended
7 by striking the subsection and inserting in lieu thereof the
8 following:

9 1. A bill to create a new board, commission, committee, or
10 council of the state shall not be effective unless the bill
11 is approved by vote of at least three-fifths of the members
12 of both chambers of the general assembly and is signed by the
13 governor.

14 Sec. 13. Section 69.16D, subsection 2, Code 2024, is amended
15 to read as follows:

16 2. ~~This section shall apply~~ applies to appointive boards,
17 commissions, committees, and councils of the state established
18 by the Code on or after ~~July 1, 2010~~ the effective date of this
19 division of this Act.

20 Sec. 14. REPEAL. Sections 2.69 and 3.20, Code 2024, are
21 repealed.

22 Sec. 15. CODE EDITOR DIRECTIVE — TRANSFERS.

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

- 25 a. Section 69.15 to section 4A.11.
- 26 b. Section 69.16 to section 4A.12.
- 27 c. Section 69.16A to section 4A.13.
- 28 d. Section 69.16B to section 4A.14.
- 29 e. Section 69.16C to section 4A.15.
- 30 f. Section 69.16D to section 4A.16.
- 31 g. Section 69.16E to section 4A.17.
- 32 h. Section 69.17 to section 4A.18.

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

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DIVISION II

PROFESSIONAL BOARDS

Sec. 16. Section 10A.503, subsection 1, Code 2024, is amended to read as follows:

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

Sec. 17. Section 10A.504, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

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

Sec. 18. Section 103.4, Code 2024, is amended to read as follows:

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

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

Sec. 19. Section 103.34, subsection 1, Code 2024, is amended to read as follows:

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

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1 decision.

2 Sec. 20. Section 147.80, subsection 3, Code 2024, is amended
3 by striking the subsection.

4 Sec. 21. Section 147.87, Code 2024, is amended to read as
5 follows:

6 **147.87 Enforcement.**

7 1. A board shall enforce the provisions of [this chapter](#) and
8 the board's enabling statute and for that purpose may request
9 the department of inspections, appeals, and licensing to make
10 necessary investigations. Every licensee and member of a board
11 shall furnish the board or the department of inspections,
12 appeals, and licensing such evidence as the member or licensee
13 may have relative to any alleged violation which is being
14 investigated.

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

19 Sec. 22. Section 147.88, Code 2024, is amended to read as
20 follows:

21 **147.88 Inspections and investigations.**

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

29 Sec. 23. Section 152.2, Code 2024, is amended to read as
30 follows:

31 **152.2 Executive director.**

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

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

4 Sec. 24. Section 152E.2, Code 2024, is amended to read as
5 follows:

6 **152E.2 Compact administrator.**

7 The ~~executive director of the board of nursing, as~~
8 ~~provided for in [section 152.2](#), director of the department~~
9 ~~of inspections, appeals, and licensing, or the director's~~
10 ~~designee~~, shall serve as the compact administrator identified
11 in article VII, paragraph "b", of the nurse licensure compact
12 contained in [section 152E.1](#) and as the compact administrator
13 identified in article VIII, paragraph "a", of the advanced
14 practice registered nurse compact contained in [section 152E.3](#).

15 Sec. 25. Section 153.36, subsection 1, Code 2024, is amended
16 to read as follows:

17 1. [Sections 147.44, 147.48, 147.49, 147.53, and 147.55](#), and
18 ~~[sections 147.87 through 147.92](#)~~ shall not apply to the practice
19 of dentistry.

20 Sec. 26. Section 272C.6, subsection 1, Code 2024, is amended
21 to read as follows:

22 1. Disciplinary hearings held pursuant to [this chapter](#)
23 shall be heard by the board sitting as the hearing panel, or
24 by an administrative law judge, or by a panel of not less
25 than three board members who are licensed in the profession,
26 or by a panel of not less than three members appointed
27 pursuant to [subsection 2](#). Notwithstanding [chapters 17A](#) and
28 21 a disciplinary hearing shall be open to the public at the
29 discretion of the licensee.

30 Sec. 27. REPEAL. Sections 152.3 and 153.33B, Code 2024,
31 are repealed.

32 DIVISION III

33 SALARIES — CERTAIN BOARDS AND COUNCILS

34 Sec. 28. Section 217.2, subsection 1, Code 2024, is amended
35 by adding the following new paragraph:

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

4 Sec. 29. Section 256.5, Code 2024, is amended to read as
5 follows:

6 **256.5 Compensation and expenses.**

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

14 Sec. 30. NEW SECTION. **262.3 Salary.**

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

19 DIVISION IV

20 LICENSURE STUDIES

21 Sec. 31. LICENSURE RENEWAL CYCLES STUDY. The department of
22 inspections, appeals, and licensing shall review all current
23 licensure renewal cycles for professional and occupational
24 licenses issued by a department, board, commission, or other
25 governmental entity. The department shall submit a report,
26 including proposed recommendations for a uniform renewal cycle
27 for all professional and occupational licenses, to the governor
28 and the general assembly by September 30, 2024.

29 Sec. 32. LICENSURE FEE STUDY.

30 1. The department of inspections, appeals, and licensing
31 shall review fees imposed by a department, board, commission,
32 or other governmental entity for the issuance or renewal of a
33 professional or occupational license. The department shall
34 evaluate the fees based on the licensure fees imposed in
35 surrounding states and the operational costs of the licensing

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1 functions of the entity.

2 2. The department shall submit a report, including proposed
3 fees, to the governor and the general assembly by September 30,
4 2024.

5 DIVISION V

6 ADVISORY BODIES

7 Sec. 33. Section 7E.3, subsection 3, Code 2024, is amended
8 by striking the subsection and inserting in lieu thereof the
9 following:

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

20 Sec. 34. Section 15.105, Code 2024, is amended by adding the
21 following new subsection:

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

30 Sec. 35. NEW SECTION. **152.3A Advisory committees.**

31 The board may establish and utilize such ad hoc advisory
32 committees as determined necessary by the board. The board
33 shall establish appointment provisions, membership terms,
34 operating guidelines, and any other operational requirements
35 for committees established pursuant to this section. Members

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1 of committees established pursuant to this section shall serve
2 without compensation but may be reimbursed for actual expenses.

3 Sec. 36. Section 153.33, subsection 1, Code 2024, is amended
4 by adding the following new paragraph:

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

14 Sec. 37. Section 256.7, Code 2024, is amended by adding the
15 following new subsection:

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

24 Sec. 38. Section 307A.2, Code 2024, is amended by adding the
25 following new subsection:

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

34 Sec. 39. Section 455A.5, subsection 6, Code 2024, is amended
35 by adding the following new paragraph:

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

9 Sec. 40. Section 455A.6, subsection 6, Code 2024, is amended
10 by adding the following new paragraph:

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

19 Sec. 41. Section 904.105, Code 2024, is amended by adding
20 the following new subsection:

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

29 DIVISION VI

30 ELECTRONIC MEETINGS

31 Sec. 42. Section 21.8, subsection 1, unnumbered paragraph
32 1, Code 2024, is amended to read as follows:

33 A governmental body ~~may conduct a meeting by electronic~~
34 ~~means only in circumstances where such a meeting in person is~~
35 ~~impossible or impractical and only if the governmental body~~

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1 ~~complies~~ shall provide for hybrid meetings, teleconference
2 participation, virtual meetings, remote participation, and
3 other hybrid options for the members of the governmental body
4 to participate in official meetings. A governmental body
5 conducting a meeting pursuant to this subsection shall comply
6 with all of the following:

7 Sec. 43. Section 21.8, subsection 1, paragraph c, Code 2024,
8 is amended to read as follows:

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

12 Sec. 44. Section 21.8, Code 2024, is amended by adding the
13 following new subsection:

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

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

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

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

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

27 DIVISION VII

28 MEETINGS — GENERAL

29 Sec. 45. Section 5.3, Code 2024, is amended to read as
30 follows:

31 **5.3 Organization.**

32 The commissioners shall meet at the state capitol ~~at least~~
33 ~~once in two years as necessary~~ and shall organize by the
34 election of one of their number as chairperson and another
35 as secretary, who shall hold their respective offices for a

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1 term of two years and until their successors are elected and
2 qualified.

3 Sec. 46. Section 8.22A, subsection 2, Code 2024, is amended
4 to read as follows:

5 2. The conference shall meet as often as deemed necessary,
6 ~~but shall meet at least three times per year with at least~~
7 ~~one meeting taking place each year in March.~~ The conference
8 may use sources of information deemed appropriate. At each
9 meeting, the conference shall agree to estimates for the
10 current fiscal year and the following fiscal year for the
11 general fund of the state, lottery revenues to be available
12 for disbursement, and from gambling revenues and from interest
13 earned on the cash reserve fund and the economic emergency fund
14 to be deposited in the rebuild Iowa infrastructure fund. At
15 the first meeting taking place each calendar year ~~in March~~, in
16 addition to agreeing to estimates for the current fiscal year
17 and the following fiscal year, the conference shall agree to
18 estimates for the fiscal year beginning July 1 of the following
19 calendar year. Only an estimate for the following fiscal year
20 agreed to by the conference pursuant to subsection 3, 4, or 5,
21 shall be used for purposes of calculating the state general
22 fund expenditure limitation under section 8.54, and any other
23 estimate agreed to shall be considered a preliminary estimate
24 that shall not be used for purposes of calculating the state
25 general fund expenditure limitation.

26 Sec. 47. Section 8.54, subsection 1, paragraph b, Code 2024,
27 is amended to read as follows:

28 *b. "New revenues"* means moneys which are received by the
29 state due to increased tax rates and fees or newly created
30 taxes and fees over and above those moneys which are received
31 due to state taxes and fees which are in effect as of January 1
32 following the ~~December state~~ estimate of the revenue estimating
33 conference due by December 15 pursuant to section 8.22A. *"New*
34 *revenues"* also includes moneys received by the general fund
35 of the state due to new transfers over and above those moneys

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1 received by the general fund of the state due to transfers
2 which are in effect as of January 1 following the ~~December~~
3 state estimate of the revenue estimating conference due by
4 December 15 pursuant to section 8.22A. The department of
5 management shall obtain concurrence from the revenue estimating
6 conference on the eligibility of transfers to the general fund
7 of the state which are to be considered as new revenue in
8 determining the state general fund expenditure limitation.

9 Sec. 48. Section 8A.606, Code 2024, is amended to read as
10 follows:

11 **8A.606 Meetings.**

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

16 Sec. 49. Section 8A.616, subsection 4, Code 2024, is amended
17 to read as follows:

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

23 Sec. 50. Section 10A.601, subsection 3, Code 2024, is
24 amended to read as follows:

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

34 Sec. 51. Section 13A.5, Code 2024, is amended to read as
35 follows:

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1 **13A.5 Meetings.**

2 The council ~~shall meet at least four times each year and~~
3 shall hold meetings when called by the chairperson, or in the
4 absence of the chairperson, by the vice chairperson or when
5 called by the chairperson upon the written request of three
6 members of the council. The council shall establish its own
7 procedures and requirements with respect to quorum, place, and
8 conduct of its meetings and other matters.

9 Sec. 52. Section 23.3, subsection 7, Code 2024, is amended
10 to read as follows:

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

13 Sec. 53. Section 24.26, subsection 2, Code 2024, is amended
14 to read as follows:

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

22 Sec. 54. Section 47.8, subsection 1, unnumbered paragraph
23 1, Code 2024, is amended to read as follows:

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

29 Sec. 55. Section 80B.9, Code 2024, is amended to read as
30 follows:

31 **80B.9 Meetings.**

32 The council ~~shall meet at least four times each year and~~
33 shall hold ~~special~~ meetings when called by the chairperson or,
34 in the absence of the chairperson, by the vice chairperson,
35 or by the chairperson upon written request of five members

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1 of the council. The council shall establish procedures and
2 requirements with respect to quorum, place, and conduct of
3 meetings.

4 Sec. 56. Section 99D.6, subsection 1, Code 2024, is amended
5 to read as follows:

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

11 Sec. 57. Section 99G.8, subsection 11, Code 2024, is amended
12 to read as follows:

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

19 Sec. 58. Section 103.2, subsection 3, paragraph b, Code
20 2024, is amended to read as follows:

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

26 Sec. 59. Section 103.34, subsection 1, Code 2024, is amended
27 to read as follows:

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

34 Sec. 60. Section 123.6, Code 2024, is amended to read as
35 follows:

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1 **123.6 Commission meetings.**

2 The commission shall meet on or before July 1 of each year
3 for the purpose of selecting one of its members as chairperson
4 for the succeeding year. The commission shall ~~otherwise~~ meet
5 ~~quarterly or~~ at the call of the chairperson or director or when
6 three members file a written request for a meeting. Written
7 notice of the time and place of each meeting shall be given to
8 each member of the commission. A majority of the commission
9 members shall constitute a quorum.

10 Sec. 61. Section 124E.5, subsection 2, Code 2024, is amended
11 to read as follows:

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

14 Sec. 62. Section 169.5, subsections 3 and 4, Code 2024, are
15 amended to read as follows:

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

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

33 Sec. 63. Section 182.13, Code 2024, is amended to read as
34 follows:

35 **182.13 Compensation — meetings.**

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1 Members of the board may receive payment for their
2 actual expenses and travel in performing official board
3 functions. Payment shall be made from amounts collected from
4 the assessment. No member of the board shall be a salaried
5 employee of the board or any organization or agency receiving
6 funds from the board. The board shall meet at ~~least once every~~
7 ~~three months, and at other~~ such times as it deems necessary.

8 Sec. 64. Section 184.7, subsection 4, Code 2024, is amended
9 to read as follows:

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

13 Sec. 65. Section 185.14, Code 2024, is amended to read as
14 follows:

15 **185.14 Compensation — meetings.**

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

23 Sec. 66. Section 185C.14, subsection 3, Code 2024, is
24 amended to read as follows:

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

27 Sec. 67. Section 186.1, Code 2024, is amended to read as
28 follows:

29 **186.1 Meetings and organization of society.**

30 The Iowa state horticulture society shall hold meetings ~~each~~
31 ~~year, at times as it may fix,~~ as necessary for the transaction
32 of business. The officers and board of directors of the
33 society shall be chosen as provided for in the constitution
34 of the society, for the period and in the manner prescribed
35 therein, but the secretary of agriculture or the secretary's

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1 designee shall be a member of the board of directors and of
2 the executive committee. Any vacancy in the offices filled by
3 the society may be filled by the executive committee for the
4 unexpired portion of the term.

5 Sec. 68. Section 217.4, Code 2024, is amended to read as
6 follows:

7 **217.4 Meetings of council.**

8 ~~The council shall meet at least monthly. Additional~~
9 ~~meetings~~ Meetings shall be called by the chairperson or upon
10 written request of any three council members as necessary to
11 carry out the duties of the council. The chairperson shall
12 preside at all meetings or in the absence of the chairperson
13 the vice chairperson shall preside. The members of the council
14 shall be paid a per diem as specified in [section 7E.6](#) and their
15 reasonable and necessary expenses.

16 Sec. 69. Section 237.16, subsection 2, Code 2024, is amended
17 to read as follows:

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

26 Sec. 70. Section 256.32, subsection 3, Code 2024, is amended
27 to read as follows:

28 3. The duties of the council are to review, develop,
29 and recommend standards for secondary and postsecondary
30 agricultural education. The council shall annually issue a
31 report to the state board of education and the chairpersons
32 of the house and senate agriculture and education committees
33 regarding both short-term and long-term curricular standards
34 for agricultural education and the council's activities. The
35 council shall meet ~~a minimum of twice annually~~ as necessary,

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1 and must have a quorum consisting of a majority of voting
2 members present to hold an official meeting and to take any
3 final council action. However, hearings may be held without
4 a quorum. The chairperson shall be elected annually by and
5 from the voting membership. The initial organizational meeting
6 shall be called by the director of the department of education.

7 Sec. 71. Section 256.83, subsection 1, Code 2024, is amended
8 to read as follows:

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

17 Sec. 72. Section 256I.3, subsection 4, Code 2024, is amended
18 to read as follows:

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

25 Sec. 73. Section 262.8, Code 2024, is amended to read as
26 follows:

27 **262.8 Meetings.**

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

32 Sec. 74. Section 267.5, subsection 2, Code 2024, is amended
33 to read as follows:

34 2. ~~Hold a meeting twice each year~~ Meet as necessary at Iowa
35 state university of science and technology. The council shall

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1 meet with the faculty of the college of veterinary medicine.
2 The council may hold other such meetings as the council may
3 determine necessary, or as required by [section 267.6](#). An
4 action taken by the council shall not be valid unless agreed to
5 by a majority of the council members.

6 Sec. 75. Section 455A.5, subsection 4, Code 2024, is amended
7 to read as follows:

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

15 Sec. 76. Section 455A.6, subsection 4, Code 2024, is amended
16 to read as follows:

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

24 Sec. 77. Section 465C.5, Code 2024, is amended to read as
25 follows:

26 **465C.5 Organization.**

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

32 Sec. 78. Section 466B.3, subsection 5, paragraph a, Code
33 2024, is amended to read as follows:

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

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1 Sec. 79. Section 481A.10A, subsection 3, Code 2024, is
2 amended to read as follows:

3 3. The committee shall meet with a representative of the
4 department of natural resources ~~on a semiannual basis~~ as
5 necessary. The committee shall serve without compensation or
6 reimbursement for expenses.

7 Sec. 80. Section 524.205, subsection 5, Code 2024, is
8 amended to read as follows:

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

14 Sec. 81. Section 533.107, subsection 3, Code 2024, is
15 amended to read as follows:

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

19 Sec. 82. Section 542B.9, Code 2024, is amended to read as
20 follows:

21 **542B.9 Organization of the board — staff.**

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

32 Sec. 83. Section 543B.50, Code 2024, is amended to read as
33 follows:

34 **543B.50 Meetings.**

35 The real estate commission shall ~~hold at least one meeting~~

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1 ~~per year~~ meet as necessary at the location of the commission's
2 principal office and shall elect a chairperson annually. A
3 majority of the members of the commission shall constitute a
4 quorum.

5 Sec. 84. Section 543D.4, subsection 7, Code 2024, is amended
6 to read as follows:

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

9 Sec. 85. Section 904.106, Code 2024, is amended to read as
10 follows:

11 **904.106 Meetings — expenses.**

12 ~~The board shall meet at least quarterly throughout the year.~~

13 ~~Special meetings~~ Meetings may be called by the chairperson
14 or upon written request of any three members of the board.

15 The chairperson shall preside at all meetings or in the
16 chairperson's absence, the vice chairperson shall preside. The
17 members of the board shall be paid their actual expenses while
18 attending the meetings. Each member of the board may also be
19 able to receive compensation as provided in [section 7E.6](#).

20 Sec. 86. Section 905.3, subsection 1, paragraph b, Code
21 2024, is amended to read as follows:

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

24 DIVISION VIII

25 REORGANIZATION

26 Sec. 87. Section 2.43, subsections 1 and 2, Code 2024, are
27 amended to read as follows:

28 1. The legislative council in cooperation with the
29 officers of the senate and house shall have the duty and
30 responsibility for preparing for each session of the general
31 assembly. Pursuant to such duty and responsibility, the
32 legislative council shall assign the use of areas in the
33 state capitol except for the areas used by the governor as
34 of January 1, 1986, and, in consultation with the director
35 of the department of administrative services ~~and the capitol~~

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1 ~~planning commission~~, may assign areas in other state office
2 buildings, except for the judicial branch building, for use of
3 the general assembly or legislative agencies. The legislative
4 council shall provide the courts with use of space in the state
5 capitol for ceremonial purposes. The legislative council
6 may authorize the renovation, remodeling and preparation of
7 the physical facilities used or to be used by the general
8 assembly or legislative agencies subject to the jurisdiction
9 of the legislative council and award contracts pursuant to
10 such authority to carry out such preparation. The legislative
11 council may purchase supplies and equipment deemed necessary
12 for the proper functioning of the legislative branch of
13 government.

14 2. In carrying out its duties under [this section](#), the
15 legislative council shall consult with the director of the
16 department of administrative services ~~and the capitol planning~~
17 ~~commission~~, but shall not be bound by any decision of the
18 director in respect to the responsibilities and duties provided
19 for in [this section](#). The legislative council may direct the
20 director of the department of administrative services or other
21 state employees to carry out its directives in regard to the
22 physical facilities of the general assembly, or may employ
23 other personnel to carry out such functions.

24 Sec. 88. Section 7E.5, subsection 2, paragraph a, Code 2024,
25 is amended to read as follows:

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

30 Sec. 89. Section 8A.111, subsection 4, Code 2024, is amended
31 by striking the subsection.

32 Sec. 90. Section 8A.201, subsection 3, paragraph b, Code
33 2024, is amended to read as follows:

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

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1 Sec. 91. Section 8A.203, subsections 3 and 4, Code 2024, are
2 amended to read as follows:

3 3. The commission shall ~~adopt~~ provide advice and
4 recommendations on the adoption of rules under chapter 17A by
5 the department for carrying out the responsibilities of the
6 department as it relates to library services duties of the
7 department.

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

11 Sec. 92. Section 8A.206, subsection 2, paragraphs a and d,
12 Code 2024, are amended to read as follows:

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

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

19 Sec. 93. Section 8A.207, subsection 1, Code 2024, is amended
20 to read as follows:

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

24 Sec. 94. Section 8A.209, subsection 1, Code 2024, is amended
25 to read as follows:

26 1. An enrich Iowa program is established in the department
27 to provide direct state assistance to public libraries, to
28 support the open access and access plus programs, to provide
29 public libraries with an incentive to improve library services
30 that are in compliance with performance measures, and to
31 reduce inequities among communities in the delivery of library
32 services based on performance measures adopted by rule by the
33 ~~commission~~ department. The ~~commission~~ department shall adopt
34 rules governing the allocation of ~~funds~~ moneys appropriated by
35 the general assembly for purposes of this section to provide

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1 direct state assistance to eligible public libraries. A public
2 library is eligible for ~~funds~~ moneys under this subchapter
3 if it is in compliance with the ~~commission's~~ department's
4 performance measures.

5 Sec. 95. Section 8A.373, Code 2024, is amended to read as
6 follows:

7 **8A.373 Duties — report to legislature general assembly.**

8 1. It shall be the duty of the ~~commission~~ department to
9 advise upon the location of statues, fountains, and monuments
10 and the placing of any additional buildings on the capitol
11 grounds, the type of architecture and the type of construction
12 of any new buildings to be erected on the state capitol grounds
13 as now encompassed or as subsequently enlarged, and repairs
14 and restoration thereof, and it shall be the duty of the
15 officers, commissions, and councils charged by law with the
16 duty of determining such questions to call upon the ~~commission~~
17 department for such advice.

18 2. The ~~commission~~ department shall, ~~in cooperation with~~
19 ~~the director of the department of administrative services,~~
20 develop and implement within the limits of its appropriation, a
21 five-year modernization program for the capitol complex.

22 3. The ~~commission~~ department shall annually report to the
23 general assembly its recommendations relating to its duties
24 under this section. The report shall be submitted to the chief
25 clerk of the house and the secretary of the senate during the
26 month of January.

27 Sec. 96. Section 8A.376, subsection 1, unnumbered paragraph
28 1, Code 2024, is amended to read as follows:

29 All capital projects on the capitol complex shall be
30 planned, approved, and funded only after considering the
31 guiding principles enunciated in any capitol complex master
32 plan adopted by the ~~commission on or after January 1, 2000~~
33 department. At a minimum, the extent to which the proposed
34 capital project does all of the following shall be considered:

35 Sec. 97. Section 8A.377, subsection 2, Code 2024, is amended

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1 to read as follows:

2 2. A project described in [subsection 1](#) may vary from
3 the architectural or historic integrity of the capitol if
4 such variance is necessary to comply with state or federal
5 laws relating to building accessibility or occupational
6 safety or health, to address life safety issues, or for other
7 compelling reasons. However, the state agency, branch of
8 government, or other entity responsible for a project involving
9 a variance from the architectural or historic integrity shall
10 submit the plans for such project to the ~~capitol planning~~
11 ~~commission department~~ and the capital projects committee of the
12 legislative council for review.

13 Sec. 98. Section 8A.412, subsection 11, Code 2024, is
14 amended to read as follows:

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

19 Sec. 99. Section 8A.415, subsection 1, paragraph b, Code
20 2024, is amended to read as follows:

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

31 Sec. 100. Section 8A.415, subsection 2, paragraph b, Code
32 2024, is amended to read as follows:

33 b. If not satisfied, the employee may, within thirty
34 calendar days following the director's response, file an
35 appeal with the ~~public employment relations~~ appeal board. The

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1 employee has the right to a hearing closed to the public,
2 unless a public hearing is requested by the employee. The
3 hearing shall otherwise be conducted in accordance with the
4 rules of the ~~public~~ employment ~~relations~~ appeal board and the
5 Iowa administrative procedure Act, chapter 17A. If the ~~public~~
6 employment ~~relations~~ appeal board finds that the action taken
7 by the appointing authority was for political, religious,
8 racial, national origin, sex, age, or other reasons not
9 constituting just cause, the employee may be reinstated without
10 loss of pay or benefits for the elapsed period, or the ~~public~~
11 employment ~~relations~~ appeal board may provide other appropriate
12 remedies. Decisions by the ~~public~~ employment ~~relations~~ appeal
13 board constitute final agency action.

14 Sec. 101. Section 8A.703, subsection 1, Code 2024, is
15 amended to read as follows:

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

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

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

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

29 Sec. 102. Section 8A.707, subsection 1, Code 2024, is
30 amended by adding the following new paragraphs:

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

35 NEW PARAGRAPH. g. Serve as a state level review body

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1 for grant proposals submitted to the national historical
2 publications and records commission.

3 Sec. 103. Section 8A.707, Code 2024, is amended by adding
4 the following new subsection:

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

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

10 b. Seek moneys from the national historical publications
11 and records commission or other grant-funding bodies for
12 sponsoring and publishing surveys of the conditions and needs
13 of historical records in the state; for developing, revising,
14 and distributing funding priorities for historical records
15 projects in Iowa; for implementing projects to be carried out
16 in the state for the preservation of historical records and
17 publications; or for reviewing, through reports and otherwise,
18 the operation and progress of records projects in the state.

19 Sec. 104. Section 8D.3, subsection 3, paragraphs b and d,
20 Code 2024, are amended to read as follows:

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

31 ~~d. Review and approve for adoption, rules as proposed~~
32 ~~and submitted by an authorized user group necessary for the~~
33 ~~authorized user group's access and use of the network. The~~
34 ~~commission may refuse to approve and adopt a proposed rule,~~
35 ~~and upon such refusal, shall return the proposed rule to the~~

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1 ~~respective authorized user group proposing the rule with a~~
2 ~~statement indicating the commission's reason for refusing to~~
3 ~~approve and adopt the rule. Provide advice and recommendations~~
4 ~~to the director for the review and adoption of rules proposed~~
5 ~~and submitted by an authorized user group.~~

6 Sec. 105. Section 8D.4, Code 2024, is amended to read as
7 follows:

8 **8D.4 Executive director appointed.**

9 1. The ~~commission~~ governor shall appoint an executive
10 director of the commission, subject to confirmation by the
11 senate. Such individual shall not serve as a member of the
12 commission. The executive director shall serve at the pleasure
13 of the ~~commission~~ governor. The executive director shall be
14 selected primarily for administrative ability and knowledge
15 in the field, without regard to political affiliation. The
16 governor shall establish the salary of the executive director
17 within the applicable salary range as established by the
18 general assembly. The salary and support of the executive
19 director shall be paid from ~~funds~~ moneys deposited in the Iowa
20 communications network fund.

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

35 Sec. 106. Section 8D.9, subsection 2, paragraph b, Code

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1 2024, is amended to read as follows:

2 **b.** A private or public agency, other than an institution
3 under the control of the state board of regents, a private
4 college or university, or a nonpublic school, shall petition
5 the commission for a waiver of the requirement to use the
6 network as provided in paragraph “a”, if the agency determines
7 that paragraph “a”, subparagraph (1) or (2), applies. The
8 ~~commission~~ director shall establish by rule a review process
9 for determining, upon application of an authorized user,
10 whether paragraph “a”, subparagraph (1) or (2), applies. An
11 authorized user found by the commission to be under contract
12 for such services as provided in paragraph “a”, subparagraph
13 (2), shall not enter into another contract upon the expiration
14 of such contract, but shall utilize the network for such
15 services as provided in [this section](#) unless paragraph “a”,
16 subparagraph (1), applies. A waiver approved by the commission
17 may be for a period as requested by the private or public
18 agency of up to three years.

19 Sec. 107. Section 10A.104, subsection 2, Code 2024, is
20 amended to read as follows:

21 2. Appoint the administrators of the divisions within
22 the department and all other personnel deemed necessary for
23 the administration of [this chapter](#), except the state public
24 defender, assistant state public defenders, administrator of
25 the racing and gaming commission, labor commissioner, workers’
26 compensation commissioner, director of the Iowa ~~state~~ office of
27 civil rights ~~commission~~, and members of the employment appeal
28 board. All persons appointed and employed in the department
29 are covered by the provisions of [chapter 8A, subchapter IV](#), but
30 persons not appointed by the director are exempt from the merit
31 system provisions of [chapter 8A, subchapter IV](#).

32 Sec. 108. Section 10A.506, subsection 1, paragraph a,
33 subparagraphs (6) and (7), Code 2024, are amended by striking
34 the subparagraphs.

35 Sec. 109. Section 12.72, subsection 1, Code 2024, is amended

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1 to read as follows:

2 1. A vision Iowa fund is created and established as a
3 separate and distinct fund in the state treasury. The moneys
4 in the fund are appropriated to the ~~enhance-Iowa~~ economic
5 development authority board for purposes of the vision Iowa
6 program established in [section 15F.302](#). Moneys in the fund
7 shall not be subject to appropriation for any other purpose by
8 the general assembly, but shall be used only for the purposes
9 of the vision Iowa fund. The treasurer of state shall act as
10 custodian of the fund and disburse moneys contained in the
11 fund as directed by the ~~enhance-Iowa~~ economic development
12 authority board, including automatic disbursements of funds
13 received pursuant to the terms of bond indentures and documents
14 and security provisions to trustees. The fund shall be
15 administered by the ~~enhance-Iowa~~ economic development authority
16 board which shall make expenditures from the fund consistent
17 with the purposes of the vision Iowa program without further
18 appropriation. An applicant under the vision Iowa program
19 shall not receive more than seventy-five million dollars in
20 financial assistance from the fund.

21 Sec. 110. Section 12.75, subsection 1, Code 2024, is amended
22 to read as follows:

23 1. The ~~enhance-Iowa~~ economic development authority board
24 may undertake a project for two or more applicants jointly
25 or for any combination of applicants, and may combine for
26 financing purposes, with the consent of all of the applicants
27 which are involved, the project and some or all future projects
28 of any applicant, and [section 12.71, Code 2020](#), [sections 12.72](#)
29 [and 12.74](#), [this section](#), and [sections 12.76 and 12.77](#) apply to
30 and for the benefit of the ~~enhance-Iowa~~ economic development
31 authority board and the joint applicants. However, the money
32 set aside in a fund or funds pledged for any series or issue
33 of bonds or notes shall be held for the sole benefit of the
34 series or issue separate and apart from money pledged for
35 another series or issue of bonds or notes of the treasurer

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1 of state. To facilitate the combining of projects, bonds or
2 notes may be issued in series under one or more resolutions or
3 trust agreements and may be fully open-ended, thus providing
4 for the unlimited issuance of additional series, or partially
5 open-ended, limited as to additional series.

6 Sec. 111. Section 12C.6, subsection 2, paragraphs a, c, d,
7 e, and f, Code 2024, are amended to read as follows:

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

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

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

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

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

8 *f.* The notice shall also provide the name and address of a
9 state official to whom inquiries can be sent. Actions of the
10 ~~committee~~ treasurer of state under [this section](#) and section
11 12C.6A are exempt from [chapter 17A](#).

12 Sec. 112. Section 12C.6A, subsection 2, Code 2024, is
13 amended to read as follows:

14 2. In addition to establishing a minimum interest rate for
15 public funds pursuant to [section 12C.6](#), ~~the committee composed~~
16 ~~of the superintendent of banking, the superintendent of credit~~
17 ~~unions, the auditor of state or a designee, and the treasurer~~
18 ~~of state, in consultation with subject matter experts as~~
19 needed, shall develop a list of financial institutions eligible
20 to accept state public funds. The ~~committee~~ treasurer of state
21 shall require that a financial institution seeking to qualify
22 for the list shall annually provide the ~~committee~~ treasurer
23 of state a written statement that the financial institution
24 has complied with the requirements of [this chapter](#) and has a
25 commitment to community reinvestment consistent with the safe
26 and sound operation of a financial institution, unless the
27 financial institution has received a rating of satisfactory
28 or higher pursuant to the federal Community Reinvestment
29 Act, 12 U.S.C. §2901 et seq., and such rating is certified
30 to the ~~committee~~ treasurer of state by the superintendent of
31 banking. To qualify for the list, a financial institution must
32 demonstrate a continuing commitment to meet the credit needs of
33 the local community in which it is chartered.

34 Sec. 113. Section 12C.6A, subsection 3, unnumbered
35 paragraph 1, Code 2024, is amended to read as follows:

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1 The ~~committee~~ treasurer of state may require a financial
2 institution to provide public notice inviting the public to
3 submit comments to the financial institution regarding its
4 community lending activities. Each financial institution shall
5 maintain a file open to public inspection which contains public
6 comments received on its community investment activities, and
7 the financial institution's response to those comments. The
8 ~~committee~~ treasurer of state shall adopt procedures for both
9 of the following:

10 Sec. 114. Section 12C.6A, subsection 4, unnumbered
11 paragraph 1, Code 2024, is amended to read as follows:

12 At least once a year the ~~committee~~ treasurer of state
13 shall review any challenges that have been filed pursuant
14 to subsection 3. The ~~committee~~ treasurer of state may hold
15 a public hearing to consider the challenge. In considering
16 a challenge, the ~~committee~~ treasurer of state shall review
17 documents filed with federal regulatory authorities pursuant to
18 the Community Reinvestment Act, 12 U.S.C. §2901 et seq., and
19 regulations adopted pursuant to the Act, as amended to January
20 1, 1990. In addition, consistent with the confidentiality of
21 financial institution records the ~~committee~~ treasurer of state
22 shall consider other factors including, but not limited to, the
23 following:

24 Sec. 115. Section 12C.6A, subsection 5, Code 2024, is
25 amended to read as follows:

26 5. a. A person who believes a bank has failed to meet its
27 community reinvestment responsibility may file a complaint with
28 the ~~committee~~ treasurer of state detailing the basis for that
29 belief.

30 b. ~~If any committee member, in the member's discretion,~~
31 the treasurer of state, in the treasurer's discretion, finds
32 that the complaint has merit, the ~~member~~ treasurer of state may
33 order the bank alleged to have failed to meet its community
34 reinvestment responsibility to attend and participate in a
35 meeting with the complainant. The ~~committee member~~ treasurer

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1 of state may specify who, at minimum, shall represent the bank
2 at the meeting. At the meeting, or at any other time, the bank
3 may, but is not required to, enter into an agreement with a
4 complainant to correct alleged failings.

5 ~~c. A majority of the committee~~ The treasurer of state may
6 order a bank against which a complaint has been filed pursuant
7 to this subsection, to disclose such additional information
8 relating to community reinvestment as required by the order of
9 ~~the majority of the committee~~ treasurer of state.

10 d. This subsection does not preempt any other remedies
11 available under statutory or common law available to the
12 ~~committee~~ treasurer of state, the superintendent of banking, or
13 aggrieved persons to cure violations of this section or chapter
14 524, or rules adopted pursuant to this section or chapter 524.
15 The ~~committee~~ treasurer of state may conduct a public hearing
16 as provided in subsection 4 based upon the same complaint. An
17 order finding merit in a complaint and ordering a meeting is
18 not an election of remedies.

19 Sec. 116. Section 15.105, subsection 1, paragraph a,
20 subparagraph (1), Code 2024, is amended to read as follows:

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

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

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

29 Sec. 117. Section 15.108, subsection 5, paragraph c, Code
30 2024, is amended to read as follows:

31 c. Coordinate and develop with the department of
32 transportation, the department of natural resources, ~~the~~
33 ~~enhance Iowa board~~, other state agencies, and local and
34 regional entities public interpretation, marketing, and
35 education programs that encourage Iowans and out-of-state

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1 visitors to participate in the recreational and leisure
2 opportunities available in Iowa. The authority shall establish
3 and administer a program that helps connect both Iowa residents
4 and residents of other states to new and existing Iowa
5 experiences as a means to enhance the economic, social, and
6 cultural well-being of the state. The program shall include
7 a broad range of new opportunities, both rural and urban,
8 including main street destinations, green space initiatives,
9 and artistic and cultural attractions.

10 Sec. 118. Section 15.108, subsection 8, paragraph b,
11 subparagraphs (4) and (5), Code 2024, are amended to read as
12 follows:

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

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

26 Sec. 119. Section 15.116, Code 2024, is amended to read as
27 follows:

28 **15.116 Technology commercialization committee.**

29 To evaluate and make recommendations to the authority
30 on appropriate funding for the projects and programs
31 applying for financial assistance from the innovation
32 and commercialization development fund created in section
33 15.412, the economic development authority shall create a
34 technology commercialization committee composed of members
35 with expertise in the areas of biosciences, engineering,

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1 manufacturing, pharmaceuticals, materials, information
2 solutions, software, and energy. At least one member of the
3 technology commercialization committee shall be a member of the
4 economic development authority. An organization designated by
5 the authority, composed of members from both the public and
6 private sectors and composed of subunits or subcommittees in
7 the areas of already identified bioscience platforms, education
8 and workforce development, commercialization, communication,
9 policy and governance, and finance, shall provide funding
10 recommendations to the technology commercialization committee.
11 Members of the committee shall be eligible for a per diem as
12 specified in section 7E.6 for each day spent in performance of
13 duties as members, and shall receive compensation for mileage
14 to and from meetings.

15 Sec. 120. Section 15.117A, subsection 2, paragraph a,
16 unnumbered paragraph 1, Code 2024, is amended to read as
17 follows:

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

19 Sec. 121. Section 15.117A, subsection 2, paragraph a,
20 subparagraphs (1), (3), and (9), Code 2024, are amended to read
21 as follows:

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

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1 ~~the state.~~

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

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

7 Sec. 122. Section 15.117A, subsection 2, paragraph a,
8 subparagraphs (2) and (4), Code 2024, are amended by striking
9 the subparagraphs.

10 Sec. 123. Section 15.117A, subsection 4, Code 2024, is
11 amended to read as follows:

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

23 Sec. 124. Section 15.117A, subsection 6, paragraphs a, b,
24 and d, Code 2024, are amended by striking the paragraphs.

25 Sec. 125. Section 15.117A, Code 2024, is amended by adding
26 the following new subsection:

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

34 Sec. 126. Section 15.439, subsection 1, paragraphs a, c, d,
35 and e, Code 2024, are amended to read as follows:

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1 ~~a.~~ The authority shall establish and administer an Iowa
2 great places program for purposes of combining resources of
3 state government in an effort to showcase the unique and
4 authentic qualities of communities, regions, neighborhoods, and
5 districts that make such places exceptional places to work and
6 live. ~~The authority shall provide administrative assistance to~~
7 ~~the Iowa great places board.~~ The authority shall coordinate
8 ~~the efforts of the Iowa great places board with the efforts of~~
9 other state agencies participating in the program which shall
10 include but not be limited to the Iowa finance authority, the
11 department of health and human services, the department of
12 natural resources, the state department of transportation, and
13 the department of workforce development.

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

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

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

26 Sec. 127. Section 15.439, subsection 2, Code 2024, is
27 amended by striking the subsection.

28 Sec. 128. Section 15.439, subsections 3 and 4, Code 2024,
29 are amended to read as follows:

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

31 ~~a.~~ ~~Organize.~~

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

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

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1 4. Notwithstanding any restriction, requirement, or
2 duty to the contrary, in considering an application for a
3 grant, loan, or other financial or technical assistance for a
4 project identified in an Iowa great places agreement developed
5 pursuant to [this section](#), a state agency shall give additional
6 consideration or additional points in the application of rating
7 or evaluation criteria to such applications. [This subsection](#)
8 applies to applications filed within three years of the ~~Iowa~~
9 ~~great places board's~~ authority's identification of the project
10 for participation in the program.

11 Sec. 129. Section 15.478, subsection 1, Code 2024, is
12 amended by striking the subsection.

13 Sec. 130. Section 15.479, subsection 4, Code 2024, is
14 amended to read as follows:

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

21 Sec. 131. Section 15.481, unnumbered paragraph 1, Code
22 2024, is amended to read as follows:

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

24 Sec. 132. Section 15.481, subsections 2 and 3, Code 2024,
25 are amended to read as follows:

26 2. Approve or disapprove the grants recommended for
27 approval by the director, in consultation with the Iowa arts
28 council and the state historical society of Iowa, in accordance
29 with [section 15.108, subsection 8](#), paragraph "b". The ~~board~~
30 authority may remove any recommendation from the list, but
31 shall not add to or otherwise amend the list of recommended
32 grants.

33 3. Upon approving a grant, the ~~board~~ authority shall certify
34 to the treasurer of state the amount of financial assistance
35 payable from the grant account to the qualified organization

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1 whose grant application is approved.

2 Sec. 133. Section 15.482, subsections 1 and 3, Code 2024,
3 are amended to read as follows:

4 1. An Iowa cultural trust grant account is created in
5 the office of the treasurer of state under the control of
6 the ~~board~~ authority to receive interest attributable to the
7 investment of trust fund moneys as required by section 15.479,
8 subsection 4. The moneys in the grant account are appropriated
9 to the ~~board~~ authority for purposes of the Iowa cultural trust
10 created in [section 15.479](#). Moneys in the grant account shall
11 not be subject to appropriation for any other purpose by the
12 general assembly, but shall be used only for the purposes of
13 the Iowa cultural trust. The treasurer of state shall act as
14 custodian of the grant account and disburse moneys contained
15 in the grant account as directed by the ~~board~~ authority. The
16 ~~board~~ authority shall make expenditures from the grant account
17 consistent with the purposes of the Iowa cultural trust.

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

24 Sec. 134. Section 15F.101, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. "~~Board~~" means the ~~enhance Iowa economic development~~
27 authority board as created in [section ~~15F.102~~ 15.105](#).

28 Sec. 135. Section 15F.203, subsection 2, Code 2024, is
29 amended to read as follows:

30 2. A review committee composed of five members of the
31 board shall review community attraction and tourism program
32 applications forwarded to the board and make recommendations
33 regarding the applications to the board. ~~The review committee~~
34 ~~shall consist of members of the board, with one member from~~
35 ~~each congressional district under section 15F.102, subsection~~

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1 ~~2, paragraph "a", and one member from the state at large under~~
2 ~~section 15F.102, subsection 2, paragraph "b".~~

3 Sec. 136. Section 15F.304, subsection 2, Code 2024, is
4 amended to read as follows:

5 2. A review committee composed of six members of the
6 board shall review vision Iowa program applications and
7 river enhancement community attraction and tourism project
8 applications forwarded to the board and make recommendations
9 regarding the applications to the board. ~~The review committee~~
10 ~~shall consist of members of the board, with one member from~~
11 ~~each congressional district under section 15F.102, subsection~~
12 ~~2, paragraph "a", and two members from the state at large under~~
13 ~~section 15F.102, subsection 2, paragraph "b".~~

14 Sec. 137. Section 15F.402, subsection 2, Code 2024, is
15 amended to read as follows:

16 2. A review committee composed of five members of the
17 board shall review sports tourism marketing and infrastructure
18 program applications forwarded to the board and make
19 recommendations regarding the applications to the authority.
20 ~~The review committee shall consist of members of the board,~~
21 ~~with one member from each congressional district under section~~
22 ~~15F.102, subsection 2, paragraph "a", and one member from the~~
23 ~~state at large under section 15F.102, subsection 2, paragraph~~
24 ~~"b".~~

25 Sec. 138. Section 15H.3, subsection 1, paragraphs e and k,
26 Code 2024, are amended by striking the paragraphs.

27 Sec. 139. Section 16.2D, subsections 1, 2, 3, 4, 5, and 6,
28 Code 2024, are amended by striking the subsections.

29 Sec. 140. Section 16.2D, subsection 7, unnumbered paragraph
30 1, Code 2024, is amended to read as follows:

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

33 Sec. 141. Section 16.2D, subsection 7, paragraph e, Code
34 2024, is amended to read as follows:

35 e. Advise the governor's office, ~~the authority,~~ state

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1 agencies, and private organizations on strategies to prevent
2 and eliminate homelessness.

3 Sec. 142. Section 16.2D, subsections 8, 9, and 10, Code
4 2024, are amended to read as follows:

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

8 9. a. The authority, ~~in consultation with the council,~~
9 shall adopt rules pursuant to [chapter 17A](#) for carrying out the
10 duties of the ~~council~~ authority pursuant to [this section](#).

11 b. The ~~council~~ authority shall establish internal rules of
12 procedure consistent with the provisions of [this section](#).

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

17 10. The ~~council~~ authority shall comply with the
18 requirements of [chapters 21](#) and [22](#). ~~The authority shall be the~~
19 ~~official repository of council records.~~

20 Sec. 143. Section 20.1, subsection 2, unnumbered paragraph
21 1, Code 2024, is amended to read as follows:

22 The general assembly declares that the purposes of the
23 ~~public employment relations board established by employment~~
24 ~~appeal board with respect to~~ [this chapter](#) are to implement
25 the provisions of [this chapter](#) and adjudicate and conciliate
26 employment-related cases involving the state of Iowa and
27 other public employers and employee organizations. For these
28 purposes the powers and duties of the board include but are not
29 limited to the following:

30 Sec. 144. Section 20.3, subsection 2, Code 2024, is amended
31 to read as follows:

32 2. "Board" means the ~~public employment relations~~ appeal
33 board established under [section 20.5 10A.601](#).

34 Sec. 145. Section 20.6, subsection 1, Code 2024, is amended
35 to read as follows:

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1 1. Administer the provisions of [this chapter](#) and delegate
2 the powers and duties of the board to ~~the executive director or~~
3 persons employed by the board, as appropriate.

4 Sec. 146. Section 22.7, subsection 69, Code 2024, is amended
5 to read as follows:

6 69. The evidence of public employee support for
7 the certification, retention and recertification, or
8 decertification of an employee organization as defined in
9 section 20.3 that is submitted to the public employment
10 ~~relations~~ appeal board as provided in [section 20.14](#) or [20.15](#).

11 Sec. 147. Section 23A.2, subsection 6, paragraph a, Code
12 2024, is amended to read as follows:

13 a. The director of the department of corrections, ~~with the~~
14 ~~advice of the state prison industries advisory board,~~ may, by
15 rule, provide for exemptions from [this chapter](#).

16 Sec. 148. Section 34A.2A, subsection 2, Code 2024, is
17 amended to read as follows:

18 2. The 911 program manager shall act under the supervisory
19 control of the director of the department of homeland security
20 and emergency management, ~~and in consultation with the~~
21 ~~911 communications council,~~ and shall perform the duties
22 specifically set forth in [this chapter](#) and as assigned by the
23 director.

24 Sec. 149. Section 34A.7A, subsection 2, paragraph f,
25 subparagraph (1), subparagraph division (a), Code 2024, is
26 amended by striking the subparagraph division.

27 Sec. 150. Section 34A.7A, subsection 2, paragraph f,
28 subparagraph (1), subparagraph division (b), Code 2024, is
29 amended to read as follows:

30 (b) The program manager, ~~in consultation with the 911~~
31 ~~communications council,~~ shall allocate an amount, not to exceed
32 one hundred thousand dollars per fiscal year, for development
33 of public awareness and educational programs related to the
34 use of 911 by the public, educational programs for personnel
35 responsible for the maintenance, operation, and upgrading of

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1 local 911 systems, ~~and the expenses of members of the 911~~
2 ~~communications council for travel, monthly meetings, and~~
3 ~~training, provided, however, that the members have not received~~
4 ~~reimbursement funds for such expenses from another source.~~

5 Sec. 151. Section 34A.7A, subsection 2, paragraph g, Code
6 2024, is amended to read as follows:

7 g. The director, in consultation with the program manager
8 ~~and the 911 communications council~~, shall adopt rules pursuant
9 to [chapter 17A](#) governing the distribution of the surcharge
10 collected and distributed pursuant to [this subsection](#). The
11 rules shall include provisions that all joint 911 service
12 boards and the department of public safety which answer or
13 service wireless 911 calls are eligible to receive an equitable
14 portion of the receipts.

15 Sec. 152. Section 34A.7A, subsection 5, paragraph a, Code
16 2024, is amended to read as follows:

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

27 Sec. 153. Section 34A.11, subsection 1, Code 2024, is
28 amended to read as follows:

29 1. The joint 911 service board in each 911 service area
30 shall designate a person to serve as a single point-of-contact
31 to facilitate the communication of needs, issues, or concerns
32 regarding emergency communications, interoperability, and
33 other matters applicable to emergency 911 communications and
34 migration to the next generation 911 network. The person
35 designated as the single point-of-contact shall be responsible

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1 for facilitating the communication of such needs, issues, or
2 concerns between public or private safety agencies within the
3 service area, the 911 program manager, ~~the 911 communications~~
4 ~~council~~, the statewide interoperable communications system
5 board established in [section 80.28](#), and any other person,
6 entity, or agency the person deems necessary or appropriate.
7 The person designated shall also be responsible for responding
8 to surveys or requests for information applicable to the
9 service area received from a federal, state, or local agency,
10 entity, or board.

11 Sec. 154. Section 35A.2, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. Ten commissioners shall be honorably discharged members
14 of the armed forces of the United States. The American
15 legion ~~of Iowa~~, disabled American veterans ~~department of Iowa~~,
16 veterans of foreign wars ~~department of Iowa~~, American veterans
17 ~~of World War II, Korea, and Vietnam~~, the Vietnam veterans of
18 America, the military order of the purple heart, the paralyzed
19 veterans of America, and the Iowa association of county
20 commissioners and veteran service officers, through their
21 department commanders, shall submit two names respectively from
22 their organizations to the governor. The adjutant general and
23 the Iowa affiliate of the reserve officers association ~~shall~~
24 may submit names to the governor of persons to represent the
25 Iowa national guard and the ~~association~~ reserve organization
26 of America. The governor shall appoint from the group of
27 names submitted by the adjutant general and reserve officers
28 association two representatives and from each of the other
29 organizations one representative to serve as a member of the
30 commission, unless the appointments would conflict with the
31 bipartisan and gender balance provisions of [sections 69.16](#) and
32 [69.16A](#). In addition, the governor shall appoint one member
33 of the public, knowledgeable in the general field of veterans
34 affairs, to serve on the commission. If an organization fails
35 to submit a recommendation pursuant to this subsection, the

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1 governor may appoint any person to fill the vacancy.

2 Sec. 155. Section 68B.2, subsection 23, Code 2024, is
3 amended to read as follows:

4 23. "*Regulatory agency*" means the department of agriculture
5 and land stewardship, department of workforce development,
6 department of insurance and financial services, department
7 of public safety, department of education, state board of
8 regents, department of health and human services, department
9 of revenue, department of inspections, appeals, and licensing,
10 department of administrative services, ~~public employment~~
11 ~~relations~~ appeal board, state department of transportation,
12 ~~civil rights commission~~ office of civil rights, department of
13 public defense, department of homeland security and emergency
14 management, Iowa ethics and campaign disclosure board,
15 utilities board, and department of natural resources.

16 Sec. 156. Section 68B.35, subsection 2, paragraph e, Code
17 2024, is amended to read as follows:

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

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1 filing of a statement pursuant to rules adopted pursuant to
2 chapter 17A.

3 Sec. 157. Section 70A.28, subsection 6, Code 2024, is
4 amended to read as follows:

5 6. **Subsection 2** may also be enforced by an employee through
6 an administrative action pursuant to the requirements of this
7 subsection if the employee is not a merit system employee or
8 an employee covered by a collective bargaining agreement. An
9 employee eligible to pursue an administrative action pursuant
10 to **this subsection** who is discharged, suspended, demoted,
11 or otherwise receives a reduction in pay and who believes
12 the adverse employment action was taken as a result of the
13 employee's disclosure of information that was authorized
14 pursuant to **subsection 2**, may file an appeal of the adverse
15 employment action with the ~~public~~ employment relations appeal
16 board within thirty calendar days following the later of the
17 effective date of the action or the date a finding is issued
18 to the employee by the office of ombudsman pursuant to section
19 2C.11A. The findings issued by the ombudsman may be introduced
20 as evidence before the ~~public~~ employment relations appeal
21 board. The employee has the right to a hearing closed to
22 the public, but may request a public hearing. The hearing
23 shall otherwise be conducted in accordance with the rules of
24 the ~~public~~ employment relations appeal board and the Iowa
25 administrative procedure Act, **chapter 17A**. If the ~~public~~
26 employment relations appeal board finds that the action taken
27 in regard to the employee was in violation of **subsection 2**, the
28 employee may be reinstated without loss of pay or benefits for
29 the elapsed period, or the ~~public~~ employment relations appeal
30 board may provide other appropriate remedies. Decisions by
31 the ~~public~~ employment relations appeal board constitute final
32 agency action.

33 Sec. 158. Section 80.28, subsections 2 and 3, Code 2024, are
34 amended to read as follows:

35 2. The board shall consist of ~~nineteen voting members, as~~

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1 ~~follows the following members, selected by the governor after~~
2 ~~considering recommendations from professional or volunteer~~
3 ~~organizations:~~
4 ~~a. The following members representing state agencies:~~
5 ~~(1) One member representing the department of public~~
6 ~~safety.~~
7 ~~(2) One member representing the state department of~~
8 ~~transportation.~~
9 ~~(3) One member representing the department of homeland~~
10 ~~security and emergency management.~~
11 ~~(4) One member representing the department of corrections.~~
12 ~~(5) One member representing the department of natural~~
13 ~~resources.~~
14 ~~(6) One member representing the department of health and~~
15 ~~human services.~~
16 ~~(7) One member representing the office of the chief~~
17 ~~information officer created in [section 8B.2](#).~~
18 ~~(8) One member representing the Iowa law enforcement~~
19 ~~academy created in [section 80B.4](#).~~
20 ~~b. The governor shall solicit and consider recommendations~~
21 ~~from professional or volunteer organizations in appointing the~~
22 ~~following members:~~
23 ~~(1) Two members who are representatives~~ One member who is a
24 representative from a municipal police departments department.
25 ~~(2) b. Two members who are representatives~~ One member who
26 is a representative of a sheriff's offices office.
27 ~~(3) c. Two members who are representatives~~ One member who
28 is a representative from a fire departments department. One
29 of the members shall be a volunteer fire fighter and the other
30 member shall be a paid fire fighter.
31 ~~(4) d. Two members who are~~ One member who is a law
32 communication center managers manager employed by a state or
33 local government agencies agency.
34 ~~(5) e. One member representing local emergency management~~
35 ~~coordinators.~~

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

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

4 3. In addition to the ~~voting~~ members listed in subsection
5 2, the board membership shall include four members of the
6 general assembly with one member designated by each of
7 the following: the majority leader of the senate, the
8 minority leader of the senate, the speaker of the house of
9 representatives, and the minority leader of the house of
10 representatives. A legislative member serves for a term as
11 provided in [section 69.16B](#) in an ex officio, nonvoting capacity
12 and is eligible for per diem and expenses as provided in
13 section 2.10.

14 Sec. 159. Section 84A.1A, subsection 1, unnumbered
15 paragraph 1, Code 2024, is amended to read as follows:

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

19 Sec. 160. Section 84A.1A, subsection 1, paragraph a,
20 subparagraph (5), Code 2024, is amended by striking the
21 subparagraph.

22 Sec. 161. Section 84A.1A, subsection 1, paragraph a,
23 subparagraph (8), unnumbered paragraph 1, Code 2024, is amended
24 to read as follows:

25 The following ~~twenty-six~~ members who shall be appointed by
26 the governor for staggered terms of four years beginning and
27 ending as provided in [section 69.19](#), subject to confirmation
28 by the senate:

29 Sec. 162. Section 84A.1A, subsection 1, paragraph a,
30 subparagraph (8), subparagraph division (a), unnumbered
31 paragraph 1, Code 2024, is amended to read as follows:

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

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1 Sec. 163. Section 84A.1A, subsection 1, paragraph a,
2 subparagraph (8), subparagraph division (b), Code 2024, is
3 amended to read as follows:

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

7 (i) ~~Four~~ At least two representatives of labor
8 organizations who have been nominated by state labor
9 federations.

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

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

29 Sec. 164. Section 84A.1A, subsection 1, paragraph b, Code
30 2024, is amended by striking the paragraph and inserting in
31 lieu thereof the following:

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

35 Sec. 165. Section 89.2, subsection 2, Code 2024, is amended

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1 by striking the subsection.

2 Sec. 166. Section 89.3, subsection 6, paragraph c, Code
3 2024, is amended to read as follows:

4 c. If the director intends to deny the request, the director
5 shall contact the owner prior to the denial and provide an
6 opportunity for the owner to address the reasons for the
7 intended denial. If the ~~board~~ department has not adopted rules
8 pursuant to [section 89.14, subsection 11](#), the lack of adoption
9 shall not be grounds for the director not to consider a request
10 for a longer inspection interval pursuant to [this subsection](#).

11 Sec. 167. Section 89.6, subsection 2, Code 2024, is amended
12 to read as follows:

13 2. Before any power boiler is converted to a low pressure
14 boiler, the owner or user shall give to the director ten
15 days' written notice of intent to convert the boiler. The
16 notice shall designate the boiler location, the uses of the
17 building, and other information specified by rule by the ~~board~~
18 department.

19 Sec. 168. Section 89.14, subsections 1, 5, 6, 7, 8, 9, 10,
20 and 11, Code 2024, are amended to read as follows:

21 ~~1. A boiler and pressure vessel board is created within the~~
22 ~~The department to formulate~~ shall adopt definitions and rules
23 requirements for the safe and proper installation, repair,
24 maintenance, alteration, use, and operation of boilers and
25 pressure vessels in this state.

26 5. The ~~board~~ department shall adopt rules pursuant to
27 chapter 17A necessary to administer the duties of the ~~board~~
28 department. Rules adopted by the ~~board~~ department shall
29 be in accordance with accepted engineering standards and
30 practices. The ~~board~~ department shall adopt rules relating to
31 the equipment covered by [this chapter](#) that are in accordance
32 with the ASME code, which may include addenda, interpretations,
33 and code cases, as soon as reasonably practical following
34 publication by the American society of mechanical engineers.
35 The ~~board~~ department shall adopt rules to require that

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1 operation of equipment cease in the event of imminent danger.

2 6. A notice of defect or inspection report issued by the
3 director pursuant to [this chapter](#) may, within thirty days after
4 the making of the order, be appealed to the ~~board~~ department.
5 ~~Board Department~~ action constitutes final agency action for
6 purposes of [chapter 17A](#).

7 7. Not later than July 1, 2005, and every three years
8 thereafter, the ~~board~~ department shall conduct a comprehensive
9 review of existing boiler rules, regulations, and standards,
10 including but not limited to those relating to potable hot
11 water supply boilers and water heaters.

12 8. The ~~board~~ department shall establish fees for
13 examinations, inspections, annual statements, shop inspections,
14 and other services. The fees shall reflect the actual costs
15 and expenses necessary to operate the ~~board~~ department and
16 perform the duties of the director.

17 9. The ~~board~~ department may adopt rules governing the
18 conversion of power boilers to low pressure boilers.

19 10. The ~~board~~ department may adopt rules establishing an
20 internal inspection interval of up to four years for objects
21 that are subject to inspection pursuant to section 89.3,
22 subsection 4, and are owned and operated by electric public
23 utilities subject to rate regulation under [chapter 476](#).

24 11. The ~~board~~ department shall adopt rules to allow an
25 extended internal inspection interval of up to seven years for
26 objects that are subject to inspection pursuant to section
27 ~~89.5A~~ 89.3, subsection 6.

28 Sec. 169. Section 89.14, subsections 2, 3, and 4, Code 2024,
29 are amended by striking the subsections.

30 Sec. 170. Section 89A.1, subsection 18, Code 2024, is
31 amended by striking the subsection.

32 Sec. 171. Section 89A.3, subsections 1, 3, 4, and 7, Code
33 2024, are amended to read as follows:

34 1. The ~~safety board~~ department may adopt rules governing
35 maintenance, construction, alteration, and installation of

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1 conveyances, and the inspection and testing of new and existing
2 installations as necessary to provide for the public safety,
3 and to protect the public welfare.

4 3. The ~~safety board~~ department shall adopt rules for
5 conveyances according to the applicable provisions of the
6 American society of mechanical engineers safety codes for
7 elevators and escalators, A17.1 and A17.3, as the ~~safety board~~
8 department deems necessary. In adopting rules the ~~safety~~
9 ~~board~~ department may adopt the American society of mechanical
10 engineers safety codes, or any part of the codes, by reference.

11 4. The ~~safety board~~ department may adopt rules permitting
12 existing passenger and freight elevators to be modified into
13 material lift elevators.

14 7. The ~~safety board~~ department may adopt rules permitting
15 inclined or vertical wheelchair lifts in churches and houses of
16 worship to service more than one floor.

17 Sec. 172. Section 89A.3, subsection 2, unnumbered paragraph
18 1, Code 2024, is amended to read as follows:

19 The ~~safety board~~ department shall adopt, amend, or repeal
20 rules pursuant to [chapter 17A](#) as it deems necessary for the
21 administration of [this chapter](#), which shall include but not be
22 limited to rules providing for:

23 Sec. 173. Section 89A.3, subsection 2, paragraph i, Code
24 2024, is amended to read as follows:

25 *i.* The amount of fees charged and collected for inspection,
26 permits, and commissions. Fees shall be set at an amount
27 sufficient to cover costs as determined from consideration
28 of the reasonable time required to conduct an inspection,
29 reasonable hourly wages paid to inspectors, and reasonable
30 transportation and similar expenses. The ~~safety board~~
31 department shall also be authorized to consider setting reduced
32 fees for nonprofit associations and nonprofit corporations, as
33 described in [chapters 501B](#) and [504](#).

34 Sec. 174. Section 89A.6, subsections 2, 3, and 6, Code 2024,
35 are amended to read as follows:

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1 2. Every existing conveyance registered with the director
2 shall be inspected within one year after the effective date of
3 the registration, except that the ~~safety board~~ department may
4 extend by rule the time specified for making inspections.

5 3. Every conveyance shall be inspected not less frequently
6 than annually, except that the ~~safety board~~ department may
7 adopt rules providing for inspections of conveyances at
8 intervals other than annually.

9 6. In addition to the inspections required by subsections
10 1 through 3, the ~~safety board~~ department may provide by rule
11 for additional inspections as the ~~safety board~~ department deems
12 necessary to enforce the provisions of [this chapter](#).

13 Sec. 175. Section 89A.10, subsection 2, Code 2024, is
14 amended to read as follows:

15 2. If the owner does not make the changes necessary for
16 compliance as required in [subsection 1](#) within the period
17 specified by the director, the director, upon notice, may
18 suspend or revoke the operating permit, or may refuse to issue
19 the operating permit for the conveyance. The director shall
20 notify the owner of any action to suspend, revoke, or refuse
21 to issue an operating permit and the reason for the action
22 by service in the same manner as an original notice or by
23 certified mail. An owner may appeal the director's initial
24 decision to the ~~safety board~~ department. The decision of the
25 ~~safety board~~ department shall be considered final agency action
26 pursuant to [chapter 17A](#).

27 Sec. 176. Section 89A.11, Code 2024, is amended to read as
28 follows:

29 **89A.11 Nonconforming conveyances.**

30 The ~~safety board~~ department, pursuant to rule, may grant
31 exceptions and variances from the requirements of rules
32 adopted for any conveyance. Exceptions or variations shall be
33 reasonably related to the age of the conveyance, and may be
34 conditioned upon a repair or modification of the conveyance
35 deemed necessary by the ~~safety board~~ department to assure

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1 reasonable safety. However, an exception or variance shall not
2 be granted except to prevent undue hardship. Such conveyances
3 shall be subject to orders issued pursuant to [section 89A.10](#).

4 Sec. 177. Section 89A.13, subsections 1, 5, and 7, Code
5 2024, are amended to read as follows:

6 1. ~~An elevator safety board is created within the The~~
7 department ~~to formulate~~ shall adopt definitions and rules
8 for the safe and proper installation, repair, maintenance,
9 alteration, use, and operation of conveyances in this state.

10 5. The owner or user of equipment regulated under this
11 chapter may appeal a notice of defect or an inspection report
12 to the ~~safety board~~ department within thirty days after the
13 issuance of the notice or report. ~~Safety board~~ Department
14 action constitutes final agency action for purposes of chapter
15 17A.

16 7. Not later than July 1, 2005, and every three years
17 thereafter, the ~~safety board~~ department shall conduct a
18 comprehensive review of existing conveyance rules, regulations,
19 and standards.

20 Sec. 178. Section 89A.13, subsections 2, 3, 4, and 6, Code
21 2024, are amended by striking the subsections.

22 Sec. 179. Section 89A.14, Code 2024, is amended to read as
23 follows:

24 **89A.14 Continuing duty of owner.**

25 Every conveyance shall be maintained by the owner in a safe
26 operating condition and in conformity with the rules adopted
27 by the ~~safety board~~ department.

28 Sec. 180. Section 97B.8B, subsection 2, Code 2024, is
29 amended to read as follows:

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

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

6 Sec. 181. Section 100B.1, subsection 1, paragraph a, Code
7 2024, is amended to read as follows:

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

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

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

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

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

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

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

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

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

32 ~~(4)~~ (2) The labor commissioner, or the labor commissioner's
33 designee, shall be a nonvoting, ex officio member of the
34 council.

35 Sec. 182. Section 100B.1, subsection 3, Code 2024, is

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1 amended to read as follows:

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

9 Sec. 183. Section 100C.1, subsection 5, Code 2024, is
10 amended to read as follows:

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

20 Sec. 184. Section 100C.7, Code 2024, is amended to read as
21 follows:

22 100C.7 Administration — rules.

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

28 Sec. 185. Section 100D.5, subsection 1, Code 2024, is
29 amended to read as follows:

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

35 Sec. 186. Section 101C.2, subsection 1, Code 2024, is

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1 amended by striking the subsection and inserting in lieu
2 thereof the following:

3 1. "*Department*" means the department of agriculture and land
4 stewardship.

5 Sec. 187. Section 101C.3, subsections 1, 2, 3, 4, 5, 6, and
6 7, Code 2024, are amended by striking the subsections.

7 Sec. 188. Section 101C.3, subsections 8, 9, 10, 11, 12, and
8 13, Code 2024, are amended to read as follows:

9 8. a. The ~~council~~ department shall develop programs and
10 projects and enter into agreements for administering such
11 programs and projects as provided in [this chapter](#), including
12 programs to enhance consumer and employee safety and training,
13 provide for research and development of clean and efficient
14 propane utilization equipment, inform and educate the public
15 about safety and other issues associated with the use of
16 propane, and develop programs and projects that provide
17 assistance to persons who are eligible for the low-income home
18 energy assistance program. The programs and projects shall
19 be developed to attain equitable geographic distribution of
20 their benefits to the fullest extent practicable. The costs of
21 the programs and projects shall be paid with funds collected
22 pursuant to [section 101C.4](#). The ~~council~~ department shall
23 coordinate ~~its~~ the programs and projects with propane industry
24 trade associations and others as the ~~council~~ department deems
25 appropriate to provide efficient delivery of services and to
26 avoid unnecessary duplication of activities. Issues concerning
27 propane that are related to research and development, safety,
28 education, and training shall be given priority by the ~~council~~
29 department in the development of programs and projects.

30 b. The ~~council~~ department may develop energy efficiency
31 programs dedicated to weatherization, acquisition, and
32 installation of energy-efficient customer appliances that
33 qualify for energy star certification, installation of low-flow
34 faucets and showerheads, and energy efficiency education. The
35 ~~council~~ department may by rule establish quality standards in

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1 relation to weatherization and appliance installation.

2 9. At the beginning of each fiscal year, the ~~council~~
3 department shall prepare a budget plan for the next fiscal
4 year, including the probable cost of all programs, projects,
5 and contracts to be undertaken under this chapter. The
6 ~~council~~ department shall submit the proposed budget to the fire
7 marshal for review and comment. The fire marshal may recommend
8 appropriate programs, projects, and activities to be undertaken
9 by the ~~council~~ department.

10 10. The ~~council~~ department shall keep minutes, books, and
11 records that clearly reflect all of the acts and transactions
12 of the ~~council~~ department under this chapter which are public
13 records open to public inspection. The books and records shall
14 indicate the geographic areas where benefits were conferred
15 by each individual program or project in detail sufficient to
16 reflect the degree to which each program or project attained
17 equitable geographic distribution of its benefits. The books
18 of the ~~council~~ department shall be audited by a certified
19 public accountant at least once each fiscal year and at such
20 other times as the ~~council~~ department may designate. The
21 cost of the audit shall be paid by the ~~council~~ department.
22 Copies of the audit shall be provided to ~~all council members,~~
23 ~~all qualified propane industry organizations,~~ and to other
24 members of the propane industry upon request. In addition,
25 a copy of the audit and a report detailing the programs and
26 projects conducted by the ~~council~~ department and containing
27 information reflecting the degree to which equitable geographic
28 distribution of the benefits of each program or project was
29 attained shall be submitted each fiscal year to the chief
30 clerk of the house of representatives and the secretary of the
31 senate.

32 11. The ~~council~~ department is subject to the open meetings
33 requirements of [chapter 21](#) when meeting pursuant to this
34 chapter.

35 12. The ~~council~~ department shall ~~promulgate~~ adopt

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1 administrative rules pursuant to [chapter 17A](#) ~~which shall have~~
2 ~~the same force and effect as if adopted by a state agency.~~
3 ~~Initial rules shall be promulgated on an emergency basis.~~

4 13. The ~~council~~ department shall also perform the functions
5 required of a state organization under the federal Propane
6 Education and Research Act of 1996, be the repository of funds
7 received under that Act, and separately account for those
8 funds. The ~~council~~ department shall coordinate the operation
9 of the program with the federal council as contemplated by 15
10 U.S.C. §6405.

11 Sec. 189. Section 101C.4, subsections 1, 2, and 3, Code
12 2024, are amended to read as follows:

13 1. The ~~council and its~~ activities of the department under
14 this chapter shall be funded by an annual assessment. ~~Upon~~
15 ~~establishment of the council and each year thereafter the~~ The
16 annual assessment shall be made at a rate of one-tenth of one
17 cent on each gallon of odorized propane sold.

18 2. The owner of odorized propane at the time of odorization
19 or at the time of import shall calculate the amount of the
20 assessment based on the volume of odorized propane sold for use
21 in this state. The assessment, when made, shall be listed as a
22 separate line item on the bill of sale for the odorized propane
23 and titled "Iowa propane education and research assessment".
24 Assessments shall be collected by the owner from purchasers
25 of the odorized propane and shall be paid by the owner to the
26 ~~council~~ department on a monthly basis by the twenty-fifth day
27 of the month following the month the assessment was collected.
28 If payment is not made to the ~~council~~ department by the due
29 date as required by [this subsection](#), an interest penalty of one
30 percent of any amount unpaid shall be imposed against the owner
31 for each month or fraction of a month after the due date, until
32 final payment is made.

33 3. Notwithstanding [subsection 2](#), the ~~council~~ department may
34 establish an alternative means of collecting such assessments
35 if the ~~council~~ department determines that another method would

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1 be more efficient or effective and may establish an alternative
2 late payment charge or interest penalty to be imposed on a
3 person who fails to timely pay any amount due under this
4 chapter to the ~~council~~ department.

5 Sec. 190. Section 101C.4, subsection 4, unnumbered
6 paragraph 1, Code 2024, is amended to read as follows:

7 Pending the disbursement of assessments collected, the
8 ~~council~~ department shall invest moneys collected through
9 assessments and any other moneys received by the ~~council~~
10 department pursuant to this chapter in any of the following:

11 Sec. 191. Section 101C.5, Code 2024, is amended to read as
12 follows:

13 **101C.5 Referendum for termination of ~~council~~ activities.**

14 On the ~~council's~~ department's own initiative or on petition
15 to the ~~council~~ department by retail propane marketers
16 representing thirty-five percent of the volume of odorized
17 propane sold in this state, the ~~council~~ department shall, at
18 its own expense, arrange for a referendum to be conducted by
19 an independent auditing firm agreed upon by the retail propane
20 marketers, to determine whether the ~~council~~ activities of
21 the department under this chapter should be terminated or
22 suspended. Voting rights in the referendum shall be based
23 on the volume of odorized propane sold in this state by each
24 retail propane marketer during the previous calendar year.
25 Each retail propane marketer voting in the referendum shall
26 certify to the independent auditing firm the volume of odorized
27 propane sold by that person as represented by that person's
28 vote. Upon the approval of those retail propane marketers
29 representing more than one-half of the total volume of odorized
30 propane sold in this state, the ~~council~~ activities of the
31 department under this chapter shall be terminated or suspended
32 and the general assembly shall consider the repeal of this
33 chapter during its next regular session.

34 Sec. 192. Section 101C.6, Code 2024, is amended to read as
35 follows:

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1 **101C.6 Compliance.**

2 The district court is vested with the jurisdiction
3 specifically to enforce **this chapter** and to prevent or restrain
4 any person from violating **this chapter**. A successful action
5 for compliance brought under **this section** may also require
6 payment by the defendant of the costs incurred by the ~~council~~
7 department in bringing the action.

8 Sec. 193. Section 101C.7, Code 2024, is amended to read as
9 follows:

10 **101C.7 Lobbying restrictions.**

11 Moneys collected by the ~~council~~ department pursuant to
12 this chapter shall not be used in any manner for influencing
13 legislation or elections, except that the ~~council~~ department
14 may recommend changes in **this chapter** or other statutes that
15 would further the purposes of **this chapter** to the general
16 assembly.

17 Sec. 194. Section 101C.8, Code 2024, is amended to read as
18 follows:

19 **101C.8 Pricing.**

20 In all cases, the price of propane shall be determined by
21 market forces. Consistent with antitrust laws, the ~~council~~
22 department shall not take any action regarding, and this
23 chapter shall not be interpreted as establishing, an agreement
24 to pass along to consumers the cost of the assessment provided
25 for in **section 101C.4**.

26 Sec. 195. Section 101C.10, Code 2024, is amended to read as
27 follows:

28 **101C.10 Bond.**

29 Any person occupying a position of trust under any provision
30 of **this chapter** shall provide a bond in an amount required by
31 the ~~council~~ department. The costs of obtaining the bond shall
32 be paid out of ~~council~~ department funds.

33 Sec. 196. Section 101C.11, Code 2024, is amended to read as
34 follows:

35 **101C.11 Report.**

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1 The ~~council~~ department shall prepare and submit an annual
2 report to the fire marshal and the auditor of state summarizing
3 the activities of the ~~council~~ department conducted pursuant to
4 this chapter. The report shall show all income, expenses, and
5 other relevant information concerning assessments collected and
6 expended under this chapter. The report shall also include a
7 summary of energy efficiency programs as specified in section
8 101C.3, subsection 8, if developed by the ~~council~~ department.

9 Sec. 197. Section 103.1, subsection 2, Code 2024, is amended
10 to read as follows:

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

14 Sec. 198. Section 103A.3, subsection 1, Code 2024, is
15 amended to read as follows:

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

19 Sec. 199. Section 103A.3, subsection 6, Code 2024, is
20 amended by striking the subsection.

21 Sec. 200. Section 103A.7, subsection 1, Code 2024, is
22 amended to read as follows:

23 1. The state building code commissioner with the approval
24 of the ~~advisory council~~ department is hereby empowered and
25 directed to formulate and adopt and from time to time amend
26 or revise and to promulgate, in conformity with and subject
27 to the conditions set forth in this chapter, reasonable rules
28 designed to establish minimum safeguards in the erection and
29 construction of buildings and structures, to protect the human
30 beings who live and work in them from fire and other hazards,
31 and to establish regulations to further protect the health,
32 safety, and welfare of the public.

33 Sec. 201. Section 103A.8A, Code 2024, is amended to read as
34 follows:

35 **103A.8A Energy conservation requirements.**

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1 The state building code commissioner shall adopt as a part of
2 the state building code a requirement that new single-family
3 or two-family residential construction shall comply with
4 energy conservation requirements. The requirements adopted by
5 the commissioner shall be based upon a nationally recognized
6 standard or code for energy conservation. The requirements
7 shall only apply to single-family or two-family residential
8 construction commenced after the adoption of the requirements.
9 Notwithstanding any other provision of [this chapter](#) to the
10 contrary, the energy conservation requirements adopted by the
11 commissioner and approved by the ~~council~~ department shall apply
12 to new single-family or two-family residential construction
13 commenced on or after July 1, 2008, and shall supersede and
14 replace any minimum requirements for energy conservation
15 adopted or enacted by a governmental subdivision prior to that
16 date applicable to such construction. The state building code
17 commissioner may provide training to builders, contractors, and
18 other interested persons on the adopted energy conservation
19 requirements.

20 Sec. 202. Section 103A.10, subsection 5, Code 2024, is
21 amended to read as follows:

22 5. Notwithstanding any other provision of [this chapter](#) to
23 the contrary, the energy conservation requirements adopted
24 by the commissioner and approved by the ~~council~~ department
25 shall apply to all new construction commenced on or after
26 July 1, 2008, and shall supersede and replace any minimum
27 requirements for energy conservation adopted or enacted by the
28 governmental subdivision prior to that date and applicable to
29 such construction.

30 Sec. 203. Section 103A.11, subsection 4, Code 2024, is
31 amended to read as follows:

32 4. The provisions of [this section](#) shall not apply to any
33 rule relating solely to the internal operations of the office
34 of the commissioner ~~and council~~.

35 Sec. 204. Section 103A.15, unnumbered paragraph 1, Code

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1 2024, is amended to read as follows:

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

5 Sec. 205. Section 103A.15, subsections 1 and 2, Code 2024,
6 are amended to read as follows:

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

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

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

14 c. One master mechanical professional licensed pursuant to
15 chapter 105.

16 d. One electrical engineer.

17 e. One construction contractor registered pursuant to
18 chapter 91C.

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

21 Sec. 206. Section 103A.17, subsections 7 and 8, Code 2024,
22 are amended to read as follows:

23 7. The decision of the board ~~of review~~ may be appealed
24 to the ~~advisory council~~ department by any party by filing a
25 petition with the ~~advisory council~~ department at any time
26 prior to the effective date of such decision. The ~~advisory~~
27 ~~council~~ department shall consider all questions of fact and
28 law involved and issue its decision pertaining to the same not
29 later than ten days after receipt of the appeal.

30 8. A record of all decisions of the board and ~~advisory~~
31 ~~council~~ department shall be properly indexed and filed in the
32 office of the commissioner, and shall be public records as
33 defined in [chapter 22](#).

34 Sec. 207. Section 103A.18, unnumbered paragraph 1, Code
35 2024, is amended to read as follows:

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1 Judicial review of action of the commissioner, board of
2 ~~review~~, or ~~council~~ department may be sought in accordance with
3 the terms of the Iowa administrative procedure Act, chapter
4 17A. Notwithstanding the terms of said Act:

5 Sec. 208. Section 103A.19, subsection 2, paragraph b, Code
6 2024, is amended to read as follows:

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

11 Sec. 209. Section 103A.19, subsection 2, paragraph d,
12 subparagraph (2), Code 2024, is amended to read as follows:

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

19 Sec. 210. Section 103A.22, subsection 1, Code 2024, is
20 amended to read as follows:

21 1. Nothing in this chapter shall be construed as prohibiting
22 any governmental subdivision from adopting or enacting any
23 building regulations relating to any building or structure
24 within its limits, but a governmental subdivision in which
25 the state building code has been accepted and is applicable
26 shall not have the power to supersede, void, or repeal or make
27 more restrictive any of the provisions of this chapter or of
28 the rules adopted by the commissioner. This subsection shall
29 not apply to energy conservation requirements adopted by the
30 commissioner and approved by the ~~council~~ department pursuant
31 to section 103A.8A or 103A.10.

32 Sec. 211. Section 105.2, subsection 2, Code 2024, is amended
33 to read as follows:

34 2. "Board" means the ~~plumbing and mechanical systems~~
35 board of building and construction occupations as established

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1 pursuant to ~~section 105.3~~ chapter 103A.

2 Sec. 212. Section 123.8, subsection 1, Code 2024, is amended
3 to read as follows:

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

8 Sec. 213. Section 123.8, subsection 2, unnumbered paragraph
9 1, Code 2024, is amended to read as follows:

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

14 Sec. 214. Section 123.10, unnumbered paragraph 1, Code
15 2024, is amended to read as follows:

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

20 Sec. 215. Section 123.49, subsection 2, paragraph f,
21 subparagraph (4), Code 2024, is amended to read as follows:

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

29 Sec. 216. Section 124.551, subsection 1, Code 2024, is
30 amended to read as follows:

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

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1 dispensing.

2 Sec. 217. Section 124.553, subsection 1, paragraph b, Code
3 2024, is amended to read as follows:

4 **b.** An individual who requests the individual's own program
5 information in accordance with the procedure established in
6 rules of the board ~~and advisory council~~ adopted under section
7 124.554.

8 Sec. 218. Section 124.554, subsection 1, unnumbered
9 paragraph 1, Code 2024, is amended to read as follows:

10 The board ~~and advisory council~~ shall ~~jointly~~ adopt rules in
11 accordance with [chapter 17A](#) to carry out the purposes of, and
12 to enforce the provisions of, [this subchapter](#). The rules shall
13 include but not be limited to the development of procedures
14 relating to:

15 Sec. 219. Section 124.554, subsection 1, paragraphs f, g,
16 and h, Code 2024, are amended to read as follows:

17 **f.** Use by the board or advisory ~~council~~ committee of the
18 program request records required by section 124.553, subsection
19 2, to document and report statistical information.

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

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

31 Sec. 220. Section 124.554, subsection 2, unnumbered
32 paragraph 1, Code 2024, is amended to read as follows:

33 Beginning February 1, 2021, and annually by February 1
34 thereafter, the board ~~and advisory council~~ shall present to the
35 general assembly and the governor a report prepared consistent

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1 with section 124.555, subsection 3, paragraph “d”, which shall
2 include but not be limited to the following:

3 Sec. 221. Section 124.554, subsection 2, paragraphs b and c,
4 Code 2024, are amended to read as follows:

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

8 **c.** Information from pharmacies, prescribing practitioners,
9 the board, the advisory ~~council~~ committee, and others regarding
10 the board’s effectiveness in providing information from the
11 program.

12 Sec. 222. Section 124.554, subsection 3, paragraph a,
13 subparagraph (6), Code 2024, is amended to read as follows:

14 (6) Other pertinent information identified by the board ~~and~~
15 ~~advisory council~~ by rule.

16 Sec. 223. Section 124.555, unnumbered paragraph 1, Code
17 2024, is amended to read as follows:

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

21 Sec. 224. Section 124.555, subsections 1 and 2, Code 2024,
22 are amended to read as follows:

23 1. The ~~council~~ committee shall consist of five members
24 appointed by the board. The members shall include at least
25 ~~one licensed pharmacist~~ prescribing practitioner licensed
26 by the board, one physician licensed under chapter 148, one
27 prescribing practitioner licensed by the board of nursing, ~~and~~
28 ~~one licensed prescribing practitioner who is not a physician,~~
29 ~~and other members as determined by the board~~ prescribing
30 practitioner licensed by the board of behavioral health
31 professionals. The board shall adopt rules in accordance with
32 chapter 17A on matters pertaining to the ~~council~~ committee
33 membership, including the terms of appointment and quorum.
34 The board shall solicit recommendations for ~~council~~ committee
35 members from ~~Iowa health professional licensing boards,~~

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1 ~~associations, and societies~~ the board of medicine, board of
2 nursing, and board of behavioral health professionals. The
3 license of each member appointed to and serving on the advisory
4 ~~council~~ committee shall be current and in good standing with
5 the professional's licensing board.

6 2. The ~~council~~ committee shall advance the goals of the
7 program, which include identification of misuse and diversion
8 of controlled substances identified pursuant to section
9 124.554, subsection 1, paragraph "g", and enhancement of the
10 quality of health care delivery in this state.

11 Sec. 225. Section 124.555, subsection 3, unnumbered
12 paragraph 1, Code 2024, is amended to read as follows:

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

15 Sec. 226. Section 124.555, subsection 3, paragraph d, Code
16 2024, is amended to read as follows:

17 d. Making recommendations regarding the continued benefits
18 of maintaining the program in relationship to cost and other
19 burdens to the patient, prescribing practitioner, pharmacist,
20 and the board. The ~~council's~~ committee's recommendations shall
21 be included in reports required by section 124.554, subsection
22 2.

23 Sec. 227. Section 124.555, subsection 4, Code 2024, is
24 amended to read as follows:

25 4. Members of the advisory ~~council~~ committee shall
26 be eligible to request and receive actual expenses for
27 their duties as members of the advisory ~~council~~ committee,
28 subject to reimbursement limits imposed by the department of
29 administrative services, and shall also be eligible to receive
30 a per diem compensation as provided in section 7E.6, subsection
31 1.

32 Sec. 228. Section 124.556, Code 2024, is amended to read as
33 follows:

34 **124.556 Education and treatment.**

35 The program shall include education initiatives and outreach

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1 to consumers, prescribing practitioners, and pharmacists, and
2 shall also include assistance for identifying substance use
3 disorder treatment programs and providers. The program shall
4 also include educational updates and information on general
5 patient risk factors for prescribing practitioners. The board
6 ~~and advisory council~~ shall adopt rules, as provided under
7 section 124.554, to implement [this section](#).

8 Sec. 229. Section 135.11, subsection 22, Code 2024, is
9 amended to read as follows:

10 22. ~~In consultation with the advisory committee for~~
11 ~~perinatal guidelines, develop~~ Develop and maintain the
12 statewide perinatal program based on the recommendations of
13 the American academy of pediatrics and the American college
14 of obstetricians and gynecologists contained in the most
15 recent edition of the guidelines for perinatal care, and
16 adopt rules in accordance with [chapter 17A](#) to implement those
17 recommendations. Hospitals within the state shall determine
18 whether to participate in the statewide perinatal program,
19 and select the hospital's level of participation in the
20 program. A hospital having determined to participate in the
21 program shall comply with the guidelines appropriate to the
22 level of participation selected by the hospital. Perinatal
23 program surveys and reports are privileged and confidential
24 and are not subject to discovery, subpoena, or other means
25 of legal compulsion for their release to a person other than
26 the affected hospital, and are not admissible in evidence in a
27 judicial or administrative proceeding other than a proceeding
28 involving verification of the participating hospital under this
29 subsection.

30 Sec. 230. Section 135.24, subsection 2, paragraph a, Code
31 2024, is amended to read as follows:

32 a. Procedures for registration of health care providers
33 deemed qualified by the board of medicine, the board of
34 physician assistants, the dental board, the board of nursing,
35 the board of chiropractic, the board of ~~psychology, the~~

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1 ~~board of social work, the board of behavioral science health~~
2 professionals, the board of pharmacy, the board of optometry,
3 the board of podiatry, the board of physical and occupational
4 therapy, the board of respiratory care and polysomnography,
5 and the department of inspections, appeals, and licensing, as
6 applicable.

7 Sec. 231. Section 135.43, subsections 1 and 2, Code 2024,
8 are amended to read as follows:

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

13 2. The membership of the review ~~team~~ committee is subject
14 to the provisions of sections 69.16 and 69.16A, relating
15 to political affiliation and gender balance. Review ~~team~~
16 committee members who are not designated by another appointing
17 authority shall be appointed by the director. Membership terms
18 shall be for three years. A membership vacancy shall be filled
19 in the same manner as the original appointment. The review
20 ~~team~~ committee shall elect a chairperson and other officers
21 as deemed necessary by the review ~~team~~ committee. The review
22 ~~team~~ committee shall meet upon the call of the director or
23 as determined by the review ~~team~~ committee. The review ~~team~~
24 committee shall include the following:

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

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

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

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

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

35 ~~f. One social worker who is knowledgeable concerning deaths~~

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1 ~~of children.~~

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

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

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

7 ~~j. A county attorney.~~

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

10 ~~l. A perinatal expert.~~

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

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

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

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

17 d. An attorney experienced in prosecuting domestic abuse
18 cases.

19 e. An expert in unexpected or unexplained infant deaths.

20 f. A clerk of a district court, to be appointed by the chief
21 justice of the supreme court.

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

24 h. A local law enforcement official.

25 i. A social worker knowledgeable about deaths of children.

26 j. Additional members as determined by the director.

27 Sec. 232. Section 135.43, subsection 3, unnumbered
28 paragraph 1, Code 2024, is amended to read as follows:

29 The review team committee shall perform the following
30 duties:

31 Sec. 233. Section 135.43, subsection 3, paragraphs a, c, e,
32 f, and g, Code 2024, are amended to read as follows:

33 a. Collect, review, and analyze child death certificates and
34 child death data, including patient records or other pertinent
35 confidential information concerning the deaths of children

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1 under age eighteen, and other information as the review team
2 committee deems appropriate for use in preparing an annual
3 report to the governor and the general assembly concerning the
4 causes and manner of child deaths. The report shall include
5 analysis of factual information obtained through review and
6 recommendations regarding prevention of child deaths.

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

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

14 f. If the sharing of information is necessary to assist in
15 or initiate a child death investigation or criminal prosecution
16 and the office or agency receiving the information does not
17 otherwise have access to the information, share information
18 possessed by the review ~~team~~ committee with the office of the
19 attorney general, a county attorney's office, or an appropriate
20 law enforcement agency. The office or agency receiving
21 the information shall maintain the confidentiality of the
22 information in accordance with [this section](#). Unauthorized
23 release or disclosure of the information received is subject to
24 penalty as provided in [this section](#).

25 g. In order to assist the department in performing the
26 department's duties, if the department does not otherwise have
27 access to the information, share information possessed by the
28 review ~~team~~ committee. The recipient of the information shall
29 maintain the confidentiality of the information in accordance
30 with [this section](#). Unauthorized release or disclosure of the
31 information received is subject to penalty as provided in this
32 section.

33 Sec. 234. Section 135.43, subsection 4, unnumbered
34 paragraph 1, Code 2024, is amended to read as follows:

35 The department shall develop protocols for ~~a child fatality~~

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

7 Sec. 235. Section 135.43, subsection 4, paragraph a, Code
8 2024, is amended to read as follows:

9 a. The purpose of the review shall be to determine whether
10 the department and others involved with the case of child abuse
11 responded appropriately. The protocols shall provide for
12 the committee to consult with any multidisciplinary team, as
13 defined in [section 235A.13](#), that is operating in the area in
14 which the fatality occurred. The protocols shall also ensure
15 that a member of the ~~child fatality review~~ committee does not
16 have a conflict of interest regarding the child fatality under
17 review.

18 Sec. 236. Section 135.43, subsection 5, paragraph a,
19 unnumbered paragraph 1, Code 2024, is amended to read as
20 follows:

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

24 Sec. 237. Section 135.43, subsection 5, paragraph b, Code
25 2024, is amended to read as follows:

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

29 Sec. 238. Section 135.43, subsections 6, 7, and 8, Code
30 2024, are amended to read as follows:

31 6. The review ~~team~~ committee may establish subcommittees to
32 which the ~~team~~ committee may delegate some or all of the ~~team's~~
33 committee's responsibilities under [subsection 3](#).

34 7. a. The department shall adopt rules providing for
35 disclosure of information which is confidential under chapter

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1 22 or any other provision of state law, to the review team
2 committee for purposes of performing its child death and child
3 abuse review responsibilities.

4 **b.** A person in possession or control of medical,
5 investigative, assessment, or other information pertaining to a
6 child death and child abuse review shall allow the inspection
7 and reproduction of the information by the department
8 upon the request of the department, to be used only in the
9 administration and for the duties of the ~~Iowa child death~~
10 state mortality review team committee. Except as provided
11 for a report on a child fatality by ~~an ad hoc child fatality~~
12 ~~review~~ the committee under subsection 4, information and
13 records produced under this section which are confidential
14 under section 22.7 and chapter 235A, and information or records
15 received from the confidential records, remain confidential
16 under this section. A person does not incur legal liability by
17 reason of releasing information to the department as required
18 under and in compliance with this section.

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

32 Sec. 239. Section 135.108, Code 2024, is amended by adding
33 the following new subsection:

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

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1 135.43.

2 Sec. 240. Section 135.108, subsection 4, Code 2024, is
3 amended by striking the subsection.

4 Sec. 241. Section 135.110, subsection 1, unnumbered
5 paragraph 1, Code 2024, is amended to read as follows:

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

8 Sec. 242. Section 135.110, subsection 1, paragraphs b and c,
9 Code 2024, are amended to read as follows:

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

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

15 Sec. 243. Section 135.110, subsections 2, 3, 4, 5, and 6,
16 Code 2024, are amended to read as follows:

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

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

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

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

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

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

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

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

15 Sec. 244. Section 135.111, subsection 1, Code 2024, is
16 amended to read as follows:

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

31 Sec. 245. Section 135.112, Code 2024, is amended to read as
32 follows:

33 **135.112 Rulemaking.**

34 The department shall adopt rules pursuant to chapter 17A
35 relating to the administration of the ~~domestic abuse death~~

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1 ~~review team committee~~ and [sections 135.108 through 135.111](#).

2 Sec. 246. Section 147.1, subsection 6, Code 2024, is amended
3 to read as follows:

4 6. "*Profession*" means medicine and surgery, podiatry,
5 osteopathic medicine and surgery, genetic counseling, practice
6 as a physician assistant, psychology, chiropractic, nursing,
7 dentistry, dental hygiene, dental assisting, optometry, speech
8 pathology, audiology, pharmacy, physical therapy, physical
9 therapist assisting, occupational therapy, occupational therapy
10 assisting, respiratory care, cosmetology arts and sciences,
11 barbering, mortuary science, applied behavior analysis, marital
12 and family therapy, mental health counseling, midwifery,
13 polysomnography, social work, ~~dietetics~~, massage therapy,
14 athletic training, acupuncture, nursing home administration,
15 practice as a hearing aid specialist, sign language
16 interpreting or transliterating, orthotics, prosthetics, or
17 pedorthics.

18 Sec. 247. Section 147.2, subsection 1, Code 2024, is amended
19 to read as follows:

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

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1 Sec. 248. Section 147.13, subsection 3, Code 2024, is
2 amended to read as follows:

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

6 Sec. 249. Section 147.13, subsections 14, 15, 16, and 21,
7 Code 2024, are amended by striking the subsections.

8 Sec. 250. Section 147.14, subsection 1, paragraphs a, b, c,
9 d, e, f, n, and s, Code 2024, are amended to read as follows:

10 a. For medicine, ~~five~~ three members licensed to practice
11 medicine and surgery, ~~two members~~ one member licensed to
12 practice osteopathic medicine and surgery, and three members
13 not licensed to practice either medicine and surgery or
14 osteopathic medicine and surgery, and who shall represent the
15 general public.

16 b. For nursing, ~~four~~ three registered nurses, ~~two~~ one of
17 whom shall be actively engaged in practice, ~~two~~ one of whom
18 shall be a nurse educators educator from a nursing education
19 ~~programs; of these, one in higher education and one in area~~
20 ~~community and vocational technical registered nurse education~~
21 program; one licensed practical nurse actively engaged in
22 practice; and ~~two members~~ one member who is not a registered
23 ~~nurses~~ nurse or licensed practical ~~nurses~~ nurse and who
24 shall represent the general public. The ~~representatives~~
25 representative of the general public shall not be ~~members~~ a
26 member of a health care delivery systems system.

27 c. For dentistry, ~~five~~ four members licensed to practice
28 dentistry, two members licensed to practice dental hygiene, and
29 ~~two members~~ one member not licensed to practice dentistry or
30 dental hygiene and who shall represent the general public. ~~The~~
31 ~~two dental hygienist board members and one dentist board member~~
32 ~~shall constitute a dental hygiene committee of the board as~~
33 ~~provided in section 153.33A.~~

34 d. For pharmacy, ~~five~~ four members licensed to practice
35 pharmacy, one member registered as a certified pharmacy

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1 technician as defined by the board by rule, and ~~two members~~
2 one member who ~~are~~ is not licensed to practice pharmacy or
3 registered as a certified pharmacy technician and who shall
4 represent the general public.

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

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

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

30 s. For sign language interpreting and transliterating,
31 ~~four~~ three members licensed to practice interpreting and
32 transliterating, ~~three~~ two of whom shall be practicing
33 interpreters and transliterators at the time of appointment
34 to the board and at least one of whom is employed in an
35 educational setting; and ~~three~~ two members who are consumers of

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1 interpreting or transliterating services as defined in section
2 154E.1, each of whom shall be deaf or hard of hearing.

3 Sec. 251. Section 147.14, subsection 1, paragraphs j, l, r,
4 and t, Code 2024, are amended by striking the paragraphs.

5 Sec. 252. Section 147.107, subsection 2, paragraph a, Code
6 2024, is amended to read as follows:

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

23 Sec. 253. Section 147.161, subsection 1, paragraph b,
24 subparagraph (2), Code 2024, is amended to read as follows:

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

28 Sec. 254. Section 148.2A, subsection 2, unnumbered
29 paragraph 1, Code 2024, is amended to read as follows:

30 Notwithstanding sections 17A.11, 69.16, 69.16A, 147.12,
31 147.14, and 147.19, the board may have a pool of up to ~~ten~~ three
32 alternate members, including members licensed to practice under
33 this chapter and members not licensed to practice under this
34 chapter, to substitute for board members who are disqualified
35 or become unavailable for any other reason for contested case

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1 hearings.

2 Sec. 255. Section 148.2A, subsection 2, paragraph a, Code
3 2024, is amended to read as follows:

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

7 Sec. 256. Section 148.13A, unnumbered paragraph 1, Code
8 2024, is amended to read as follows:

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

12 Sec. 257. Section 148.13B, subsection 1, unnumbered
13 paragraph 1, Code 2024, is amended to read as follows:

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

17 Sec. 258. Section 148.13B, subsection 3, Code 2024, is
18 amended to read as follows:

19 3. The joint rules, and any amendments thereto, adopted by
20 the board of medicine and the board of ~~psychology~~ behavioral
21 health professionals pursuant to this section and section
22 154B.14 shall only be adopted by agreement of both boards
23 through a joint rule-making process.

24 Sec. 259. Section 152A.1, subsection 1, Code 2024, is
25 amended by striking the subsection and inserting in lieu
26 thereof the following:

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

29 Sec. 260. Section 152A.1, subsection 2, Code 2024, is
30 amended to read as follows:

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

34 Sec. 261. Section 152A.2, Code 2024, is amended to read as
35 follows:

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1 **152A.2 License Registration requirements.**

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

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

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

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

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

25 Sec. 262. Section 154A.1, subsection 1, Code 2024, is
26 amended by striking the subsection.

27 Sec. 263. Section 154A.1, subsection 6, Code 2024, is
28 amended to read as follows:

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

33 Sec. 264. Section 154A.10, subsection 3, Code 2024, is
34 amended to read as follows:

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

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1 Sec. 265. Section 154A.12, subsection 2, Code 2024, is
2 amended to read as follows:

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

6 Sec. 266. Section 154A.13, Code 2024, is amended to read as
7 follows:

8 **154A.13 Temporary permit.**

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

21 Sec. 267. Section 154A.19, subsection 1, Code 2024, is
22 amended to read as follows:

23 1. This chapter shall not prohibit a corporation,
24 partnership, trust, association, or other organization
25 maintaining an established business address from engaging in
26 the business of selling or offering for sale hearing aids at
27 retail without a license if it employs only licensed hearing
28 aid specialists in the direct fitting or selection and sale
29 of hearing aids. Such an organization shall file annually
30 with the ~~board~~ department a list of all licensed hearing aid
31 specialists and persons holding temporary permits directly
32 or indirectly employed by it. Such an organization shall
33 also file with the ~~board~~ department a statement on a form
34 approved by the ~~board~~ department that the organization submits
35 itself to the rules and regulations of the ~~board~~ department

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1 and the provisions of **this chapter** which the department deems
2 applicable.

3 Sec. 268. Section 154A.19, Code 2024, is amended by adding
4 the following new subsection:

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

8 Sec. 269. Section 154A.23, Code 2024, is amended to read as
9 follows:

10 **154A.23 Disciplinary orders — attorney general.**

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

17 Sec. 270. Section 154A.24, unnumbered paragraph 1, Code
18 2024, is amended to read as follows:

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

22 Sec. 271. Section 154A.24, subsection 2, paragraphs e and s,
23 Code 2024, are amended to read as follows:

24 e. Representing that the service or advice of a person
25 licensed to practice medicine, or one who is certificated as
26 a clinical audiologist by the board of speech pathology and
27 audiology or its equivalent, will be used or made available in
28 the fitting or selection, adjustment, maintenance, or repair
29 of hearing aids when that is not true, or using the words
30 "doctor", "clinic", "clinical audiologist", "state approved",
31 or similar words, abbreviations, or symbols which tend to
32 connote the medical or other professions, except where the
33 title "certified hearing aid audiologist" has been granted
34 by the national hearing aid society, or that the hearing aid
35 specialist has been recommended by this state or the ~~board~~

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1 department when such is not accurate.

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

4 Sec. 272. Section 154B.1, subsections 1 and 5, Code 2024,
5 are amended to read as follows:

6 1. “*Board*” means the board of ~~psychology~~ behavioral health
7 professionals created under chapter 147.

8 5. “*Physician*” means a person licensed to practice medicine
9 and surgery or osteopathic medicine and surgery in this state
10 in family medicine, internal medicine, pediatrics, psychiatry,
11 or another specialty who prescribes medications for the
12 treatment of a mental disorder to patients in the normal course
13 of the person’s clinical medical practice pursuant to joint
14 rules adopted by the board of ~~psychology~~ behavioral health
15 professionals and the board of medicine.

16 Sec. 273. Section 154B.9, subsection 3, Code 2024, is
17 amended to read as follows:

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

22 Sec. 274. Section 154B.10, subsection 1, paragraphs b, c, d,
23 e, and g, Code 2024, are amended to read as follows:

24 *b.* Completed pharmacological training from an institution
25 approved by the board of ~~psychology~~ behavioral health
26 professionals and the board of medicine or from a provider
27 of continuing education approved by the board of ~~psychology~~
28 behavioral health professionals and the board of medicine
29 pursuant to joint rules adopted by both boards.

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

35 *d.* Successfully completed a postdoctoral master of science

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1 degree in clinical psychopharmacology approved by the board of
2 ~~psychology~~ behavioral health professionals and the board of
3 medicine pursuant to joint rules adopted by both boards. The
4 program shall at a minimum include coursework in neuroscience,
5 pharmacology, psychopharmacology, physiology, and appropriate
6 and relevant physical and laboratory assessments.

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

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

21 Sec. 275. Section 154B.10, subsection 3, paragraph d, Code
22 2024, is amended to read as follows:

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

26 Sec. 276. Section 154B.11, subsection 1, paragraph d, Code
27 2024, is amended to read as follows:

28 d. Meets all other requirements, as determined by rules
29 adopted by the board, for obtaining a prescription certificate,
30 including joint rules adopted by the board of ~~psychology~~
31 behavioral health professionals and the board of medicine.

32 Sec. 277. Section 154B.11, subsection 2, paragraph d, Code
33 2024, is amended to read as follows:

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

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1 medicine.

2 Sec. 278. Section 154B.12, subsection 1, Code 2024, is
3 amended to read as follows:

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

13 Sec. 279. Section 154B.14, subsection 1, unnumbered
14 paragraph 1, Code 2024, is amended to read as follows:

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

18 Sec. 280. Section 154B.14, subsections 2 and 3, Code 2024,
19 are amended to read as follows:

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

26 3. The joint rules, and any amendments thereto, adopted by
27 the board of psychology behavioral health professionals and the
28 board of medicine pursuant to [this section](#) and [section 148.13B](#)
29 shall only be adopted by agreement of both boards through a
30 joint rule-making process.

31 Sec. 281. Section 154C.1, subsection 1, Code 2024, is
32 amended to read as follows:

33 1. "*Board*" means the board of ~~social work~~ behavioral health
34 professionals established in [chapter 147](#).

35 Sec. 282. Section 154D.1, subsection 1, Code 2024, is

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1 amended to read as follows:

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

4 Sec. 283. Section 161A.3, Code 2024, is amended by adding
5 the following new subsection:

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

8 Sec. 284. Section 161A.4, subsection 1, Code 2024, is
9 amended to read as follows:

10 1. The division of soil conservation and water quality
11 created within the department pursuant to section 159.5
12 shall perform the functions conferred upon it in this chapter
13 and chapters 161C, 161E, 161F, 207, and 208. The division
14 shall be administered in accordance with the policies of the
15 committee, which shall advise the division and ~~which shall~~
16 ~~approve administrative rules proposed by the division for~~
17 the administration of this chapter and chapters 161C, 161E,
18 161F, 207, and 208 ~~before the rules are adopted pursuant to~~
19 section 17A.5. ~~If a difference exists between the committee~~
20 ~~and secretary regarding the content of a proposed rule, the~~
21 ~~secretary shall notify the chairperson of the committee of~~
22 ~~the difference within thirty days from the committee's action~~
23 ~~on the rule. The secretary and the committee shall meet to~~
24 ~~resolve the difference within thirty days after the secretary~~
25 ~~provides the committee with notice of the difference.~~

26 Sec. 285. Section 161A.4, subsection 6, Code 2024, is
27 amended to read as follows:

28 6. a. The committee may ~~perform acts, hold public hearings,~~
29 ~~and propose and approve~~ provide advice and recommendations on
30 the adoption of rules pursuant to chapter 17A by the secretary
31 and department as necessary for the execution of ~~its~~ their
32 functions.

33 b. The committee shall recommend to the secretary each year
34 a budget for the division. The secretary, at the earliest
35 opportunity and prior to formulating a budget, shall meet with

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1 representatives of the committee to discuss the committee's
2 recommendation. The secretary shall have the authority to set
3 the budget for the division.

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

10 Sec. 286. Section 161A.7, subsection 1, paragraph n,
11 subparagraph (1), unnumbered paragraph 1, Code 2024, is amended
12 to read as follows:

13 The district plan shall contain a comprehensive long-range
14 assessment of soil and surface water resources in the district
15 consistent with rules approved ~~by the committee~~ under section
16 161A.4. In developing the plan the district may receive
17 technical support from the United States department of
18 agriculture natural resources conservation service and the
19 county board of supervisors in the county where the district
20 is located. The division and the Iowa cooperative extension
21 service in agriculture and home economics may provide technical
22 support to the district. The support may include but is not
23 limited to the following:

24 Sec. 287. Section 169.5, subsection 1, paragraph a, Code
25 2024, is amended to read as follows:

26 a. The governor shall appoint, subject to confirmation
27 by the senate pursuant to [section 2.32](#), a board of five
28 individuals, three of whom shall be licensed veterinarians
29 and two of whom shall not be licensed veterinarians and shall
30 represent the general public, one of whom shall be a farmer
31 involved in the production of agricultural animals. The board
32 shall be known as the Iowa board of veterinary medicine.

33 Sec. 288. Section 170.1, subsection 2, Code 2024, is amended
34 by striking the subsection.

35 Sec. 289. Section 170.3B, Code 2024, is amended to read as

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1 follows:

2 **170.3B Farm deer administration fee.**

3 The department may establish a farm deer administration fee
4 which shall be annually imposed on each landowner who keeps
5 farm deer in this state. The amount of the fee shall not exceed
6 two hundred dollars per year. The fee shall be collected
7 by the department in a manner specified by rules adopted by
8 the department ~~after consulting with the farm deer council~~
9 ~~established in section 170.2.~~ The collected fees shall be
10 credited to the farm deer administration fund created pursuant
11 to [section 170.3C](#).

12 Sec. 290. Section 190C.1, subsection 2, Code 2024, is
13 amended by striking the subsection.

14 Sec. 291. Section 190C.2B, subsection 1, Code 2024, is
15 amended to read as follows:

16 1. The department shall implement and administer the
17 provisions of [this chapter](#) for agricultural products that have
18 been produced and handled within this state using organic
19 methods as provided in [this chapter](#). ~~The department may~~
20 ~~consult with the council in implementing and administering this~~
21 ~~chapter.~~ The department may certify agricultural products that
22 have been produced and handled outside this state using an
23 organic method as provided in [this chapter](#).

24 Sec. 292. Section 190C.3, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. The department may request assistance from ~~the council~~
27 ~~as provided in section 190C.2A or from one or more regional~~
28 organic associations as provided in [section 190C.6](#).

29 Sec. 293. Section 203.11A, subsection 2, Code 2024, is
30 amended to read as follows:

31 2. The amount of a civil penalty shall not exceed one
32 thousand five hundred dollars. Each day that a violation
33 continues shall constitute a separate violation. ~~The amount~~
34 ~~of the civil penalty that may be assessed in a case shall~~
35 ~~not exceed the amount recommended by the grain industry peer~~

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1 ~~review panel established pursuant to section 203.11B.~~ Moneys
2 collected in civil penalties by the department or the attorney
3 general shall be deposited in the general fund of the state.

4 Sec. 294. Section 203.16, subsection 8, Code 2024, is
5 amended by striking the subsection.

6 Sec. 295. Section 203C.24, subsection 8, Code 2024, is
7 amended by striking the subsection.

8 Sec. 296. Section 203C.36A, subsection 2, Code 2024, is
9 amended to read as follows:

10 2. The amount of a civil penalty shall not exceed one
11 thousand five hundred dollars. Each day that a violation
12 continues shall constitute a separate violation. ~~The amount~~
13 ~~of the civil penalty that may be assessed in an administrative~~
14 ~~case shall not exceed the amount recommended by the grain~~
15 ~~industry peer review panel established pursuant to section~~
16 ~~203.11B.~~ Moneys collected in civil penalties by the department
17 or the attorney general shall be deposited in the general fund
18 of the state.

19 Sec. 297. Section 206.19, subsection 5, Code 2024, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. c. (1) A person subject to a civil penalty
22 pursuant to this subsection may submit an appeal to the
23 department. The appeal shall be referred to an administrative
24 law judge for hearing as a contested case pursuant to chapter
25 17A.

26 (2) This paragraph does not apply to a license revocation
27 proceeding. This paragraph does not require the department
28 to delay the prosecution of a case if immediate action is
29 necessary to reduce the risk of harm to the environment or
30 public health or safety. This section also does not require a
31 review or response if the department refers a violation of this
32 chapter for criminal prosecution, or for an action involving a
33 stop order issued pursuant to section 206.16.

34 (3) An available response by the department may be used as
35 evidence in an administrative hearing, or a civil or criminal

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1 case, except to the extent that information is considered
2 confidential pursuant to section 22.7.

3 Sec. 298. Section 216.2, Code 2024, is amended by adding the
4 following new subsections:

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

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

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

13 Sec. 299. Section 216.2, subsection 1, Code 2024, is amended
14 to read as follows:

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

17 Sec. 300. Section 216.3, subsections 1 and 3, Code 2024, are
18 amended to read as follows:

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

28 3. The governor subject to confirmation by the senate shall
29 appoint a director who shall serve as the ~~executive officer~~
30 ~~of the commission~~ head of the agency. The governor shall set
31 the salary of the director within the applicable salary range
32 established by the general assembly. The director shall adopt
33 rules pursuant to chapter 17A consistent with and necessary for
34 the enforcement of this chapter. The director shall advise and
35 support the commission in fulfilling the commission's duties

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1 and responsibilities under section 216.5A.

2 Sec. 301. Section 216.4, Code 2024, is amended to read as
3 follows:

4 **216.4 Compensation and expenses — rules procedures.**

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

13 Sec. 302. Section 216.5, Code 2024, is amended by striking
14 the section and inserting in lieu thereof the following:

15 **216.5 Powers and duties of agency.**

16 The agency shall have the following powers and duties:

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

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

28 3. To investigate, study, and report on the existence,
29 causes, and extent of illegal discrimination, as deemed
30 necessary by the director.

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

33 5. To seek a temporary injunction against a respondent when
34 it appears that a complainant may suffer irreparable injury
35 as a result of an alleged violation of this chapter. Unless

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1 otherwise specified in this chapter, a temporary injunction
2 may be issued only after the respondent has been notified and
3 afforded an opportunity to be heard.

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

6 a. To subpoena witnesses and compel their attendance.

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

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

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

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

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

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

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

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

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

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

35 15. To receive, administer, dispense, and account for any

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1 moneys that may be granted or voluntarily contributed to the
2 office for furthering the purposes of this chapter.

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

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

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

9 Sec. 303. NEW SECTION. 216.5A Powers and duties of
10 commission.

11 The commission shall have the following powers and duties:

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

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

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

20 Sec. 304. Section 216.8C, subsections 3 and 4, Code 2024,
21 are amended to read as follows:

22 3. The ~~commission~~ agency, in consultation with the consumer
23 protection division of the office of the attorney general,
24 shall adopt rules regarding the making of a written finding
25 by licensees under this section. The rules shall include a
26 form for licensees to document the licensees' written finding.
27 The form shall recite this section's requirements and comply
28 with the federal Fair Housing Act, 42 U.S.C. §3601 et seq., as
29 amended, and section 504 of the federal Rehabilitation Act of
30 1973, 29 U.S.C. §794, as amended. The form must contain only
31 two questions regarding the qualifications of the patient or
32 client, which shall be whether a person has a disability and
33 whether the need for an assistance animal or service animal is
34 related to the disability. The form must indicate that the
35 responses must be limited to "yes" or "no". The form must not

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1 allow for additional detail.

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

7 Sec. 305. Section 216.12, subsection 1, paragraph d,
8 unnumbered paragraph 1, Code 2024, is amended to read as
9 follows:

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

19 Sec. 306. Section 216.15, Code 2024, is amended to read as
20 follows:

21 **216.15 Complaint — hearing.**

22 1. Any person claiming to be aggrieved by a discriminatory
23 or unfair practice may, in person or by an attorney, make,
24 sign, and file with the ~~commission~~ agency a verified, written
25 complaint which shall state the name and address of the person,
26 employer, employment agency, or labor organization alleged
27 to have committed the discriminatory or unfair practice of
28 which complained, shall set forth the particulars thereof,
29 and shall contain such other information as may be required
30 by the ~~commission~~ agency. ~~The commission~~ Agency staff, a
31 commissioner, or the attorney general may in like manner make,
32 sign, and file such complaint.

33 2. Any place of public accommodation, employer, labor
34 organization, or other person who has any employees or members
35 who refuse or threaten to refuse to comply with the provisions

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1 of [this chapter](#) may file with the ~~commission~~ agency a verified
2 written complaint in triplicate asking the ~~commission~~ agency
3 for assistance to obtain their compliance by conciliation or
4 other remedial action.

5 3. a. After the filing of a verified complaint, a true
6 copy shall be served within twenty days on the person against
7 whom the complaint is filed, except as provided in subsection

8 4. ~~An authorized member of the commission~~ Agency staff shall
9 make a prompt investigation and shall issue a recommendation
10 to an administrative law judge employed by the division of
11 administrative hearings created by [section 10A.801](#), who shall
12 then issue a determination of probable cause or no probable
13 cause.

14 b. For purposes of [this chapter](#), an administrative law judge
15 issuing a determination of probable cause or no probable cause
16 under [this section](#) is exempt from [section 17A.17](#).

17 c. If the administrative law judge concurs with the
18 investigating official that probable cause exists regarding
19 the allegations of the complaint, the staff of the ~~commission~~
20 agency shall promptly endeavor to eliminate the discriminatory
21 or unfair practice by conference, conciliation, and persuasion.
22 If the administrative law judge finds that no probable cause
23 exists, the administrative law judge shall issue a final order
24 dismissing the complaint and shall promptly mail a copy to the
25 complainant and to the respondent. A finding of probable cause
26 shall not be introduced into evidence in an action brought
27 under [section 216.16](#).

28 d. The ~~commission~~ agency staff must endeavor to eliminate
29 the discriminatory or unfair practice by conference,
30 conciliation, and persuasion for a period of thirty days
31 following the initial conciliation meeting between the
32 respondent and the ~~commission~~ agency staff after a finding
33 of probable cause. After the expiration of thirty days, the
34 director may order the conciliation conference and persuasion
35 procedure provided in [this section](#) to be bypassed when the

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1 director determines the procedure is unworkable by reason of
2 past patterns and practices of the respondent, or a statement
3 by the respondent that the respondent is unwilling to continue
4 with the conciliation. ~~The director must have the approval of~~
5 ~~a commissioner before bypassing the conciliation, conference~~
6 ~~and persuasion procedure.~~ Upon the bypassing of conciliation,
7 the director shall state in writing the reasons for bypassing.

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

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

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

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

28 6. When the director is satisfied that further endeavor to
29 settle a complaint by conference, conciliation, and persuasion
30 is unworkable and should be bypassed, and the thirty-day period
31 provided for in [subsection 3](#) has expired without agreement, the
32 director ~~with the approval of a commissioner,~~ shall issue and
33 cause to be served a written notice specifying the charges in
34 the complaint as they may have been amended and the reasons for
35 bypassing conciliation, if the conciliation is bypassed, and

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1 requiring the respondent to answer the charges of the complaint
2 at a hearing before the ~~commission~~ agency, a commissioner, or
3 a person designated by the ~~commission~~ agency to conduct the
4 hearing, hereafter referred to as the administrative law judge,
5 and at a time and place to be specified in the notice.

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

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

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

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

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

33 (2) Admission or restoration of individuals to a labor
34 organization, admission to or participation in a guidance
35 program, apprenticeship training program, on-the-job training

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1 program or other occupational training or retraining program,
2 with the utilization of objective criteria in the admission of
3 individuals to such programs.

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

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

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

12 (6) Reporting as to the manner of compliance.

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

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

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

27 (a) An amount equal to two times the wage differential
28 paid to another employee compared to the complainant for the
29 period of time for which the complainant has been discriminated
30 against.

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

35 *b.* In addition to the remedies provided in the preceding

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1 provisions of this subsection, the ~~commission~~ agency may issue
2 an order requiring the respondent to cease and desist from the
3 discriminatory or unfair practice and to take such affirmative
4 action as in the judgment of the ~~commission~~ agency will carry
5 out the purposes of this chapter as follows:

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

22 (2) In the case of a respondent who is found by the
23 ~~commission~~ agency to have engaged in a discriminatory or
24 unfair practice in the course of performing under a contract
25 or subcontract with the state or political subdivision or
26 agency, if the practice was authorized, requested, commanded,
27 performed, or knowingly or recklessly tolerated by the board
28 of directors of the respondent or by an officer or executive
29 agent acting within the scope of the officer's or agent's
30 employment, the ~~commission~~ agency shall so certify to the
31 contracting agency. Unless the ~~commission's~~ agency's finding
32 of a discriminatory or unfair practice is reversed in the
33 course of judicial review, the finding of discrimination is
34 binding on the contracting agency.

35 (3) Upon receiving a certification made under this

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1 subsection, a contracting agency may take appropriate action
2 to terminate a contract or portion thereof previously entered
3 into with the respondent, either absolutely or on condition
4 that the respondent carry out a program of compliance with
5 the provisions of [this chapter](#); and assist the state and all
6 political subdivisions and agencies thereof to refrain from
7 entering into further contracts.

8 c. The election of an affirmative order under paragraph "b"
9 of [this subsection](#) shall not bar the election of affirmative
10 remedies provided in paragraph "a" of [this subsection](#).

11 10. a. The terms of a conciliation or mediation agreement
12 reached with the respondent may require the respondent to
13 refrain in the future from committing discriminatory or
14 unfair practices of the type stated in the agreement, to take
15 remedial action as in the judgment of the ~~commission~~ agency
16 will carry out the purposes of [this chapter](#), and to consent
17 to the entry in an appropriate district court of a consent
18 decree embodying the terms of the conciliation or mediation
19 agreement. Violation of such a consent decree may be punished
20 as contempt by the court in which it is filed, upon a showing
21 by the ~~commission~~ agency of the violation at any time within
22 six months of its occurrence. At any time in its discretion,
23 the ~~commission~~ agency may investigate whether the terms of the
24 agreement are being complied with by the respondent.

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

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

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

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

8 14. The ~~commission~~ agency or a party to a complaint may
9 request mediation of the complaint at any time during the
10 ~~commission's~~ agency's processing of the complaint. If the
11 complainant and respondent participate in mediation, any
12 mediation agreement may be enforced pursuant to [this section](#).
13 Mediation may be discontinued at the request of any party or
14 the ~~commission~~ agency.

15 Sec. 307. Section 216.15A, Code 2024, is amended to read as
16 follows:

17 **216.15A Additional proceedings — housing discrimination.**

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

23 b. In addition to the information required in the notice,
24 the ~~commission~~ agency shall include in a notice to a respondent
25 joined under [this subsection](#) an explanation of the basis for
26 the determination under [this subsection](#) that the person is
27 properly joined as a respondent.

28 2. a. The ~~commission~~ agency shall, during the period
29 beginning with the filing of a complaint and ending with the
30 filing of a charge or a dismissal by the ~~commission~~ agency, to
31 the extent feasible, engage in mediation with respect to the
32 complaint.

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

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

5 *d.* A mediation agreement shall be made public unless
6 the complainant and respondent agree otherwise, and the
7 ~~commission~~ agency determines that disclosure is not necessary
8 to further the purposes of [this chapter](#) relating to unfair or
9 discriminatory practices in housing or real estate.

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

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

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

27 3. *a.* If the ~~commission~~ agency concludes, following the
28 filing of a complaint, that prompt judicial action is necessary
29 to carry out the purposes of [this chapter](#) relating to unfair
30 or discriminatory housing or real estate practices, the
31 ~~commission~~ agency may authorize a civil action for appropriate
32 temporary or preliminary relief pending final disposition of
33 the complaint.

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

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1 *c.* A temporary restraining order or other order granting
2 preliminary or temporary relief under [this section](#) is governed
3 by the applicable Iowa rules of civil procedure.

4 *d.* The filing of a civil action under [this section](#) does
5 not affect the initiation or continuation of administrative
6 proceedings in regard to an administrative hearing.

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

9 *b.* A final report under [this section](#) may be amended by the
10 ~~commission~~ agency if additional evidence is discovered.

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

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

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

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

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

26 *d.* If the ~~commission~~ agency determines that probable cause
27 exists to believe that a discriminatory housing or real estate
28 practice has occurred or is about to occur, the ~~commission~~
29 agency shall immediately issue a determination unless the
30 ~~commission~~ agency determines that the legality of a zoning or
31 land use law or ordinance is involved as provided in subsection
32 7.

33 6. *a.* A determination issued under [subsection 5](#) must
34 include all of the following:

35 (1) Must consist of a short and plain statement of the facts

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1 on which the ~~commission~~ agency has found probable cause to
2 believe that a discriminatory housing or real estate practice
3 has occurred or is about to occur.

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

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

7 b. Not later than twenty days after the ~~commission~~ agency
8 issues a determination, the ~~commission~~ agency shall send a copy
9 of the determination with information concerning the election
10 under [section 216.16A](#) to all of the following persons:

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

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

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

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

24 b. The ~~commission~~ agency shall make public disclosure of
25 each dismissal under [this section](#).

26 9. The ~~commission~~ agency shall not issue a determination
27 under [this section](#) regarding an alleged discriminatory housing
28 or real estate practice after the beginning of the trial of a
29 civil action commenced by the aggrieved party under federal or
30 state law seeking relief with respect to that discriminatory
31 housing or real estate practice.

32 10. a. If a timely election is not made under section
33 216.16A, the ~~commission~~ agency shall provide for a hearing on
34 the charges in the complaint.

35 b. Except as provided by paragraph "c", the hearing shall be

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1 conducted in accordance with [chapter 17A](#) for contested cases.

2 *c.* A hearing under [this section](#) shall not be continued
3 regarding an alleged discriminatory housing or real estate
4 practice after the beginning of the trial of a civil action
5 commenced by the aggrieved person under federal or state law
6 seeking relief with respect to that discriminatory housing or
7 real estate practice.

8 11. *a.* If the ~~commission~~ agency determines at a hearing
9 under [subsection 10](#) that a respondent has engaged or is about
10 to engage in a discriminatory housing or real estate practice,
11 the ~~commission~~ agency may order the appropriate relief,
12 including actual damages, reasonable attorney fees, court
13 costs, and other injunctive or equitable relief.

14 *b.* To vindicate the public interest, the ~~commission~~ agency
15 may assess a civil penalty against the respondent in an amount
16 that does not exceed the following applicable amount:

17 (1) Ten thousand dollars if the respondent has not been
18 adjudged by the order of the commission or agency or a court to
19 have committed a prior discriminatory housing or real estate
20 practice.

21 (2) Except as provided by paragraph “*c*”, twenty-five
22 thousand dollars if the respondent has been adjudged by order
23 of the commission or agency or a court to have committed one
24 other discriminatory housing or real estate practice during
25 the five-year period ending on the date of the filing of the
26 complaint.

27 (3) Except as provided by paragraph “*c*”, fifty thousand
28 dollars if the respondent has been adjudged by order of the
29 commission or agency or a court to have committed two or more
30 discriminatory housing or real estate practices during the
31 seven-year period ending on the date of the filing of the
32 complaint.

33 *c.* If the acts constituting the discriminatory housing or
34 real estate practice that is the object of the complaint are
35 committed by the same natural person who has been previously

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1 adjudged to have committed acts constituting a discriminatory
2 housing or real estate practice, the civil penalties in
3 paragraph "b", subparagraphs (2) and (3) may be imposed
4 without regard to the period of time within which any other
5 discriminatory housing or real estate practice occurred.

6 d. At the request of the ~~commission~~ agency, the attorney
7 general shall initiate legal proceedings to recover a civil
8 penalty due under this section. Funds collected under this
9 section shall be paid to the treasurer of state for deposit in
10 the state treasury to the credit of the general fund.

11 12. This section applies only to the following:

12 a. Complaints which allege a violation of the prohibitions
13 contained in section 216.8 or 216.8A.

14 b. Complaints which allege a violation of section 216.11 or
15 216.11A arising out of alleged violations of the prohibitions
16 contained in section 216.8 or 216.8A.

17 13. If a provision of this section applies under the terms
18 of subsection 12, and the provision of this section conflicts
19 with a provision of section 216.15, then the provision
20 contained within this section shall prevail. Similarly, if
21 a provision of section 216.16A or 216.17A conflicts with a
22 provision of section 216.16 or 216.17, then the provision
23 contained in section 216.16A or 216.17A shall prevail.

24 Sec. 308. Section 216.15B, subsection 1, Code 2024, is
25 amended to read as follows:

26 1. A mediator may be designated in writing by the ~~commission~~
27 agency to conduct formal mediation of a complaint filed under
28 this chapter. The written designation must specifically refer
29 to this section.

30 Sec. 309. Section 216.16, subsections 1, 2, 3, 4, and 6,
31 Code 2024, are amended to read as follows:

32 1. A person claiming to be aggrieved by an unfair or
33 discriminatory practice must initially seek an administrative
34 relief by filing a complaint with the ~~commission~~ agency in
35 accordance with section 216.15. This provision also applies to

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1 persons claiming to be aggrieved by an unfair or discriminatory
2 practice committed by the state or an agency or political
3 subdivision of the state, notwithstanding the terms of the Iowa
4 administrative procedure Act, [chapter 17A](#).

5 2. After the proper filing of a complaint with the
6 ~~commission~~ agency, a complainant may subsequently commence an
7 action for relief in the district court if all of the following
8 conditions have been satisfied:

9 a. The complainant has timely filed the complaint with the
10 ~~commission~~ agency as provided in [section 216.15, subsection 13](#).

11 b. The complaint has been on file with the ~~commission~~ agency
12 for at least sixty days and the ~~commission~~ agency has issued a
13 release to the complainant pursuant to [subsection 3](#).

14 3. a. Upon a request by the complainant, and after the
15 expiration of sixty days from the timely filing of a complaint
16 with the ~~commission~~ agency, the ~~commission~~ agency shall issue
17 to the complainant a release stating that the complainant
18 has a right to commence an action in the district court. A
19 release under [this subsection](#) shall not be issued if any of the
20 following apply:

21 (1) A finding of no probable cause has been made on the
22 complaint by the administrative law judge charged with that
23 duty under [section 216.15, subsection 3](#).

24 (2) A conciliation agreement has been executed under
25 section 216.15.

26 (3) The ~~commission~~ agency has served notice of hearing upon
27 the respondent pursuant to [section 216.15, subsection 6](#).

28 (4) The complaint is closed as an administrative closure and
29 two years have elapsed since the issuance date of the closure.

30 b. Notwithstanding [section 216.15, subsection 5](#), a party may
31 obtain a copy of all documents contained in a case file where
32 the ~~commission~~ agency has issued a release to the complainant
33 pursuant to [this subsection](#).

34 4. An action authorized under [this section](#) is barred unless
35 commenced within ninety days after issuance by the ~~commission~~

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1 agency of a release under subsection 3. If a complainant
2 obtains a release from the ~~commission~~ agency under subsection
3 3, the ~~commission~~ agency is barred from further action on that
4 complaint.

5 6. The district court may grant any relief in an action
6 under this section which is authorized by section 216.15,
7 subsection 9, to be issued by the ~~commission~~ agency. The
8 district court may also award the respondent reasonable
9 attorney fees and court costs when the court finds that the
10 complainant's action was frivolous.

11 Sec. 310. Section 216.16A, subsection 1, paragraphs b and c,
12 Code 2024, are amended to read as follows:

13 *b.* The election must be made not later than twenty days
14 after the date of receipt by the electing person of service
15 under section 216.15A, subsection 5, or in the case of the
16 ~~commission~~ agency, not later than twenty days after the date
17 the determination was issued.

18 *c.* The person making the election shall give notice to the
19 ~~commission~~ agency and to all other complainants and respondents
20 to whom the election relates.

21 Sec. 311. Section 216.16A, subsection 2, paragraphs d and e,
22 Code 2024, are amended to read as follows:

23 *d.* If the ~~commission~~ agency has obtained a mediation
24 agreement with the consent of an aggrieved person, the
25 aggrieved person shall not file an action under this subsection
26 with respect to the alleged discriminatory practice that forms
27 the basis for the complaint except to enforce the terms of the
28 agreement.

29 *e.* An aggrieved person shall not file an action under this
30 subsection with respect to an alleged discriminatory housing or
31 real estate practice that forms the basis of a charge issued
32 by the ~~commission~~ agency if the ~~commission~~ agency has begun a
33 hearing on the record under this chapter with respect to the
34 charge.

35 Sec. 312. Section 216.17, subsections 1, 2, 3, 4, 5, 7, and

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1 10, Code 2024, are amended to read as follows:

2 1. a. Judicial review of the actions of the agency
3 or commission may be sought in accordance with the terms
4 of the Iowa administrative procedure Act, chapter 17A.

5 Notwithstanding the terms of said Act, petition for judicial
6 review may be filed in the district court in which an
7 enforcement proceeding under subsection 2 may be brought.

8 b. For purposes of the time limit for filing a petition for
9 judicial review under the Iowa administrative procedure Act,
10 chapter 17A, specified by section 17A.19, the issuance of a
11 final decision of the agency or commission under this chapter
12 occurs on the date notice of the decision is mailed to the
13 parties.

14 c. Notwithstanding the time limit provided in section
15 17A.19, subsection 3, a petition for judicial review of
16 no-probable-cause decisions and other final agency actions
17 which are not of general applicability must be filed within
18 thirty days of the issuance of the final agency action.

19 2. The ~~commission~~ agency may obtain an order of court for
20 the enforcement of agency or commission orders in a proceeding
21 as provided in this section. Such an enforcement proceeding
22 shall be brought in the district court of the district in the
23 county in which the alleged discriminatory or unfair practice
24 which is the subject of the agency's or commission's order was
25 committed, or in which any respondent required in the order to
26 cease or desist from a discriminatory or unfair practice or to
27 take other affirmative action, resides, or transacts business.

28 3. Such an enforcement proceeding shall be initiated by
29 the filing of a petition in such court and the service of a
30 copy thereof upon the respondent. Thereupon the ~~commission~~
31 agency shall file with the court a transcript of the record
32 of the hearing before it. The court shall have power to
33 grant such temporary relief or restraining order as it deems
34 just and proper, and to make and enter upon the pleadings,
35 testimony, and proceedings set forth in such transcript an

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1 order enforcing, modifying, and enforcing as so modified, or
2 setting aside the order of the agency or commission, in whole
3 or in part.

4 4. An objection that has not been urged before the agency
5 or commission shall not be considered by the court in an
6 enforcement proceeding, unless the failure or neglect to urge
7 such objection shall be excused because of extraordinary
8 circumstances.

9 5. Any party to the enforcement proceeding may move the
10 court to remit the case to the agency or commission in the
11 interests of justice for the purpose of adducing additional
12 specified and material evidence and seeking findings thereof,
13 providing such party shall show reasonable grounds for
14 the failure to adduce such evidence before the agency or
15 commission.

16 7. The agency's or commission's copy of the testimony shall
17 be available to all parties for examination at all reasonable
18 times, without cost, and for the purpose of judicial review of
19 the agency's or commission's orders.

20 10. If no proceeding to obtain judicial review is instituted
21 within thirty days from the issuance of an order of the
22 commission under [section 216.15](#) or [216.15A](#), the ~~commission~~
23 agency may obtain an order of the court for the enforcement
24 of the order upon showing that respondent is subject to
25 the jurisdiction of the agency or commission and resides or
26 transacts business within the county in which the petition for
27 enforcement is brought.

28 Sec. 313. Section 216.17A, subsection 1, paragraph a, Code
29 2024, is amended to read as follows:

30 a. If timely election is made under section 216.16A,
31 subsection 1, the ~~commission~~ agency shall authorize, and not
32 later than thirty days after the election is made, the attorney
33 general shall file a civil action on behalf of the aggrieved
34 person in a district court seeking relief.

35 Sec. 314. Section 216.17A, subsections 2, 4, 10, and 11,

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1 Code 2024, are amended to read as follows:

2 2. ~~A commission~~ An agency order under section 216.15A,
3 subsection 11, and ~~a~~ an agency or commission order that has
4 been substantially affirmed by judicial review, do not affect
5 a contract, sale, encumbrance, or lease that was consummated
6 before the agency or commission issued the order and involved a
7 bona fide purchaser, encumbrancer, or tenant who did not have
8 actual notice of the charge issued under this chapter.

9 4. If the agency or commission issues an order against a
10 respondent against whom another order was issued within the
11 preceding five years under section 216.15A, subsection 11, the
12 ~~commission~~ agency shall send a copy of each order issued under
13 that section to the attorney general.

14 10. The attorney general, on behalf of the ~~commission~~
15 agency or other party at whose request a subpoena is issued,
16 may enforce the subpoena in appropriate proceedings in district
17 court.

18 11. A court in a civil action brought under this section
19 or the ~~commission~~ agency in an administrative hearing under
20 section 216.15A, subsection 11, may award reasonable attorney's
21 fees to the prevailing party and assess court costs against the
22 nonprevailing party.

23 Sec. 315. Section 216.17A, subsection 3, unnumbered
24 paragraph 1, Code 2024, is amended to read as follows:

25 If the agency or commission issues an order with respect
26 to a discriminatory housing practice that occurred in the
27 course of a business subject to a licensing or regulation by a
28 governmental agency, the agency or commission, not later than
29 thirty days after the date of issuance of the order, shall do
30 all of the following:

31 Sec. 316. Section 216.17A, subsection 8, paragraph a, Code
32 2024, is amended to read as follows:

33 a. On the request of the agency or commission, the attorney
34 general may intervene in an action under section 216.16A,
35 subsection 2, if the agency or commission certifies that the

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1 case is of general public importance.

2 Sec. 317. Section 216.17A, subsection 9, paragraph a,
3 unnumbered paragraph 1, Code 2024, is amended to read as
4 follows:

5 On the request of the agency or commission, the attorney
6 general may file a civil action in district court for
7 appropriate relief if the agency or commission has reasonable
8 cause to believe that any of the following applies:

9 Sec. 318. Section 216.19, subsections 2, 3, 4, 5, 6, 7, and
10 8, Code 2024, are amended to read as follows:

11 2. A city with a population of twenty-nine thousand, or
12 greater, shall maintain an independent local civil rights
13 agency or commission consistent with ~~commission~~ agency rules
14 adopted pursuant to chapter 17A. An agency or commission
15 for which a staff is provided shall have control over such
16 staff. A city required to maintain a local civil rights agency
17 or commission shall structure and adequately fund the agency
18 or commission in order to effect cooperative undertakings
19 with the Iowa office of civil rights ~~commission~~ and to aid in
20 effectuating the purposes of this chapter.

21 3. An agency or commission of local government and the
22 Iowa office of civil rights ~~commission~~ shall cooperate in the
23 sharing of data and research, and coordinating investigations
24 and conciliations in order to expedite claims of unlawful
25 discrimination and eliminate needless duplication. The Iowa
26 office of civil rights ~~commission~~ may enter into cooperative
27 agreements with any local agency or commission to effectuate
28 the purposes of this chapter. Such agreements may include
29 technical and clerical assistance and reimbursement of expenses
30 incurred by the local agency or commission in the performance
31 of the agency's or commission's duties if funds for this
32 purpose are appropriated by the general assembly.

33 4. The ~~Iowa civil rights commission~~ director may designate
34 an unfunded local agency or commission as a referral agency. A
35 local agency or commission shall not be designated a referral

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1 agency unless the ordinance creating it provides the same
2 rights and remedies as are provided in [this chapter](#). The ~~Iowa~~
3 ~~civil rights commission~~ director shall establish by rules
4 the procedures for designating a referral agency and the
5 qualifications to be met by a referral agency.

6 5. The ~~Iowa civil rights commission~~ director may adopt
7 rules establishing the procedures for referral of complaints.
8 A referral agency may refuse to accept a case referred to
9 it by the Iowa office of civil rights ~~commission~~ if the
10 referral agency is unable to effect proper administration of
11 the complaint. It shall be the burden of the referral agency
12 to demonstrate that it is unable to properly administer that
13 complaint.

14 6. A complainant who files a complaint with a referral
15 agency having jurisdiction shall be prohibited from filing a
16 complaint with the ~~Iowa civil rights commission~~ agency alleging
17 violations based upon the same acts or practices cited in the
18 original complaint; and a complainant who files a complaint
19 with the ~~commission~~ agency shall be prohibited from filing
20 a complaint with the referral agency alleging violations
21 based upon the same acts or practices cited in the original
22 complaint. However, the ~~Iowa civil rights commission~~ agency in
23 its discretion may refer a complaint filed with the ~~commission~~
24 agency to a referral agency having jurisdiction over the
25 parties for investigation and resolution; and a referral agency
26 in its discretion may refer a complaint filed with that agency
27 to the ~~commission~~ office for investigation and resolution.

28 7. A final decision by a referral agency shall be subject
29 to judicial review as provided in [section 216.17](#) in the same
30 manner and to the same extent as a final decision of the ~~Iowa~~
31 ~~civil rights commission~~ agency.

32 8. The referral of a complaint by the Iowa office of
33 civil rights ~~commission~~ to a referral agency or by a referral
34 agency to the Iowa office of civil rights ~~commission~~ shall not
35 affect the right of a complainant to commence an action in the

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1 district court under [section 216.16](#).

2 Sec. 319. Section 216.21, Code 2024, is amended to read as
3 follows:

4 **216.21 Documents to attorney or party.**

5 If a party is represented by an attorney during the
6 proceedings of the agency or commission, with permission of
7 the attorney for the party or of the party, the agency or
8 commission shall provide copies of all relevant documents
9 including an order or decision to either the attorney for the
10 party or the party, but not to both.

11 Sec. 320. Section 216.22, subsection 2, paragraph b, Code
12 2024, is amended to read as follows:

13 *b.* The franchisor has been found by the ~~commission~~ agency to
14 have exercised a type or degree of control over the franchisee
15 or the franchisee's employees that is not customarily exercised
16 by a franchisor for the purpose of protecting the franchisor's
17 trademarks and brand.

18 Sec. 321. Section 228.1, subsection 7, paragraph b, Code
19 2024, is amended to read as follows:

20 *b.* The individual holds a current Iowa license if
21 practicing in a field covered by an Iowa licensure law and
22 is a psychiatrist, an advanced registered nurse practitioner
23 who holds a national certification in psychiatric mental
24 health care and is licensed by the board of nursing, a
25 physician assistant practicing under the supervision of or in
26 collaboration with a psychiatrist, a qualified mental health
27 professional physician assistant, a psychiatric advanced
28 registered nurse practitioner as defined in [section 125.2](#),
29 or an individual who holds a doctorate degree in psychology
30 and is licensed by the board of ~~psychology~~ behavioral health
31 professionals to practice psychology. For the purposes of this
32 paragraph, "collaboration" means the same as defined in section
33 148C.1.

34 Sec. 322. Section 230A.110, subsection 2, Code 2024, is
35 amended by striking the subsection.

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1 Sec. 323. Section 235B.1, subsection 4, Code 2024, is
2 amended by striking the subsection.

3 Sec. 324. Section 235B.3, subsection 1, paragraph a,
4 subparagraph (4), Code 2024, is amended to read as follows:

5 (4) If, in the course of an assessment or evaluation of
6 a report of dependent adult abuse, the department or the
7 department of inspections, appeals, and licensing determines
8 that the case involves discrimination under the jurisdiction
9 of the Iowa office of civil rights ~~commission~~, the relevant
10 portions of the case shall be referred to the ~~commission~~
11 office.

12 Sec. 325. Section 235B.16A, subsections 1 and 4, Code 2024,
13 are amended to read as follows:

14 1. ~~The dependent adult protective advisory council~~
15 ~~established pursuant to~~ section 235B.1 ~~department~~ shall
16 ~~recommend~~ adopt a uniform assessment instrument and process for
17 adoption and use by the department and other agencies involved
18 with assessing a dependent adult's degree of dependency
19 and determining whether dependent adult abuse has occurred.
20 However, this section shall not apply to dependent adult abuse
21 assessments and determinations made under chapter 235E.

22 4. The department shall cooperate with the departments
23 of inspections, appeals, and licensing, public safety,
24 and workforce development, the Iowa office of civil rights
25 ~~commission~~, and other state and local agencies performing
26 inspections or otherwise visiting residential settings where
27 dependent adults live, to regularly provide training to the
28 appropriate staff in the agencies concerning each agency's
29 procedures involving dependent adults, and to build awareness
30 concerning dependent adults and reporting of dependent adult
31 abuse.

32 Sec. 326. Section 235E.5, Code 2024, is amended to read as
33 follows:

34 **235E.5 Rulemaking authority.**

35 The department, in cooperation and consultation with

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1 ~~the dependent adult protective advisory council established~~
2 ~~in [section 235B.1](#), affected industry representatives, and~~
3 professional and consumer groups, may adopt rules pursuant to
4 chapter 17A to administer [this chapter](#).

5 Sec. 327. Section 237A.12, subsection 3, Code 2024, is
6 amended to read as follows:

7 3. Rules relating to fire safety for child care centers
8 shall be adopted under [this chapter](#) by the director of
9 the department of inspections, appeals, and licensing in
10 consultation with the department. Rules adopted by the
11 director of the department of inspections, appeals, and
12 licensing for a building which is owned or leased by a school
13 district or accredited nonpublic school and used as a child
14 care facility shall not differ from standards adopted by
15 the director of the department of inspections, appeals, and
16 licensing for school buildings under chapter 10A, subchapter V,
17 part 2. Rules relating to sanitation shall be adopted by the
18 department. ~~All rules shall be developed in consultation with~~
19 ~~the state child care advisory committee.~~ The director of the
20 department of inspections, appeals, and licensing shall inspect
21 the facilities.

22 Sec. 328. Section 237A.25, subsection 1, Code 2024, is
23 amended to read as follows:

24 1. The department shall develop consumer information
25 material to assist parents in selecting a child care provider.
26 In developing the material, the department shall consult with
27 department staff, department of education staff, ~~the state~~
28 ~~child care advisory committee~~, the early childhood Iowa state
29 board, and child care resource and referral services. In
30 addition, the department may consult with other entities at the
31 local, state, and national level.

32 Sec. 329. Section 237A.30, subsection 1, Code 2024, is
33 amended to read as follows:

34 1. The department shall work with the early childhood Iowa
35 program established in [section 256I.5](#) ~~and the state child care~~

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1 ~~advisory committee~~ in designing and implementing a voluntary
2 quality rating system for each provider type of child care
3 facility.

4 Sec. 330. Section 249A.15, Code 2024, is amended to read as
5 follows:

6 **249A.15 Licensed psychologists eligible for payment —**
7 **provisional licensees.**

8 1. The department shall adopt rules pursuant to chapter
9 17A entitling psychologists who are licensed pursuant to
10 chapter 154B and psychologists who are licensed in the state
11 where the services are provided and have a doctorate degree
12 in psychology, have had at least two years of clinical
13 experience in a recognized health setting, or have met the
14 standards of a national register of health service providers
15 in psychology, to payment for services provided to recipients
16 of medical assistance, subject to limitations and exclusions
17 the department finds necessary on the basis of federal laws and
18 regulations and of funds available for the medical assistance
19 program. The rules shall also provide that an individual, who
20 holds a provisional license to practice psychology pursuant
21 to [section 154B.6](#), is entitled to payment under [this section](#)
22 for services provided to recipients of medical assistance,
23 when such services are provided under the supervision of a
24 supervisor who meets the qualifications determined by the
25 board of ~~psychology~~ behavioral health professionals by rule,
26 and claims for payment for such services are submitted by the
27 supervisor.

28 2. Entitlement to payment under [this section](#) is applicable
29 to services provided to recipients of medical assistance
30 under both the fee-for-service and managed care payment and
31 delivery systems. Neither the fee-for-service nor the managed
32 care payment and delivery system shall impose a practice
33 or supervision restriction which is inconsistent with or
34 more restrictive than the authority already granted by law,
35 including the authority to provide supervision in person or

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1 remotely through electronic means as specified by rule of the
2 board of ~~psychology~~ behavioral health professionals.

3 Sec. 331. Section 249A.15A, subsections 1, 2, and 3, Code
4 2024, are amended to read as follows:

5 1. The department shall adopt rules pursuant to chapter
6 17A entitling marital and family therapists who are licensed
7 pursuant to chapter 154D to payment for behavioral health
8 services provided to recipients of medical assistance, subject
9 to limitations and exclusions the department finds necessary
10 on the basis of federal laws and regulations. The rules shall
11 also provide that a marital and family therapist, who holds
12 a temporary license to practice marital and family therapy
13 pursuant to section 154D.7, is entitled to payment under this
14 section for behavioral health services provided to recipients
15 of medical assistance, when such services are provided under
16 the supervision of a qualified supervisor as determined by the
17 board of ~~behavioral-science~~ behavioral health professionals by
18 rule, and claims for payment for such services are submitted by
19 the qualified supervisor.

20 2. The department shall adopt rules pursuant to chapter
21 17A entitling master social workers who hold a master's
22 degree approved by the board of ~~social-work~~ behavioral health
23 professionals, are licensed as a master social worker pursuant
24 to section 154C.3, subsection 1, paragraph "b", and provide
25 treatment services under the supervision of an independent
26 social worker licensed pursuant to section 154C.3, subsection
27 1, paragraph "c", to payment for behavioral health services
28 provided to recipients of medical assistance, subject to
29 limitations and exclusions the department finds necessary on
30 the basis of federal laws and regulations.

31 3. The department shall adopt rules pursuant to chapter 17A
32 entitling mental health counselors who are licensed pursuant
33 to chapter 154D to payment for behavioral health services
34 provided to recipients of medical assistance, subject to
35 limitations and exclusions the department finds necessary on

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1 the basis of federal laws and regulations. The rules shall
2 also provide that a mental health counselor, who holds a
3 temporary license to practice mental health counseling pursuant
4 to [section 154D.7](#), is entitled to payment under [this section](#)
5 for behavioral health services provided to recipients of
6 medical assistance, when such services are provided under the
7 supervision of a qualified supervisor as determined by the
8 board of ~~behavioral-science~~ behavioral health professionals by
9 rule, and claims for payment for such services are submitted by
10 the qualified supervisor.

11 Sec. 332. Section 256.3, subsections 1 and 2, Code 2024, are
12 amended to read as follows:

13 1. The state board of education is established for the
14 department. The state board consists of ~~ten~~ nine members:
15 nine seven voting members, ~~and~~ one nonvoting student member,
16 and the director of the department of workforce development,
17 who shall serve as a nonvoting member. The voting members
18 shall be appointed by the governor subject to senate
19 confirmation. The nonvoting student member shall be appointed
20 as provided in [section 256.5A](#).

21 2. The voting members shall be registered voters of
22 the state and hold no other elective or appointive state
23 office. Not more than five voting members shall be of the
24 same political party. ~~Three of the voting members shall~~
25 ~~have substantial knowledge related to the community college~~
26 ~~system.~~ The ~~remaining six~~ voting members shall be members of
27 the general public. A voting member shall not be engaged in
28 professional education for a major portion of the member's time
29 nor shall the member derive a major portion of income from any
30 business or activity connected with education.

31 Sec. 333. Section 256.7, subsection 7, paragraph c, Code
32 2024, is amended by striking the paragraph.

33 Sec. 334. Section 256.9, subsection 31, paragraph b, Code
34 2024, is amended to read as follows:

35 *b.* Standards and materials developed shall include materials

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1 which employ developmentally appropriate practices and
2 incorporate substantial parental involvement. The materials
3 and standards shall include alternative teaching approaches
4 including collaborative teaching and alternative dispute
5 resolution training. The department shall consult with the
6 child development coordinating council, ~~the state child care~~
7 ~~advisory committee established pursuant to [section 135.173A](#),~~
8 the department of health and human services, the state board
9 of regents center for early developmental education, the
10 area education agencies, the department of human development
11 and family studies in the college of human sciences at
12 Iowa state university of science and technology, the early
13 childhood elementary division of the college of education at
14 the university of Iowa, and the college of education at the
15 university of northern Iowa, in developing these standards and
16 materials.

17 Sec. 335. Section 256.17, Code 2024, is amended to read as
18 follows:

19 **256.17 Postsecondary course audit ~~committee~~.**

20 1. The department shall ~~establish and facilitate a~~
21 ~~postsecondary course audit committee which shall~~ annually
22 audit postsecondary courses offered to high school students in
23 accordance with [chapter 261E](#).

24 ~~2. The committee shall include but not be limited~~
25 ~~to representatives from the kindergarten through grade~~
26 ~~twelve education community, community colleges, and regents~~
27 ~~universities.~~

28 ~~3.~~ 2. The ~~committee~~ department shall establish a sampling
29 technique that randomly selects courses for audit. The audit
30 shall include but not be limited to a review of the course
31 syllabus, teacher qualifications, examples of student products,
32 and results of student assessments. Standards for review shall
33 be established by the ~~committee and approved by the~~ department.
34 Audit findings shall be submitted to the institutions providing
35 the classes audited and shall be posted on the department's

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1 internet site.

2 ~~4.~~ 3. If the ~~committee~~ department determines that a
3 postsecondary course offered to high school students in
4 accordance with chapter 261E does not meet the standards
5 established by the ~~committee~~ department pursuant to subsection
6 ~~3 2~~, the course shall not be eligible for future supplementary
7 weighting under section 257.11. If the institution makes
8 changes to the course sufficient to cause the course to meet
9 the standards of the ~~committee~~ department, the ~~committee~~
10 department may reinstate the eligibility of the course for
11 future supplementary weighting under section 257.11.

12 Sec. 336. Section 256.32, subsection 1, Code 2024, is
13 amended to read as follows:

14 1. An advisory council for agricultural education is
15 established, which consists of ~~nine~~ seven members appointed
16 by the governor. The ~~nine~~ seven members shall include the
17 ~~following~~:

18 ~~a.~~ Five at least four persons representing all areas
19 of agriculture and diverse geographical areas and at least
20 one person involved in the field of education, including
21 but not limited to a secondary school program instructor, a
22 postsecondary school program instructor, or a teacher educator.

23 ~~b.~~ An individual representing agriculture on a council
24 ~~created to advise the state on career and technical education~~
25 ~~matters.~~

26 ~~c.~~ A secondary school program instructor, a postsecondary
27 school program instructor, and a teacher educator.

28 Sec. 337. Section 256.33, subsection 1, Code 2024, is
29 amended to read as follows:

30 1. The department shall consort with school districts,
31 area education agencies, community colleges, and colleges
32 and universities to provide assistance to them in the use
33 of educational technology for instruction purposes. The
34 department shall consult with ~~the advisory committee on~~
35 ~~telecommunications, established in~~ section 256.7, subsection 7,

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1 ~~and other~~ users of educational technology on the development
2 and operation of programs under [this section](#).

3 Sec. 338. Section 256.82, subsection 1, paragraph a, Code
4 2024, is amended to read as follows:

5 a. Four members shall be appointed by the governor so
6 that the portion of the board membership appointed under this
7 paragraph includes two male board members and two female board
8 members at all times.

9 ~~(1) One member shall be appointed from the business~~
10 ~~community other than the television and telecommunications~~
11 ~~industry.~~

12 ~~(2) One member shall be appointed with experience in or~~
13 ~~knowledge about the television industry.~~

14 ~~(3) One member shall be appointed from the membership of~~
15 ~~a fundraising nonprofit organization financially assisting~~
16 ~~the Iowa public broadcasting division. At least one member~~
17 shall have experience in or knowledge of the television and
18 telecommunications industry, and at least one member shall
19 have experience with or knowledge of fundraising nonprofit
20 organizations.

21 ~~(4) One member shall represent the general public.~~

22 Sec. 339. Section 256.176, subsection 2, paragraphs a and d,
23 Code 2024, are amended to read as follows:

24 a. A member of the state board of regents to be named by the
25 state board of regents, or the executive director of the state
26 board of regents if so appointed by the state board of regents,
27 who shall serve for a four-year term or until the expiration
28 of the member's term of office, and who shall serve as an ex
29 officio, nonvoting member.

30 d. Nine ~~Seven~~ additional members to be appointed by the
31 governor as follows:

32 ~~(1) One member shall be selected to represent private~~
33 ~~colleges and universities located in the state of Iowa.~~

34 ~~When appointing this member, the governor shall give careful~~
35 ~~consideration to any person nominated or recommended by any~~

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~~1 organization or association of some or all private colleges and
2 universities located in the state of Iowa.~~

~~3 (2) One member shall be selected to represent Iowa's
4 community colleges. When appointing this member, the governor
5 shall give careful consideration to any person nominated
6 or recommended by any organization or association of Iowa
7 community colleges.~~

~~8 (3) (1) One At least one member shall be enrolled as a
9 student at an institution of higher learning governed by the
10 board of regents, a community college, or an accredited private
11 institution.~~

~~12 (4) (2) One At least one member shall be a parent of a
13 student enrolled at an institution of higher learning governed
14 by the board of regents, a community college, or an accredited
15 private institution.~~

~~16 (5) (3) One At least one member shall represent
17 practitioners licensed under chapter 256, subchapter VII,
18 part 3. When appointing this member, the governor shall give
19 careful consideration to any person nominated by an Iowa
20 teacher association or other education stakeholder organization
21 have knowledge and experience in financial or fiduciary
22 matters.~~

~~23 (6) Four members shall represent the general public,
24 none of whom shall be officers, board members, or trustees
25 of an institution of higher learning or of an association of
26 institutions of higher learning.~~

27 Sec. 340. Section 256.176, subsection 2, Code 2024, is
28 amended by adding the following new paragraphs:

29 NEW PARAGRAPH. e. One member to represent private colleges
30 and universities located in the state of Iowa, who shall be
31 selected by an organization or association of some or all
32 private colleges and universities located in the state of Iowa,
33 and who shall serve as an ex officio, nonvoting member.

34 NEW PARAGRAPH. f. One member to represent Iowa's community
35 colleges, who shall be selected by an organization or

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1 association of Iowa community colleges, and who shall serve as
2 an ex officio, nonvoting member.

3 Sec. 341. Section 256I.4, subsection 19, Code 2024, is
4 amended by striking the subsection and inserting in lieu
5 thereof the following:

6 19. Serve as the state advisory council required under the
7 federal Improving Head Start for School Readiness Act of 2007,
8 Pub. L. No. 110-134, as designated by the governor.

9 Sec. 342. Section 260C.36, subsection 4, Code 2024, is
10 amended to read as follows:

11 4. The department of education shall establish the
12 following committees:

13 ~~a. An~~ an ad hoc accreditation quality faculty plan protocol
14 committee to advise the department in the development of
15 protocols related to the quality faculty planning process to
16 be used by the accreditation teams during site visits. The
17 committee shall, at a minimum, determine what types of evidence
18 need to be provided, develop interview procedures and visit
19 goals, and propose accreditation protocol revisions.

20 ~~b. An ongoing quality faculty plan professional development~~
21 ~~committee. The committee shall, at a minimum, do the~~
22 ~~following:~~

23 ~~(1) Develop systemic, ongoing, and sustainable statewide~~
24 ~~professional development opportunities that support~~
25 ~~institutional development as well as individual development and~~
26 ~~support of the quality faculty plans. The opportunities may~~
27 ~~include internet-based systems to share promising practices.~~

28 ~~(2) Determine future professional development needs.~~

29 ~~(3) Develop or identify training and assistance relating to~~
30 ~~the quality faculty plan process and requirements.~~

31 ~~(4) Assist the department and community colleges in~~
32 ~~developing professional development consortia.~~

33 ~~(5) Review and identify best practices in each community~~
34 ~~college quality faculty plan, including best practices~~
35 ~~regarding adjunct faculty.~~

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~~1 c. A community college faculty advisory committee consisting
2 of one member and one alternate from each community college,
3 appointed by the committee established pursuant to subsection
4 1. The committee membership shall be equally represented by
5 individuals from the liberal arts and sciences faculty and
6 the career and technical faculty. The committee shall, at a
7 minimum, keep faculty informed of higher education issues,
8 facilitate communication between the faculty and the department
9 on an ongoing basis, and serve as an advisory committee to the
10 department and community colleges on faculty issues.~~

11 Sec. 343. Section 260C.39, subsection 3, Code 2024, is
12 amended to read as follows:

13 3. The terms of employment of personnel, for the academic
14 year following the effective date of the agreement to combine
15 the merged areas shall not be affected by the combination of
16 the merged areas, except in accordance with the procedures
17 under [sections 279.15, 279.16, 279.18, and 279.24](#), to
18 the extent those procedures are applicable, or under the
19 terms of the base bargaining agreement. The authority and
20 responsibility to offer new contracts or to continue, modify,
21 or terminate existing contracts pursuant to any applicable
22 procedures under [chapter 279](#), shall be transferred to the
23 acting, and then to the new, board of the combined merged area
24 upon certification of a favorable vote to each of the merged
25 areas affected by the agreement. The collective bargaining
26 agreement of the merged area receiving the greatest amount of
27 general state aid shall serve as the base agreement for the
28 combined merged area and the employees of the merged areas
29 which combined to form the new combined merged area shall
30 automatically be accreted to the bargaining unit from that
31 former merged area for purposes of negotiating the contracts
32 for the following years without further action by the ~~public~~
33 employment ~~relations~~ appeal board. If only one collective
34 bargaining agreement is in effect among the merged areas which
35 are combining under [this section](#), then that agreement shall

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1 serve as the base agreement, and the employees of the merged
2 areas which are combining to form the new combined merged
3 area shall automatically be accreted to the bargaining unit
4 of that former merged area for purposes of negotiating the
5 contracts for the following years without further action by the
6 ~~public employment relations~~ appeal board. The board of the
7 combined merged area, using the base agreement as its existing
8 contract, shall bargain with the combined employees of the
9 merged areas that have agreed to combine for the academic year
10 beginning with the effective date of the agreement to combine
11 merged areas. The bargaining shall be completed by March 15
12 prior to the academic year in which the agreement to combine
13 merged areas becomes effective or within one hundred eighty
14 days after the organization of the acting board of the new
15 combined merged area, whichever is later. If a bargaining
16 agreement was already concluded in the former merged area which
17 has the collective bargaining agreement that is serving as the
18 base agreement for the new combined merged area, between the
19 former merged area board and the employees of the former merged
20 area, that agreement is void, unless the agreement contained
21 multiyear provisions affecting academic years subsequent to the
22 effective date of the agreement to form a combined merged area.
23 If the base collective bargaining agreement contains multiyear
24 provisions, the duration and effect of the agreement shall
25 be controlled by the terms of the agreement. The provisions
26 of the base agreement shall apply to the offering of new
27 contracts, or the continuation, modification, or termination
28 of existing contracts between the acting or new board of the
29 combined merged area and the combined employees of the new
30 combined merged area.

31 Sec. 344. Section 261A.6, subsection 2, Code 2024, is
32 amended to read as follows:

33 2. a. The For members appointed prior to the effective date
34 of this division of this Act, members of the authority shall be
35 appointed by the governor for terms of six years beginning and

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1 ending as provided in [section 69.19](#). A member of the authority
2 is eligible for reappointment.

3 b. For members appointed on or after the effective date of
4 this division of this Act, members of the authority shall be
5 appointed by the governor for terms of four years beginning and
6 ending as provided in section 69.19. A member of the authority
7 shall not serve more than two full terms.

8 c. The governor shall fill a vacancy for the remainder of
9 the unexpired term. A member of the authority may be removed
10 by the governor for misfeasance, malfeasance, or willful
11 neglect of duty or other cause after notice and a public
12 hearing unless the notice and hearing are waived by the member
13 in writing.

14 Sec. 345. Section 266.39, subsections 3 and 5, Code 2024,
15 are amended by striking the subsections.

16 Sec. 346. Section 267A.2, subsection 2, Code 2024, is
17 amended by striking the subsection.

18 Sec. 347. Section 267A.5, Code 2024, is amended to read as
19 follows:

20 **267A.5 Local food and farm program fund.**

21 A local food and farm program fund is created in the state
22 treasury under the control of the department. The fund is
23 separate from the general fund of the state. The fund is
24 composed of moneys appropriated by the general assembly and
25 moneys available to and obtained or accepted by the local food
26 and farm program from the United States government or private
27 sources for placement in the fund. Moneys in the fund shall
28 be used to carry out the purpose and goals of [this chapter](#)
29 as provided in [section 267A.1](#), including but not limited to
30 administering the local food and farm program as provided in
31 section 267A.6. The fund shall be managed by the department in
32 consultation with the local food and farm coordinator, ~~under~~
33 ~~the supervision of the local food and farm program council.~~

34 Sec. 348. Section 267A.6, subsection 1, Code 2024, is
35 amended to read as follows:

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1 1. The local food and farm program coordinator, ~~with advice~~
2 ~~from the local food and farm program council,~~ shall develop and
3 administer a local food and farm program necessary to carry out
4 the purpose and goals of [this chapter](#) as provided in section
5 267A.1.

6 Sec. 349. Section 272C.1, subsection 6, paragraphs b, f, and
7 u, Code 2024, are amended by striking the paragraphs.

8 Sec. 350. Section 272C.1, subsection 6, paragraphs s and ad,
9 Code 2024, are amended to read as follows:

10 *s.* The board of ~~psychology~~ behavioral health professionals,
11 created pursuant to [chapter 147](#).

12 *ad.* The ~~plumbing and mechanical systems~~ board of building
13 and construction occupations, created pursuant to chapter ~~105~~
14 103A, in performing licensing activities pursuant to chapters
15 103 and 105.

16 Sec. 351. Section 272C.2, subsection 3, Code 2024, is
17 amended to read as follows:

18 3. The state board of engineering and land surveyors,
19 the board of architectural examiners, ~~the board of landscape~~
20 ~~architectural examiners,~~ and the economic development authority
21 shall cooperate with each other and with persons who typically
22 offer continuing education courses for design professionals to
23 make available energy efficiency related continuing education
24 courses, and to encourage interdisciplinary cooperation and
25 education concerning available energy efficiency strategies for
26 employment in the state's construction industry.

27 Sec. 352. Section 273.22, subsection 2, paragraph a, Code
28 2024, is amended to read as follows:

29 *a.* The collective bargaining agreement of the area education
30 agency with the largest basic enrollment, as defined in section
31 257.6, for the year prior to the year the reorganization is
32 effective, shall serve as the base agreement in the new area
33 education agency and the employees of the other area education
34 agencies involved in the formation of the new area education
35 agency shall automatically be accreted to the bargaining

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1 unit of that collective bargaining agreement for purposes of
2 negotiating the contracts for the following years without
3 further action by the ~~public employment relations~~ appeal
4 board. If only one collective bargaining agreement is in
5 effect among the area education agencies that are party to
6 the reorganization, that agreement shall serve as the base
7 agreement, and the employees of the other agencies involved
8 in the formation of the new area education agency shall
9 automatically be accreted to the bargaining unit of that
10 collective bargaining agreement for purposes of negotiating the
11 contracts for the following years without further action by the
12 ~~public employment relations~~ appeal board.

13 Sec. 353. Section 275.33, subsection 2, paragraph a, Code
14 2024, is amended to read as follows:

15 a. The collective bargaining agreement of the district
16 with the largest basic enrollment for the year prior to
17 the reorganization, as defined in [section 257.6](#), in the new
18 district shall serve as the base agreement and the employees
19 of the other districts involved in the formation of the new
20 district shall automatically be accreted to the bargaining
21 unit of that collective bargaining agreement for purposes of
22 negotiating the contracts for the following years without
23 further action by the ~~public employment relations~~ appeal board.
24 If only one collective bargaining agreement is in effect among
25 the districts which are party to the reorganization, then that
26 agreement shall serve as the base agreement, and the employees
27 of the other districts involved in the formation of the new
28 district shall automatically be accreted to the bargaining
29 unit of that collective bargaining agreement for purposes of
30 negotiating the contracts for the following years without
31 further action by the ~~public employment relations~~ appeal board.

32 Sec. 354. Section 284.11, subsection 2, paragraph c, Code
33 2024, is amended to read as follows:

34 c. Review the use and effectiveness of the funds distributed
35 to school districts for supplemental assistance in high-need

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1 schools under ~~this section~~, and consider the findings and
2 recommendations of the commission on educator leadership
3 and compensation submitted pursuant to section 284.15,
4 subsection 13, relating to the use and effectiveness of the
5 funds distributed to school districts under ~~this section~~. The
6 department shall submit its findings and recommendations in a
7 report to the general assembly by January 15 annually.

8 Sec. 355. Section 284.15, subsection 12, Code 2024, is
9 amended by striking the subsection.

10 Sec. 356. Section 284.15, subsection 14, Code 2024, is
11 amended to read as follows:

12 14. The provisions of ~~this chapter~~ shall be subject to
13 legislative review at least every three years. ~~The review~~
14 ~~shall be based upon a status report from the commission~~
15 ~~on educator leadership and compensation, which shall be~~
16 ~~prepared with the assistance of the departments of education,~~
17 ~~management, and revenue.~~ The status report shall review and
18 report on the department's assignment and utilization of
19 full-time equivalent positions, and shall include information
20 on teacher retention, teacher compensation, academic quality
21 of beginning teachers, teacher evaluation results, student
22 achievement trend and comparative data, and recommendations
23 for changes to the teacher leadership supplement foundation
24 aid and the framework or comparable systems approved pursuant
25 to ~~this section~~. The first status report shall be submitted
26 to the general assembly by January 15, 2017, with subsequent
27 status reports prepared and submitted to the general assembly
28 by January 15 at least every third year thereafter.

29 Sec. 357. Section 312.3, subsection 1, Code 2024, is amended
30 to read as follows:

31 1. Apportion among the counties the road use tax funds
32 credited to the secondary road fund by using the distribution
33 methodology adopted pursuant to ~~section 312.3C~~ by the
34 commission by rule.

35 Sec. 358. Section 312.3B, subsection 2, Code 2024, is

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1 amended to read as follows:

2 2. The Iowa county engineers association service
3 bureau shall annually compute the secondary road fund and
4 farm-to-market road fund distributions using the methodology
5 determined by the ~~secondary road fund distribution committee~~
6 ~~pursuant to section 312.3C~~ commission. The Iowa county
7 engineers association service bureau shall report the
8 computations to ~~the secondary road fund distribution committee,~~
9 the department, the treasurer of state, and the counties.

10 Sec. 359. Section 312.5, subsection 1, Code 2024, is amended
11 to read as follows:

12 1. ~~For the fiscal year ending June 30, 2006, the treasurer~~
13 ~~of state shall apportion among the counties the road use tax~~
14 ~~funds credited to the farm-to-market road fund by using the~~
15 ~~allocation method contained in section 312.5, subsection 1,~~
16 ~~Code 2005. For subsequent fiscal years~~ Each fiscal year, the
17 treasurer of state shall apportion among the counties the road
18 use tax funds credited to the farm-to-market road fund by using
19 the distribution methodology adopted ~~pursuant to section 312.3C~~
20 by the commission.

21 Sec. 360. Section 312.16, Code 2024, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 01. "*Commission*" means the state
24 transportation commission.

25 Sec. 361. Section 312A.3, subsection 2, Code 2024, is
26 amended to read as follows:

27 2. Twenty percent for deposit in the secondary road fund,
28 for apportionment according to the methodology adopted ~~pursuant~~
29 ~~to section 312.3C~~ by the commission, to be used by counties
30 for construction and maintenance projects on secondary road
31 bridges and on highways in the farm-to-market road system. At
32 least ten percent of the moneys allocated to a county under
33 this subsection shall be used for bridge construction, repair,
34 and maintenance, with priority given to projects that aid and
35 support economic development and job creation.

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1 Sec. 362. Section 314.1, subsection 2, Code 2024, is amended
2 to read as follows:

3 2. Notwithstanding any other provision of law to the
4 contrary, a public improvement that involves the construction,
5 reconstruction, or improvement of a highway, bridge, or culvert
6 and that has a cost in excess of the applicable threshold in
7 section 73A.18, 262.34, 297.7, 309.40, 310.14, or 313.10, as
8 modified by the ~~bid-threshold-subcommittee~~ director pursuant
9 to [section 314.1B](#), shall be advertised and let for bid, except
10 such public improvements that involve emergency work pursuant
11 to [section 309.40A](#), [313.10](#), or [384.103, subsection 2](#). For a
12 city having a population of fifty thousand or less, a public
13 improvement that involves the construction, reconstruction, or
14 improvement of a highway, bridge, or culvert that has a cost
15 in excess of twenty-five thousand dollars, as modified by the
16 ~~bid-threshold-subcommittee~~ director pursuant to [section 314.1B](#),
17 shall be advertised and let for bid, excluding emergency work.
18 However, a public improvement that has an estimated total
19 cost to a city in excess of a threshold of fifty thousand
20 dollars, as modified by the ~~bid-threshold-subcommittee~~ director
21 pursuant to [section 314.1B](#), and that involves the construction,
22 reconstruction, or improvement of a highway, bridge, or culvert
23 that is under the jurisdiction of a city with a population
24 of more than fifty thousand, shall be advertised and let for
25 bid. Cities required to competitively bid highway, bridge,
26 or culvert work shall do so in compliance with the contract
27 letting procedures of [sections 26.3 through 26.12](#).

28 Sec. 363. Section 314.1B, subsection 1, paragraph a, Code
29 2024, is amended by striking the paragraph.

30 Sec. 364. Section 314.1B, subsection 1, paragraph b, Code
31 2024, is amended to read as follows:

32 **b.** The ~~subcommittee~~ director, in consultation with industry
33 and subject matter experts, shall review the competitive bid
34 thresholds applicable to city and county highway, bridge,
35 and culvert projects. The ~~subcommittee~~ director shall

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1 review price adjustments for all types of city and county
2 highway, bridge, and culvert construction, reconstruction, and
3 improvement projects, based on changes in the construction
4 price index from the preceding year. Upon completion of the
5 review the ~~subcommittee~~ director may make adjustments in the
6 applicable bid thresholds for types of work based on the price
7 adjustments.

8 Sec. 365. Section 314.1B, subsection 2, paragraph a, Code
9 2024, is amended by striking the paragraph.

10 Sec. 366. Section 314.1B, subsection 2, paragraphs b, c, d,
11 and e, Code 2024, are amended to read as follows:

12 ~~b. The subcommittee appointed under this subsection~~
13 director, in consultation with industry and subject matter
14 experts, shall review the competitive bid thresholds applicable
15 to governmental entities under chapter 26. The ~~subcommittee~~
16 director shall review price adjustments for all types of
17 construction, reconstruction, and public improvement projects
18 based on the changes in the construction price index, building
19 cost index, and material cost index from the preceding
20 adjustment. Upon completion of the review the ~~subcommittee~~
21 director may make adjustments in the applicable bid thresholds
22 for types of work based on the price adjustments.

23 ~~c. The subcommittee shall not make an initial adjustment to~~
24 ~~the competitive bid threshold in section 26.3 to be effective~~
25 ~~prior to January 1, 2012. Thereafter, the subcommittee~~ The
26 director shall adjust the bid threshold amount in accordance
27 with subsection 3 but shall not adjust the bid threshold to an
28 amount less than the bid threshold applicable to a governmental
29 entity on January 1, 2007.

30 ~~d. Beginning July 1, 2006~~ 2024, the ~~subcommittee~~ director
31 shall make adjustments to the competitive quotation threshold
32 amounts in section 26.14 for vertical infrastructure in
33 accordance with the methodology of paragraph "b".

34 ~~e. After 2012, the subcommittee~~ The director shall adjust
35 the competitive quotation threshold amounts in section 26.14

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1 at the same time and by the same percentage as adjustments are
2 made to the competitive bid threshold.

3 Sec. 367. Section 314.1B, subsection 3, Code 2024, is
4 amended to read as follows:

5 3. *Review — publication.* ~~Each subcommittee~~ The director
6 ~~shall meet to conduct the review and~~ make the adjustments
7 described in this section on or before August 1 of every
8 other year, or of every year if determined necessary by the
9 ~~subcommittee~~ director. By September 1 of each year in which
10 a ~~subcommittee~~ director makes adjustments in the bid or
11 quotation thresholds, the director shall cause an advisory
12 notice to be published in the Iowa administrative bulletin and
13 in a newspaper of general circulation in this state, stating
14 the adjusted bid and quotation thresholds to be in effect
15 on January 1 of the following year, as established by the
16 ~~subcommittees~~ director under this section.

17 Sec. 368. Section 314.13, subsection 2, Code 2024, is
18 amended by striking the subsection.

19 Sec. 369. Section 314.13, Code 2024, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 4A. “*Director*” means the director of
22 transportation.

23 Sec. 370. Section 314.22, subsection 3, Code 2024, is
24 amended to read as follows:

25 3. ~~*Integrated roadside vegetation management technical*~~
26 ~~*advisory committee Report.*~~

27 ~~a. The director of the department shall appoint members~~
28 ~~to an integrated roadside vegetation management technical~~
29 ~~advisory committee which is created to provide advice on the~~
30 ~~development and implementation of a statewide integrated~~
31 ~~roadside vegetation management plan and program and related~~
32 ~~projects. The department shall report annually in January to~~
33 ~~the general assembly regarding its activities and those of the~~
34 ~~committee under this section. Activities of the committee may~~
35 ~~include but are not limited to providing advice and assistance~~

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1 ~~in the following areas:~~

2 ~~(1) Research efforts.~~

3 ~~(2) Demonstration projects.~~

4 ~~(3) Education and orientation efforts for property owners,~~
5 ~~public officials, and the general public.~~

6 ~~(4) Activities of the integrated roadside vegetation~~
7 ~~management coordinator for integrated roadside vegetation~~
8 ~~management.~~

9 ~~(5) Reviewing applications for funding assistance.~~

10 ~~(6) Securing funding for research and demonstrations.~~

11 ~~(7) Determining needs for revising the state weed law and~~
12 ~~other applicable Code sections.~~

13 ~~(8) Liaison with the Iowa state association of counties, the~~
14 ~~Iowa league of cities, and other organizations for integrated~~
15 ~~roadside vegetation management purposes.~~

16 ~~b. The director may appoint any number of persons to the~~
17 ~~committee but, at a minimum, the committee shall consist of all~~
18 ~~of the following:~~

19 ~~(1) One member representing the utility industry.~~

20 ~~(2) One member from the Iowa academy of sciences.~~

21 ~~(3) One member representing county government.~~

22 ~~(4) One member representing city government.~~

23 ~~(5) Two members representing the private sector including~~
24 ~~community interest groups.~~

25 ~~(6) One member representing soil conservation interests.~~

26 ~~(7) One member representing the department of natural~~
27 ~~resources.~~

28 ~~(8) One member representing county conservation boards.~~

29 ~~c. Members of the committee shall serve without~~
30 ~~compensation, but may be reimbursed for allowable expenses from~~
31 ~~the living roadway trust fund created under [section 314.21](#). No~~
32 ~~more than a simple majority of the members of the committee~~
33 ~~shall be of the same gender as provided in [section 69.16A](#).~~

34 ~~The director of the department shall appoint the chair of the~~
35 ~~committee and shall establish a minimum schedule of meetings~~

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1 ~~for the committee.~~

2 Sec. 371. Section 321.252, subsection 3, paragraph a, Code
3 2024, is amended to read as follows:

4 a. The department shall establish, by rule, ~~in cooperation~~
5 ~~with a tourist signing committee,~~ the standards for
6 tourist-oriented directional signs and shall annually review
7 the list of attractions for which signing is in place. The
8 rules shall conform to national standards for tourist-oriented
9 directional signs adopted under 23 U.S.C. §131(q) and to the
10 manual of uniform traffic-control devices.

11 ~~(1) The tourist signing committee shall be made up of~~
12 ~~the directors or the directors' designees of the departments~~
13 ~~of agriculture and land stewardship, natural resources, and~~
14 ~~transportation, the director or the director's designee of~~
15 ~~the economic development authority, the chairperson or the~~
16 ~~chairperson's designee of the Iowa travel council, and a~~
17 ~~member of the outdoor advertising association of Iowa. The~~
18 ~~director or the director's designee of the economic development~~
19 ~~authority shall be the chairperson of the committee.~~

20 ~~(2) The department of transportation shall be responsible~~
21 ~~for calling and setting the date of the meetings of the~~
22 ~~committee which meetings shall be based upon the amount of~~
23 ~~activity relating to signs. However, the committee shall meet~~
24 ~~at least once a month.~~

25 Sec. 372. Section 331.301, subsection 6, paragraph b, Code
26 2024, is amended to read as follows:

27 b. A county shall not impose any fee or charge on any
28 individual or business licensed pursuant to chapter 105 by
29 the plumbing and mechanical systems board of building and
30 construction occupations for the right to perform plumbing,
31 mechanical, HVAC, refrigeration, sheet metal, or hydronic
32 systems work within the scope of the license. This paragraph
33 does not prohibit a county from charging fees for the issuance
34 of permits for, and inspections of, work performed in its
35 jurisdiction.

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1 Sec. 373. Section 333A.2, subsection 1, paragraphs b and c,
2 Code 2024, are amended to read as follows:

3 ~~b. Five elected county officials who are regularly involved~~
4 ~~in budget preparation. One county official shall be from~~
5 ~~a county with a population of less than eleven thousand~~
6 ~~five hundred, one from a county with a population of more~~
7 ~~than eleven thousand five hundred but not more than sixteen~~
8 ~~thousand, one from a county with a population of more than~~
9 ~~sixteen thousand but not more than twenty-two thousand five~~
10 ~~hundred, one from a county with a population of more than~~
11 ~~twenty-two thousand five hundred but not more than eighty~~
12 ~~thousand and one from a county with a population of more than~~
13 ~~eighty thousand. The governor director of the department of~~
14 ~~management shall select and appoint the county officials,~~
15 ~~subject to the approval of two-thirds of the members of the~~
16 ~~senate.~~

17 ~~c. A certified public accountant experienced in governmental~~
18 ~~accounting selected and appointed by the governor with the~~
19 ~~approval of two-thirds of the members of the senate director of~~
20 ~~the department of management.~~

21 Sec. 374. Section 333A.2, subsection 2, Code 2024, is
22 amended to read as follows:

23 2. The members of the committee appointed by the ~~governor~~
24 ~~director of the department of management~~ are appointed for
25 four-year terms except that of the initial appointments, two
26 county official members shall be appointed to two-year terms.
27 When a county official member no longer holds the office which
28 qualified the official for appointment, the official shall no
29 longer be a member of the committee. Any person appointed to
30 fill a vacancy shall be appointed to serve the unexpired term.
31 Any member is eligible for reappointment, but a member shall
32 not be appointed to serve more than two four-year terms.

33 Sec. 375. Section 357A.21, subsection 2, Code 2024, is
34 amended to read as follows:

35 2. If an agreement is not reached under [subsection 1](#),

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1 the governing body of the city or water utility or the board
2 of directors or trustees of the district or association may
3 request mediation pursuant to [chapter 679C](#). The governing
4 body or board requesting mediation shall be responsible for
5 the costs of the mediation. A mediation committee shall be
6 established if a governing body or board requests mediation
7 pursuant to [this subsection](#). The mediation committee shall
8 consist of one member of the governing body of the city or the
9 governing body's designee, one member of the board of directors
10 or trustees of the district or association, as applicable, and
11 one disinterested member chosen by the other two members. A
12 list of qualified mediators may be obtained from the American
13 arbitration association, the ~~public employment relations~~ appeal
14 board established pursuant to [section 20.5 10A.601](#), or a
15 recognized mediation organization or association.

16 Sec. 376. Section 364.3, subsection 3, paragraph b, Code
17 2024, is amended to read as follows:

18 *b.* A city shall not impose any fee or charge on any
19 individual or business licensed pursuant to chapter 105 by
20 the ~~plumbing and mechanical systems~~ board of building and
21 construction occupations for the right to perform plumbing,
22 mechanical, HVAC, refrigeration, sheet metal, or hydronic
23 systems work within the scope of the license. This paragraph
24 does not prohibit a city from charging fees for the issuance
25 of permits for, and inspections of, work performed in its
26 jurisdiction.

27 Sec. 377. Section 384.13, subsection 2, paragraphs c and d,
28 Code 2024, are amended to read as follows:

29 *c.* Five city officials who are regularly involved in
30 budget preparation. ~~One official must be from a city with a~~
31 ~~population of not over two thousand five hundred, one from a~~
32 ~~city with a population of over two thousand five hundred but~~
33 ~~not over fifteen thousand, one from a city with a population~~
34 ~~of over fifteen thousand but not over fifty thousand, one from~~
35 ~~a city with a population of over fifty thousand, and one from~~

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1 ~~any-size city.~~ The ~~governor~~ director of the department of
2 management shall select and appoint the city officials.

3 d. One certified public accountant experienced in city
4 accounting, to be selected and appointed by the ~~governor~~
5 director of the department of management.

6 Sec. 378. Section 414.1, subsection 2, Code 2024, is amended
7 to read as follows:

8 2. The city of Des Moines may, for the purpose of preserving
9 the dominance of the dome of the state capitol building and
10 the view of the state capitol building from prominent public
11 viewing points, regulate and restrict the height and size of
12 buildings and other structures in the city of Des Moines.
13 Any regulations pertaining to such matters shall be made in
14 accordance with a comprehensive plan and in consultation with
15 the ~~capitol planning commission~~ department of administrative
16 services.

17 Sec. 379. Section 455A.5, subsection 1, Code 2024, is
18 amended to read as follows:

19 1. a. A natural resource commission is created, which
20 consists of seven members appointed by the governor for
21 staggered terms of six years beginning and ending as provided
22 in section 69.19, except as provided in paragraph "b". The
23 appointees are subject to senate confirmation. The members
24 shall be citizens of the state who have a substantial knowledge
25 of the subjects embraced by chapter 456A. The appointments
26 shall be based upon the training, experience, and capacity of
27 the appointees, and not based upon political considerations,
28 other than as provided in section 69.16. A member of the
29 commission shall not hold any other state or federal office.

30 b. For members appointed on or after the effective date
31 of this division of this Act, members shall serve staggered
32 terms of four years beginning and ending as provided in section
33 69.19.

34 Sec. 380. Section 455A.5, subsection 6, paragraph d, Code
35 2024, is amended to read as follows:

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1 ~~d. Approve~~ Provide advice and recommendations regarding
2 the budget request prepared by the director for the programs
3 authorized by chapters 321G, 321I, 456A, 456B, 457A, 461A,
4 462A, 462B, 464A, 481A, 481B, 483A, 484A, and 484B. The
5 ~~commission may increase, decrease, or strike any item within~~
6 ~~the department budget request for the specified programs before~~
7 ~~granting approval.~~

8 Sec. 381. Section 455A.6, subsection 6, paragraph d, Code
9 2024, is amended to read as follows:

10 ~~d. Approve~~ Provide advice and make recommendations regarding
11 the budget request prepared by the director for the programs
12 authorized by chapters 455B, 455C, 455E, 455F, 455H, and 459,
13 subchapters II and III. ~~The commission shall approve the~~
14 ~~budget request prepared by the director for programs subject to~~
15 ~~the rulemaking authority of the commission. The commission may~~
16 ~~increase, decrease, or strike any item within the department~~
17 ~~budget request for the specified programs before granting~~
18 ~~approval.~~

19 Sec. 382. Section 455A.19, subsection 1, unnumbered
20 paragraph 1, Code 2024, is amended to read as follows:

21 Upon receipt of any revenue, the director shall deposit the
22 moneys in the Iowa resources enhancement and protection fund
23 created pursuant to section 455A.18. The first three hundred
24 fifty thousand dollars of the funds received for deposit in the
25 fund annually shall be allocated to the conservation education
26 ~~program board~~ for the purposes specified in section 455A.21.
27 One percent of the revenue receipts shall be deducted and
28 transferred to the administration fund provided for in section
29 456A.17. All of the remaining receipts shall be allocated to
30 the following accounts:

31 Sec. 383. Section 455A.21, Code 2024, is amended to read as
32 follows:

33 **455A.21 Conservation education program board.**

34 ~~1. A conservation education program board is created in~~
35 ~~the department. The board shall have five members appointed~~

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1 ~~as follows:~~

2 ~~a. One member appointed by the director of the department~~
3 ~~of education.~~

4 ~~b. One member appointed by the director of the department of~~
5 ~~natural resources.~~

6 ~~c. One member appointed by the president of the Iowa~~
7 ~~association of county conservation boards.~~

8 ~~d. One member appointed by the president of the Iowa~~
9 ~~association of naturalists.~~

10 ~~e. One member appointed by the president of the Iowa~~
11 ~~conservation education council.~~

12 2. ~~Section 69.16 does not apply to appointments made~~
13 ~~pursuant to this section.~~

14 3. ~~The duties of the board are to~~ department shall revise
15 and produce conservation education materials and ~~to~~ specify
16 stipends to Iowa educators who participate in innovative
17 conservation education programs approved by the ~~board~~
18 department. The ~~board~~ department shall allocate the funds
19 provided for under section 455A.19, subsection 1, for the
20 educational materials and stipends.

21 4. ~~The department shall administer the funds allocated to~~
22 ~~the conservation education program as provided in this section.~~

23 Sec. 384. Section 455B.190A, subsection 1, paragraph h,
24 Code 2024, is amended by striking the paragraph.

25 Sec. 385. Section 455B.190A, subsection 2, paragraphs f and
26 g, Code 2024, are amended to read as follows:

27 f. The department shall develop continuing education
28 requirements for certification of a well contractor ~~in~~
29 ~~consultation with the well contractors' council.~~

30 g. The examination shall be developed by the department ~~in~~
31 ~~consultation with the well contractors' council~~ to determine
32 the applicant's qualifications to perform well drilling or
33 pump services or both. The examination shall be updated
34 as necessary to reflect current groundwater law and well
35 construction, maintenance, pump services, and abandonment

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1 practices. The examination shall be administered by the
2 department or by a person designated by the department.

3 Sec. 386. Section 455B.190A, subsections 3 and 6, Code 2024,
4 are amended by striking the subsections.

5 Sec. 387. Section 455B.190A, subsection 4, Code 2024, is
6 amended to read as follows:

7 4. The department shall develop, ~~in consultation with the~~
8 ~~well contractors' council,~~ a consumer information pamphlet
9 regarding well construction, well maintenance, well plugging,
10 pump services, and Iowa groundwater laws. The department ~~and~~
11 ~~the council~~ shall review and revise the consumer information
12 pamphlet as necessary. The consumer information pamphlet shall
13 be supplied to well contractors, at cost, and well contractors
14 shall supply one copy at no cost to potential customers prior
15 to initiation of well services.

16 Sec. 388. Section 455B.190A, subsection 5, unnumbered
17 paragraph 1, Code 2024, is amended to read as follows:

18 The department shall establish by rule and collect, ~~in~~
19 ~~consultation with the well contractors' council,~~ the following
20 fees to be used to implement and administer the provisions of
21 this section:

22 Sec. 389. Section 455G.4, Code 2024, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 7. *Repeal.* This section is repealed
25 December 31, 2028. On or before November 29, 2027, the
26 department of natural resources, in consultation with the
27 board, shall propose legislation to the general assembly to
28 strike or repeal provisions referencing the board and the Iowa
29 comprehensive petroleum underground storage tank fund created
30 in section 455G.3 throughout the Code. The remainder of the
31 moneys in the Iowa comprehensive petroleum underground storage
32 tank fund on December 31, 2028, shall be transferred to the
33 storage tank management account of the groundwater protection
34 fund created in section 455E.11.

35 Sec. 390. Section 461A.42, subsection 1, paragraph a, Code

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1 2024, is amended to read as follows:

2 a. A firearm or other weapon authorized for hunting may be
3 used in preserves or parts of preserves designated by the ~~state~~
4 ~~advisory board on preserves~~ department at the request of the
5 commission.

6 Sec. 391. Section 465C.1, subsection 2, Code 2024, is
7 amended by striking the subsection.

8 Sec. 392. Section 465C.1, subsection 4, Code 2024, is
9 amended to read as follows:

10 4. "*Dedication*" means the allocation of an area as a
11 preserve by a public agency or by a private owner by written
12 stipulation in a form approved by the ~~state advisory board for~~
13 preserves department.

14 Sec. 393. Section 465C.2, Code 2024, is amended to read as
15 follows:

16 **465C.2 Advisory board.**

17 There is hereby created a state system of preserves ~~and a~~
18 ~~state advisory board for preserves.~~

19 Sec. 394. Section 465C.8, unnumbered paragraph 1, Code
20 2024, is amended to read as follows:

21 The ~~board~~ department shall have the following powers and
22 duties with respect to this chapter:

23 Sec. 395. Section 465C.8, subsection 9, Code 2024, is
24 amended by striking the subsection.

25 Sec. 396. Section 465C.9, Code 2024, is amended to read as
26 follows:

27 **465C.9 Articles of dedication.**

28 1. The public agency or private owner shall complete
29 articles of dedication on forms approved by the ~~board~~
30 department. When the articles of dedication have been approved
31 by the governor, the ~~board~~ department shall record them with
32 the county recorder for the county or counties in which the
33 area is located.

34 2. The articles of dedication may contain restrictions
35 on development, sale, transfer, method of management, public

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1 access, and commercial or other use, and may contain such other
2 provisions as may be necessary to further the purposes of this
3 chapter. They may define the respective jurisdictions of the
4 owner or operating agency and the ~~board~~ department. They may
5 provide procedures to be applied in case of violation of the
6 dedication. They may recognize reversionary rights. They may
7 vary in provisions from one preserve to another in accordance
8 with differences in relative conditions.

9 Sec. 397. Section 465C.10, Code 2024, is amended to read as
10 follows:

11 **465C.10 When dedicated as a preserve.**

12 An area shall become a preserve when it has been approved by
13 the ~~board~~ department for dedication as a preserve, whether in
14 public or private ownership, formally dedicated as a preserve
15 within the system by a public agency or private owner and
16 designated by the governor as a preserve.

17 Sec. 398. Section 465C.11, Code 2024, is amended to read as
18 follows:

19 **465C.11 Area held in trust.**

20 1. An area designated as a preserve within the system is
21 hereby declared put to its highest, best, and most important
22 use for public benefit. It shall be held in trust and shall not
23 be alienated except to another public use upon a finding by the
24 ~~board~~ department of imperative and unavoidable public necessity
25 and with the approval of the commission, the general assembly
26 by concurrent resolution, and the governor. The ~~board's~~
27 department's interest or interests in any area designated as a
28 preserve shall not be taken under the condemnation statutes of
29 this state without such a finding of imperative and unavoidable
30 public necessity by the ~~board~~ department, and with the
31 consent of the commission, the general assembly by concurrent
32 resolution, and the governor.

33 2. The ~~board~~ department, with the approval of the governor,
34 may enter into amendments to any articles of dedication upon
35 its finding that such amendment will not permit an impairment,

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1 disturbance, or development of the area inconsistent with the
2 purposes of [this chapter](#).

3 3. Before the ~~board~~ department shall make a finding
4 of imperative and unavoidable public necessity, or shall
5 enter into any amendment to articles of dedication, the
6 ~~board~~ department shall provide notice of such proposal and
7 opportunity for any person to be heard. Such notice shall
8 be published at least once in a newspaper with a general
9 circulation in the county or counties wherein the area directly
10 affected is situated, and mailed within ten days of such
11 published notice to all persons who have requested notice of
12 all such proposed actions. Each notice shall set forth the
13 substance of the proposed action and describe, with or without
14 legal description, the area affected, and shall set forth a
15 place and time not less than sixty days thence for all persons
16 desiring to be heard to have reasonable opportunity to be heard
17 prior to the finding of the ~~board~~ department.

18 Sec. 399. Section 476.10B, subsection 7, Code 2024, is
19 amended to read as follows:

20 7. The department of administrative services, in
21 consultation with the board and the division, shall secure
22 architectural services, contract for construction, engineering,
23 and construction oversight and management, and control the
24 funding associated with the building construction and the
25 building's operation and maintenance. The department of
26 administrative services may utilize consultants or other
27 expert assistance to address feasibility, planning, or other
28 considerations connected with construction of the building or
29 decision making regarding the building. The department of
30 administrative services, on behalf of the board and division,
31 shall consult with the office of the governor, and appropriate
32 legislative bodies, ~~and the capitol planning commission~~.

33 Sec. 400. Section 481C.2, subsection 3, Code 2024, is
34 amended to read as follows:

35 3. The criteria for issuing depredation licenses and

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1 permits shall be established in administrative rules in
2 ~~consultation with the farmer advisory committee created in~~
3 ~~section 481A.10A.~~ The administrative rules adopted pursuant
4 to ~~this section~~ shall not require a producer to erect or
5 maintain fencing at a cost exceeding one thousand dollars as a
6 requisite for receiving a depredation license or permit or for
7 participation in a depredation plan.

8 Sec. 401. Section 514C.32, subsection 1, paragraphs a and b,
9 Code 2024, are amended to read as follows:

10 a. A licensed master social worker who is licensed by the
11 board of ~~social work~~ behavioral health professionals as a
12 master social worker pursuant to ~~section 154C.3, subsection 1,~~
13 paragraph "b", and who provides services under the supervision
14 of an independent social worker licensed pursuant to section
15 154C.3, subsection 1, paragraph "c".

16 b. A licensed mental health counselor or a licensed
17 marital and family therapist who holds a temporary license to
18 practice mental health counseling or marital and family therapy
19 pursuant to ~~section 154D.7,~~ and who provides services under
20 the supervision of a qualified supervisor as determined by the
21 board of ~~behavioral science~~ behavioral health professionals by
22 rule.

23 Sec. 402. Section 514C.33, subsections 1 and 2, Code 2024,
24 are amended to read as follows:

25 1. Notwithstanding ~~section 514C.6,~~ a policy or contract
26 providing for third-party payment or prepayment of health or
27 medical expenses shall include a provision for the payment of
28 necessary behavioral health services provided by a person who
29 holds a provisional license to practice psychology pursuant to
30 section 154B.6, and who practices under the supervision of a
31 supervisor who meets the qualifications determined by the board
32 of ~~psychology~~ behavioral health professionals by rule.

33 2. A policy or contract subject to ~~this section~~ shall
34 not impose a practice or supervision restriction which is
35 inconsistent with or more restrictive than the authority

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1 already granted by law, including the authority to provide
2 supervision in person or remotely through electronic means as
3 specified by rule of the board of ~~psychology~~ behavioral health
4 professionals.

5 Sec. 403. Section 524.223, subsection 2, unnumbered
6 paragraph 1, Code 2024, is amended to read as follows:

7 If the state bank, director, officer, employee, or
8 substantial shareholder fails to appear at the hearing it shall
9 be deemed to have consented to the issuance of a cease and
10 desist order. In the event of such consent, or if upon the
11 record made at such hearing, the superintendent shall find that
12 any violation or unsafe or unsound practice specified in the
13 notice has been established, the superintendent may issue and
14 serve upon the state bank, director, officer, employee, or
15 substantial shareholder an order to cease and desist from any
16 such violation or practice. Such order may require the state
17 bank and its directors, officers, employees, and shareholders
18 to cease and desist from any such violation or practice and,
19 further, to take affirmative action to correct the conditions
20 resulting from any such violation or practice. In addition,
21 if the violation or practice involves a failure to comply with
22 chapter 12C or any rules adopted pursuant to chapter 12C, the
23 superintendent may recommend to the ~~committee established under~~
24 section 12C.6 treasurer of state that the bank be removed from
25 the list of financial institutions eligible to accept public
26 funds under section 12C.6A and may require that during the
27 current calendar quarter and up to the next succeeding eight
28 calendar quarters that the bank do any one or more of the
29 following:

30 Sec. 404. Section 542.4, subsection 1, paragraphs a and b,
31 Code 2024, are amended to read as follows:

32 a. The board shall consist of ~~eight~~ five members, appointed
33 by the governor and subject to senate confirmation, all of whom
34 shall be residents of this state. ~~Five~~ Four of the ~~eight~~ five
35 members shall be holders of certificates issued under section

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1 542.6, ~~one member shall be the holder of a license issued~~
2 ~~under section 542.8~~, and ~~two~~ one shall not be a certified
3 public ~~accountants~~ accountant or licensed public ~~accountants~~
4 accountant and shall represent the general public. At least
5 three of the holders of certificates issued under section
6 542.6 shall also be qualified to supervise attest services as
7 provided in section 542.7.

8 **b.** A certified or licensed member of the board shall be
9 actively engaged in practice as a certified public accountant
10 or as a licensed public accountant ~~and shall have been so~~
11 ~~engaged for five years preceding appointment, the last two of~~
12 ~~which shall have been in this state.~~

13 Sec. 405. Section 542B.3, Code 2024, is amended to read as
14 follows:

15 **542B.3 Engineering and land surveying examining board**
16 **created.**

17 An engineering and land surveying examining board is
18 created within the department of inspections, appeals, and
19 licensing. The board consists of ~~three~~ two members who are
20 licensed professional engineers, two members who are licensed
21 professional land surveyors, and ~~two members~~ one member who are
22 is not a licensed professional ~~engineers~~ engineer or licensed
23 professional land ~~surveyors~~ surveyor and who shall represent
24 the general public. An individual who is licensed as both
25 a professional engineer and a professional land surveyor may
26 serve to satisfy the board membership requirement for either
27 a licensed professional engineer or a licensed professional
28 land surveyor, but not both. Members shall be appointed
29 by the governor subject to confirmation by the senate. A
30 licensed member shall be actively engaged in the practice of
31 engineering or land surveying ~~and shall have been so engaged~~
32 ~~for five years preceding the appointment, the last two of which~~
33 ~~shall have been in Iowa.~~ Insofar as practicable, licensed
34 engineer members of the board shall be from different branches
35 of the profession of engineering. Professional associations

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1 or societies composed of licensed engineers or licensed land
2 surveyors may recommend the names of potential board members
3 whose profession is representative of that association or
4 society to the governor. However, the governor is not bound by
5 the recommendations. A board member shall not be required to
6 be a member of any professional association or society composed
7 of professional engineers or professional land surveyors.

8 Sec. 406. Section 542B.15, Code 2024, is amended to read as
9 follows:

10 **542B.15 Examinations — report required.**

11 Examinations for licensure shall be given as often as deemed
12 necessary by the ~~board~~ department of inspections, appeals,
13 and licensing, but no less than one time per year. The scope
14 of the examinations and the methods of procedure shall be
15 prescribed by the board. ~~Any examination may be given by~~
16 ~~representatives of the board.~~ The identity of the person
17 taking the examination shall be concealed until after the
18 examination has been graded by the department of inspections,
19 appeals, and licensing. As soon as practicable after the
20 close of each examination, a report shall be filed in the
21 office of the secretary of the board by the ~~board~~ department
22 of inspections, appeals, and licensing. The report shall
23 show the action of the board upon each application and the
24 secretary of the board shall notify each applicant of the
25 result of the applicant's examination. Applicants who fail the
26 examination once shall be allowed to take the examination at
27 the next scheduled time. Thereafter, the applicant shall be
28 allowed to take the examination at the discretion of the board.
29 An applicant who has failed the examination may request in
30 writing information from the board concerning the applicant's
31 examination grade and subject areas or questions which the
32 applicant failed to answer correctly, except that if the board
33 administers a uniform, standardized examination, the board
34 shall only be required to provide the examination grade and
35 such other information concerning the applicant's examination

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1 results which are available to the board.

2 Sec. 407. Section 543B.8, subsections 1 and 2, Code 2024,
3 are amended to read as follows:

4 1. A real estate commission is created within the department
5 of inspections, appeals, and licensing. The commission
6 consists of ~~five~~ four members licensed under this chapter and
7 ~~two members~~ one member not licensed under this chapter and who
8 shall represent the general public. Commission members shall
9 be appointed by the governor subject to confirmation by the
10 senate.

11 2. No more than one member shall be appointed from a
12 county. A commission member shall not hold any other elective
13 or appointive state or federal office. At least one of the
14 licensed members shall be a licensed real estate salesperson,
15 except that if the licensed real estate salesperson becomes
16 a licensed real estate broker during a term of office,
17 that person may complete the term, but is not eligible for
18 reappointment on the commission as a licensed real estate
19 salesperson. A licensed member shall be actively engaged
20 in the real estate business ~~and shall have been so engaged~~
21 ~~for five years preceding the appointment, the last two of~~
22 ~~which shall have been in Iowa.~~ Professional associations or
23 societies of real estate brokers or real estate salespersons
24 may recommend the names of potential commission members to
25 the governor. However, the governor is not bound by their
26 recommendations. A commission member shall not be required to
27 be a member of any professional association or society composed
28 of real estate brokers or salespersons.

29 Sec. 408. Section 543D.4, subsections 1 and 3, Code 2024,
30 are amended to read as follows:

31 1. A real estate appraiser examining board is established
32 within the department of inspections, appeals, and licensing.
33 The board consists of ~~seven~~ five members, ~~two~~ one of whom shall
34 be a public members member and ~~five~~ four of whom shall be
35 certified real estate appraisers.

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1 3. A certified real estate appraiser member of the board
2 shall be actively engaged in practice as a certified real
3 estate appraiser ~~and shall have been so engaged for five years~~
4 ~~preceding appointment, the last two of which shall have been in~~
5 ~~this state.~~ The governor shall attempt to represent each class
6 of certified appraisers in making the appointments.

7 Sec. 409. Section 544A.1, subsection 2, Code 2024, is
8 amended to read as follows:

9 2. The architectural examining board is created within the
10 department of inspections, appeals, and licensing. The board
11 consists of ~~five~~ three members who possess a license issued
12 under section 544A.9 ~~and who have been in active practice~~
13 ~~of architecture for not less than five years, the last two~~
14 ~~of which shall have been in Iowa, one person who possesses~~
15 a license issued under section 544B.11, and two members
16 one member ~~do~~ does not possess a license issued under
17 section 544A.9 or 544B.11 and who shall represent the general
18 public. Members shall be appointed by the governor subject to
19 confirmation by the senate.

20 Sec. 410. Section 544B.1, subsection 1, Code 2024, is
21 amended to read as follows:

22 1. "~~Board~~" means the ~~landscape~~ architectural examining board
23 established pursuant to section 544B.3 544A.1.

24 Sec. 411. Section 544C.1, subsection 1, Code 2024, is
25 amended by striking the subsection.

26 Sec. 412. Section 544C.3, Code 2024, is amended to read as
27 follows:

28 **544C.3 Duties of the ~~board~~ department.**

29 ~~1.~~ The duties of the ~~board~~ department shall include, but are
30 not limited to, all of the following:

31 ~~a.~~ 1. Administering and enforcing this chapter.

32 ~~b.~~ ~~Establishing requirements for the examination, education,~~
33 ~~and practical training of applicants for registration.~~

34 ~~c.~~ ~~Holding meetings each year for the purpose of transacting~~
35 ~~business pertaining to the affairs of the board. Action at a~~

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~~1 meeting shall not be taken without the affirmative votes of a
2 majority of members of the board.~~

3 ~~d.~~ 2. Adopting rules under chapter 17A necessary for
4 the proper performance of its duties. The rules shall
5 include provisions addressing conflicts of interest and full
6 disclosure, including sources of compensation.

7 ~~e.~~ 3. Establishing fees for registration as a registered
8 interior designer, renewal of registration, reinstatement of
9 registration, and for other activities of the ~~board~~ department
10 pertaining to its duties. The fees shall be sufficient to
11 defray the costs of administering this chapter, and shall be
12 deposited in the licensing and regulation fund created in
13 section 10A.507.

14 ~~f.~~ 4. Maintaining records, which are open to public
15 inspection at all reasonable times, of its proceedings relating
16 to the issuance, refusal, renewal, suspension, and revocation
17 of registration. The records shall also contain a roster
18 indicating the name, place of business and residence, and the
19 date and registration number of every registrant.

20 ~~2. The director of the department shall provide staff to
21 assist the board in the implementation of this chapter.~~

22 Sec. 413. Section 544C.5, Code 2024, is amended to read as
23 follows:

24 **544C.5 Qualifications for registration.**

25 ~~Each applicant for registration must meet the interior
26 design education and practical training requirements adopted by
27 rule by the board, and have passed an examination prescribed
28 by the board that is task-oriented, focused on public safety,
29 and validated by a recognized testing agency. The department
30 shall register an individual who submits an application to the
31 ~~board~~ department on the form and in the manner prescribed by
32 the ~~board~~ department as a registered interior designer if the
33 individual satisfies the following requirements:~~

34 1. Submits written proof that the individual ~~has~~
35 ~~successfully passed~~ is certified by the national council for

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1 interior design qualification ~~examination~~, or its equivalent.

2 ~~2. Has completed any of the following:~~

3 ~~a. Four years of interior design education plus two years of~~
4 ~~full-time work experience in registered interior design.~~

5 ~~b. Three years of interior design education plus three years~~
6 ~~of full-time work experience in registered interior design.~~

7 ~~c. Two years of interior design education plus four years of~~
8 ~~full-time work experience in registered interior design.~~

9 3. 2. Submits the required registration fee to the ~~board~~
10 ~~department~~.

11 Sec. 414. Section 544C.6, unnumbered paragraph 1, Code
12 2024, is amended to read as follows:

13 The ~~board~~ department may also grant registration by
14 reciprocity. An applicant applying to the ~~board~~ department for
15 registration by reciprocity shall furnish satisfactory evidence
16 that the applicant meets both of the following requirements:

17 Sec. 415. Section 544C.6, subsection 1, Code 2024, is
18 amended to read as follows:

19 1. Holds a valid registration or license issued by another
20 registration authority recognized by the ~~board~~ department,
21 where the qualifications for registration or licensure were
22 substantially equivalent to those prescribed in this state on
23 the date of original registration or licensure with the other
24 registration authority.

25 Sec. 416. Section 544C.7, Code 2024, is amended to read as
26 follows:

27 **544C.7 Registration issuance.**

28 When an applicant has complied with the qualifications for
29 registration in [section 544C.5](#) or [544C.6](#) to the satisfaction
30 of ~~a majority of the members of the board~~ department and has
31 paid the fees prescribed by the ~~board~~ department, the ~~board~~
32 department shall enroll the applicant's name and address in
33 the roster of registered interior designers and issue to the
34 applicant a registration certificate, signed by the ~~officers of~~
35 ~~the board~~ director of the department. The certificate shall

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1 entitle the applicant to use the title "registered interior
2 designer" in this state.

3 Sec. 417. Section 544C.9, subsection 1, unnumbered
4 paragraph 1, Code 2024, is amended to read as follows:

5 The ~~board~~ department may revoke, suspend, or refuse to issue
6 or renew the registration of any person upon a finding of any
7 of the following:

8 Sec. 418. Section 544C.9, subsection 2, Code 2024, is
9 amended to read as follows:

10 2. Any person may appeal a finding of the ~~board~~ department
11 within thirty days of the date of notification of action.
12 Upon appeal, the ~~board~~ department shall schedule a hearing in
13 accordance with [chapter 17A](#).

14 Sec. 419. Section 544C.10, subsection 2, Code 2024, is
15 amended to read as follows:

16 2. A person who violates [this section](#) is guilty of a simple
17 misdemeanor. The ~~board~~ department, in its discretion and
18 in lieu of prosecuting a first offense under [this section](#),
19 may enter into a consent agreement with a violator, or with
20 a person guilty of aiding or abetting a violator, which
21 acknowledges the violation and the violator's agreement to
22 refrain from any further violations.

23 Sec. 420. Section 544C.11, Code 2024, is amended to read as
24 follows:

25 **544C.11 Injunction.**

26 In addition to any other remedies, and on the petition of
27 the ~~board~~ department, any person violating [this chapter](#) may
28 be restrained and permanently enjoined from committing or
29 continuing the violations.

30 Sec. 421. Section 544C.14, subsection 1, Code 2024, is
31 amended to read as follows:

32 1. A registered interior designer shall have a seal with
33 which to identify all interior technical submissions issued by
34 the registered interior designer for use in this state. The
35 seal shall be of a design, content, and size prescribed by the

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1 ~~board~~ department. A registered interior designer shall only
2 sign and seal an interior technical submission within the scope
3 of registered interior design.

4 Sec. 422. Section 544C.15, subsection 1, paragraphs d and e,
5 Code 2024, are amended to read as follows:

6 d. Obtain or attempt to obtain registration from the ~~board~~
7 department by fraud.

8 e. Make any willfully false oath or affirmation to the ~~board~~
9 department.

10 Sec. 423. Section 602.1209, subsections 9 and 13, Code 2024,
11 are amended by striking the subsections.

12 Sec. 424. Section 602.1401, subsection 3, paragraph b, Code
13 2024, is amended to read as follows:

14 b. For purposes of [chapter 20](#), the certified representative,
15 which on July 1, 1983, represents employees who become judicial
16 branch employees as a result of [1983 Iowa Acts, ch. 186](#), shall
17 remain the certified representative when the employees become
18 judicial branch employees and thereafter, unless the public
19 employee organization is not retained and recertified or is
20 decertified in an election held under [section 20.15](#) or amended
21 or absorbed into another certified organization pursuant to
22 chapter 20. Collective bargaining negotiations shall be
23 conducted on a statewide basis and the certified employee
24 organizations which engage in bargaining shall negotiate on a
25 statewide basis, although bargaining units shall be organized
26 by judicial district. The ~~public employment relations~~ appeal
27 board shall adopt rules pursuant to [chapter 17A](#) to implement
28 this subsection.

29 Sec. 425. Section 602.1513, Code 2024, is amended to read
30 as follows:

31 **602.1513 Per diem compensation.**

32 The supreme court shall set the per diem compensation under
33 ~~sections 602.1511 and~~ section 602.1512 at a rate per day not
34 exceeding the rate specified in [section 7E.6](#).

35 Sec. 426. Section 602.3105, Code 2024, is amended to read

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1 as follows:

2 **602.3105 Applications.**

3 Applications for certification shall be on forms prescribed
4 and furnished by the ~~board~~ department of inspections, appeals,
5 and licensing and the ~~board~~ department shall not require that
6 the application contain a photograph of the applicant. An
7 applicant shall not be denied certification because of age,
8 citizenship, sex, race, religion, marital status, or national
9 origin although the application may require citizenship
10 information. Character references may be required, but shall
11 not be obtained from certified shorthand reporters.

12 Sec. 427. Section 602.3106, Code 2024, is amended to read
13 as follows:

14 **602.3106 Fees — appropriation.**

15 1. The ~~supreme court~~ department of inspections, appeals,
16 and licensing shall set the fee for certification examinations.
17 The fee shall be based on the annual cost of administering the
18 examinations and upon the administrative costs of sustaining
19 the activities of the board department of inspections, appeals,
20 and licensing under this article, which shall include but shall
21 not be limited to the cost for per diem, expenses, and travel
22 for ~~board members~~ employees of the department, and office
23 facilities, supplies, and equipment.

24 2. The fees collected are appropriated to the ~~judicial~~
25 ~~branch~~ department and shall be used to offset the expenses of
26 the ~~board~~ department, including the costs of administering the
27 examination.

28 Sec. 428. Section 602.3107, Code 2024, is amended to read
29 as follows:

30 **602.3107 Examinations.**

31 The ~~board~~ department of inspections, appeals, and licensing
32 may administer as many examinations per year as necessary,
33 but shall administer at least one examination per year.
34 The scope of the examinations and the methods of procedure
35 shall be prescribed by the ~~board~~ department. A written

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1 examination may be conducted by representatives of the ~~board~~
2 department. Examinations in theory shall be in writing
3 and the identity of the person taking the examination shall
4 be concealed until after the examination papers have been
5 graded. For examinations in practice, the identity of the
6 person taking the examination also shall be concealed as far
7 as possible. Applicants who fail the examination once may
8 take the examination at the next scheduled time. Thereafter,
9 the applicant may be allowed to take the examination at the
10 discretion of the ~~board~~ department. An applicant who has
11 failed the examination may request in writing information
12 from the ~~board~~ department concerning the examination grade
13 and subject areas or questions which the applicant failed to
14 answer correctly, and the ~~board~~ department shall provide the
15 information. However, if the ~~board~~ department administers
16 a uniform, standardized examination, the ~~board~~ department
17 is only required to provide the examination grade and other
18 information concerning the applicant's examination results that
19 is available to the ~~board~~ department.

20 Sec. 429. Section 602.3108, Code 2024, is amended to read
21 as follows:

22 **602.3108 Certification.**

23 The ~~board~~ department of inspections, appeals, and licensing
24 may issue a certificate to a person of good moral character
25 and fitness who makes application on a form prescribed and
26 furnished by the ~~board~~ department and who satisfies the
27 education, experience, and examination requirements of this
28 article and rules prescribed by the supreme court pursuant
29 to [this article](#). The ~~board~~ department may consider the
30 applicant's past record of any felony conviction and the
31 applicant's past record of disciplinary action with respect to
32 certification as a shorthand reporter in any jurisdiction. The
33 ~~board~~ department may deny certification if the ~~board~~ department
34 finds the applicant has committed any of the acts listed in
35 section 602.3203 or has made a false statement of material fact

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1 on the application for certification.

2 Sec. 430. Section 602.3201, Code 2024, is amended to read
3 as follows:

4 **602.3201 Requirement of certification — use of title.**

5 A person shall not engage in the profession of shorthand
6 reporting unless the person is certified pursuant to this
7 chapter, or otherwise exempted pursuant to section 602.6603,
8 subsection 4. Only a person who is certified by the ~~board~~
9 department of inspections, appeals, and licensing may
10 assume the title of certified shorthand reporter, or use the
11 abbreviation C.S.R., or any words, letters, or figures to
12 indicate that the person is a certified shorthand reporter.

13 Sec. 431. Section 602.3205, subsection 3, Code 2024, is
14 amended to read as follows:

15 3. a. An audio or video recording of a certified shorthand
16 reporter shall be provided to the ~~board~~ department of
17 inspections, appeals, and licensing upon request by the ~~board~~
18 department if a disciplinary proceeding is pending regarding
19 the certified shorthand reporter who is a respondent under the
20 provisions of [section 602.3203](#) or the rules of the ~~board of~~
21 ~~examiners of shorthand reporters, Iowa court rules, ch. 46~~
22 department.

23 b. The audio and video recordings provided to the
24 ~~board~~ department pursuant to [this subsection](#) shall be kept
25 confidential by the ~~board~~ department in a manner as provided in
26 section 272C.6, subsection 4.

27 Sec. 432. Section 602.3206, Code 2024, is amended to read
28 as follows:

29 **602.3206 Exempt status.**

30 If a person's certification as a shorthand reporter is
31 placed in exempt status, the person may transcribe or certify
32 a proceeding the person reported while certified as an active
33 shorthand reporter. A person transcribing or certifying a
34 proceeding pursuant to [this section](#) shall remain subject to the
35 jurisdiction of the ~~board of examiners of shorthand reporters~~

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1 department of inspections, appeals, and licensing.

2 Sec. 433. Section 602.3301, subsection 1, unnumbered
3 paragraph 1, Code 2024, is amended to read as follows:

4 ~~A member~~ An employee of the ~~board~~ department of inspections,
5 appeals, and licensing shall not disclose information relating
6 to the following:

7 Sec. 434. Section 602.3301, subsection 2, Code 2024, is
8 amended to read as follows:

9 2. ~~A member~~ An employee of the ~~board~~ department who
10 willfully communicates or seeks to communicate information
11 referred to in subsection 1, or a person who willfully
12 requests, obtains, or seeks to obtain information referred to
13 in subsection 1, is guilty of a simple misdemeanor.

14 Sec. 435. Section 602.6603, subsection 5, Code 2024, is
15 amended to read as follows:

16 5. Except as provided in subsection 4, a person shall not
17 be appointed to the position of court reporter of the district
18 court unless the person has been certified as a shorthand
19 reporter by the ~~board of examiners~~ department of inspections,
20 appeals, and licensing under article 3.

21 Sec. 436. Section 602.8102, subsection 25, Code 2024, is
22 amended to read as follows:

23 25. Carry out duties relating to the judicial review of
24 orders of the ~~elevator safety board~~ department of inspections,
25 appeals, and licensing as provided in section 89A.10,
26 subsection 2.

27 Sec. 437. Section 622.10, subsection 7, Code 2024, is
28 amended to read as follows:

29 7. For the purposes of this section, “*mental health*
30 *professional*” means a psychologist licensed under chapter 154B,
31 a registered nurse licensed under chapter 152, a social worker
32 licensed under chapter 154C, a marital and family therapist
33 licensed under chapter 154D, a mental health counselor licensed
34 under chapter 154D, or an individual holding at least a
35 master’s degree in a related field as deemed appropriate by the

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1 board of ~~behavioral science~~ behavioral health professionals.

2 Sec. 438. Section 904.103, Code 2024, is amended by adding
3 the following new subsections:

4 NEW SUBSECTION. 5. Policies for the operation and conduct
5 of the department and the implementation of all department
6 programs.

7 NEW SUBSECTION. 6. Adoption of rules in accordance with
8 chapter 17A as necessary to transact its business and for the
9 administration and exercise of its powers and duties.

10 NEW SUBSECTION. 7. The approval of the locations for all
11 state institutions which are penal, reformatory, or corrective.

12 Sec. 439. Section 904.105, subsections 2, 5, 7, and 9, Code
13 2024, are amended to read as follows:

14 2. ~~Adopt and establish~~ Provide advice and recommendations
15 to the department regarding policies for the operation and
16 conduct of the department and the implementation of all
17 department programs.

18 5. ~~Approve~~ Provide advice and recommendations to the
19 department regarding the budget of the department prior to
20 submission to the governor.

21 7. ~~Adopt rules in accordance with chapter 17A as the board~~
22 ~~deems~~ Provide advice and recommendations to the department
23 regarding rules necessary to transact its business and for the
24 administration and exercise of its powers and duties.

25 9. ~~Approve~~ Provide advice and recommendations regarding
26 the locations for all state institutions which are penal,
27 reformatory, or corrective.

28 Sec. 440. Section 904.105, subsection 3, Code 2024, is
29 amended by striking the subsection.

30 Sec. 441. Section 904.802, subsection 1, Code 2024, is
31 amended by striking the subsection.

32 Sec. 442. Section 904.802, subsection 2, Code 2024, is
33 amended to read as follows:

34 2. "*Iowa state industries*" means prison industries that
35 are established and maintained by the Iowa department of

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1 ~~corrections, in consultation with the industries board,~~ at or
2 adjacent to the state's adult correctional institutions, except
3 that an inmate work program established by the state director
4 under [section 904.703](#) is not restricted to industries at or
5 adjacent to the institutions.

6 Sec. 443. Section 904.804, Code 2024, is amended to read as
7 follows:

8 **904.804 Duties of ~~industries board~~ department — state**
9 **industries.**

10 The ~~industries board's principal duties~~ department shall be
11 ~~to promulgate and adopt rules and to advise the state director~~
12 ~~regarding the management of Iowa state industries so as to~~
13 further the intent stated by [section 904.801](#).

14 Sec. 444. Section 904.805, unnumbered paragraph 1, Code
15 2024, is amended to read as follows:

16 The state director, ~~with the advice of the industries board,~~
17 shall:

18 Sec. 445. Section 904.806, Code 2024, is amended to read as
19 follows:

20 **904.806 Authority of state director not impaired.**

21 Nothing in [this subchapter](#) shall be construed to impair the
22 authority of the state director over the adult correctional
23 institutions of this state, nor over the inmates thereof. ~~It~~
24 ~~is, however, the duty of the state director to obtain the~~
25 ~~advice of the industries board to further the intent stated by~~
26 ~~[section 904.801.](#)~~

27 Sec. 446. Section 904.809, subsection 1, paragraph a, Code
28 2024, is amended to read as follows:

29 a. The state director ~~and the industries board~~ shall comply
30 with the intent of [section 904.801](#).

31 Sec. 447. Section 904.809, subsection 2, paragraph a, Code
32 2024, is amended to read as follows:

33 a. Any other provision of the Code to the contrary
34 notwithstanding, the state director may, ~~after obtaining the~~
35 ~~advice of the industries board,~~ lease one or more buildings or

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1 portions thereof on the grounds of any state adult correctional
2 institution, together with the real estate needed for
3 reasonable access to and egress from the leased buildings, for
4 a term not to exceed twenty years, to a private corporation for
5 the purpose of establishing and operating a factory for the
6 manufacture and processing of products, or any other commercial
7 enterprise deemed by the state director to be consistent with
8 the intent stated in [section 904.801](#).

9 Sec. 448. Section 904.809, subsection 2, paragraph b,
10 subparagraph (1), Code 2024, is amended to read as follows:

11 (1) Persons working in the factory or other commercial
12 enterprise operated in the leased property, except the lessee's
13 supervisory employees and necessary support personnel approved
14 by the ~~industries board~~ state director, shall be inmates of
15 the institution where the leased property is located who are
16 approved for such work by the state director and the lessee.

17 Sec. 449. Section 904.809, subsection 3, Code 2024, is
18 amended to read as follows:

19 3. The state director ~~with the advice of the prison~~
20 ~~industries advisory board~~ may provide an inmate workforce to
21 private industry. Under the program inmates will be employees
22 of a private business.

23 Sec. 450. Section 904.813, subsection 2, paragraph a,
24 subparagraphs (1), (2), and (3), Code 2024, are amended to read
25 as follows:

26 (1) Establishment, maintenance, transfer, or closure of
27 industrial operations, or vocational, technical, and related
28 training facilities and services for inmates as authorized by
29 the state director ~~in consultation with the industries board~~.

30 ~~(2) Payment of all costs incurred by the industries board,~~
31 ~~including but not limited to per diem and expenses of its~~
32 ~~members, and of salaries, allowances, support, and maintenance~~
33 ~~of Iowa state industries.~~

34 ~~(3)~~ (2) Direct purchases from vendors of raw materials
35 and capital items used for the manufacturing processes of Iowa

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1 state industries, in accordance with rules which meet state
2 bidding requirements. The rules shall be adopted by the state
3 director ~~in consultation with the industries board.~~

4 Sec. 451. Section 904.814, Code 2024, is amended to read as
5 follows:

6 **904.814 Inmate allowance supplement revolving fund.**

7 There is established in the treasury of the state a permanent
8 adult correctional institutions inmate allowance supplement
9 revolving fund, consisting solely of money paid as board and
10 maintenance by inmates working in Iowa state industries, or
11 working pursuant to [section 904.809](#). The fund established
12 by [this section](#) may be used to supplement the allowances
13 of inmates who perform other institutional work within and
14 about the adult correctional institutions including those
15 who are working in Iowa state industries. Payments made
16 from the fund shall supplement and not replace all or any
17 part of the allowances otherwise received by, and shall be
18 equably distributed among such inmates. The work of inmates
19 in other institutional or industry work shall, to the greatest
20 extent feasible, be in accord with the intent stated in
21 section 904.801. The fund may also be used to supplement
22 other rehabilitation activities within the adult correctional
23 institutions. Determination of the use of the funds is the
24 responsibility of the state director ~~who shall first seek the~~
25 ~~advice of the prison industries advisory board.~~

26 Sec. 452. Section 904.909, Code 2024, is amended to read as
27 follows:

28 **904.909 Work release and OWI violators — reimbursement to**
29 **department for transportation costs.**

30 The department of corrections shall arrange for the return
31 of a work release client, or offender convicted of violating
32 chapter 321J, who escapes from the facility to which the
33 client is assigned or violates the conditions of supervision.
34 The client or offender shall reimburse the department of
35 corrections for the cost of transportation incurred because

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1 of the escape or violation. The amount of reimbursement
2 shall be the actual cost incurred by the department and shall
3 be credited to the support account from which the billing
4 occurred. The director of the department of corrections
5 shall ~~recommend~~ adopt rules pursuant to chapter 17A, ~~subject~~
6 ~~to approval by the board of corrections pursuant to section~~
7 ~~904.105, subsection 7,~~ to implement this section.

8 Sec. 453. Section 915.82, subsection 2, Code 2024, is
9 amended to read as follows:

10 2. The ~~board~~ department shall adopt rules pursuant to
11 chapter 17A relating to program policies and procedures.

12 Sec. 454. 2023 Iowa Acts, chapter 19, section 2795,
13 subsection 3, paragraphs b and c, are amended to read as
14 follows:

15 b. The following are range 4 positions: chairperson and
16 members of the employment appeal board of the department of
17 inspections, appeals, and licensing, director of the Iowa
18 state office of civil rights commission, director of the
19 department for the blind, executive director of the ethics
20 and campaign disclosure board, executive director of the Iowa
21 public information board, and chairperson, vice chairperson,
22 and members of the board of parole.

23 c. The following are range 5 positions: state public
24 defender, labor commissioner, workers' compensation
25 commissioner, and director of the law enforcement academy, ~~and~~
26 ~~executive director of the public employment relations board.~~

27 Sec. 455. REPEAL. Chapters 28B and 473A, Code 2024, are
28 repealed.

29 Sec. 456. REPEAL. Sections 7D.15, 8A.371, 8A.372, 8A.374,
30 8A.375, 8A.616, 15.117, 15.480, 15F.102, 20.5, 34A.15, 80E.2,
31 100C.10, 101C.12, 103.2, 103.3, 103.4, 103A.14, 105.3, 135.109,
32 135.173A, 147.16, 148I.7, 153.33A, 154A.7, 155A.2A, 170.2,
33 190C.2, 190C.2A, 203.11B, 206.23A, 206.23B, 237A.23, 252B.22,
34 256.15, 256.31, 256I.12, 267A.3, 273.15, 308.1, 312.3C, 312.3D,
35 328.13, 423.9A, 455B.150, 455B.151, 461A.79, 461A.80, 465C.3,

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1 465C.4, 465C.5, 465C.6, 465C.7, 466B.31, 475A.7, 481A.10A,
2 544B.3, 544B.4, 544C.2, 544C.4, 544C.8, 602.1511, 602.3101,
3 602.3102, 602.3103, 602.3104, 691.6B, 904.803, and 907B.3, Code
4 2024, are repealed.

5 Sec. 457. CODE EDITOR DIRECTIVE — TERMINOLOGY CHANGES.

6 1. The Code editor is directed to change all references to
7 the "board of directors of the Iowa lottery" created in section
8 99G.8 to the "Iowa lottery commission" and all references to
9 "board" when referring to the board of directors of the Iowa
10 lottery created in section 99G.8 to "commission" wherever they
11 appear in the Code.

12 2. The Code editor is directed to change all references
13 to the "Iowa utilities board" created in section 474.1 to the
14 "Iowa utilities commission", all references to "utilities
15 board" when referring to the Iowa utilities board created in
16 section 474.1 to "utilities commission", and all references to
17 "board" when referring to the Iowa utilities board created in
18 section 474.1 to "commission" wherever they appear in the Code.

19 3. The Code editor is directed to make changes in any Code
20 sections amended or enacted by any other Act to correspond with
21 the changes made in this Act if there appears to be no doubt
22 as to the proper method of making the changes and the changes
23 would not be contrary to or inconsistent with the purposes of
24 this Act or any other Act.

25 Sec. 458. CERTIFICATE OF NEED PROCESS — STUDY. The
26 department of health and human services, in consultation with
27 the department of inspections, appeals, and licensing, and with
28 the assistance of other interested parties, shall conduct a
29 study of the effectiveness of the existing certificate of need
30 process and shall make findings and recommendations related to
31 the continuation of the process or the implementation of a less
32 restrictive alternative. The department of health and human
33 services shall submit a report, including its findings and
34 recommendations, to the governor and the general assembly by
35 December 31, 2025.

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DIVISION IX

PUBLIC OFFICERS AND EMPLOYEES

Sec. 459. Section 69.15, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Any person who has been appointed by the governor to any board under the laws of this state shall be deemed to have submitted a resignation from such office if ~~either~~ any of the following events occurs:

Sec. 460. Section 69.15, subsection 1, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* Sufficient grounds exist that would otherwise subject the person to removal by the executive council pursuant to section 66.26.

Sec. 461. Section 69.15, subsection 2, Code 2024, is amended to read as follows:

2. ~~If~~ With respect to subsection 1, paragraphs "a" and "b", if such person received no notice and had no knowledge of a regular meeting and gives the governor a sworn statement to that effect within ten days after the person learns of the meeting, such meeting shall not be counted for the purposes of this section.

DIVISION X

COUNCIL ON HEALTH AND HUMAN SERVICES

Sec. 462. Section 125.7, Code 2024, is amended to read as follows:

125.7 Duties of the council.

The council shall:

1. ~~Approve~~ Make recommendations to the department regarding the comprehensive substance use disorder program, developed by the department pursuant to sections 125.1 through 125.3, this section, and sections 125.9, 125.10, 125.12 through 125.21, 125.25, 125.32 through 125.34, and 125.37 through 125.43.

2. Advise the department on policies governing the performance of the department in the discharge of any duties imposed on the department by law.

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1 3. Advise or make recommendations to the governor and the
2 general assembly relative to substance use disorder treatment,
3 intervention, education, and prevention programs in this state.

4 ~~4. Adopt rules for subsections 1 and 6 and review other~~
5 ~~rules necessary to carry out the provisions of this chapter,~~
6 ~~subject to review in accordance with chapter 17A.~~

7 ~~5.~~ 4. Investigate the work of the department relating to
8 substance use disorder, and for this purpose the council shall
9 have access at any time to all books, papers, documents, and
10 records of the department.

11 ~~6.~~ 5. Consider and ~~approve or disapprove~~ make
12 recommendations to the department regarding the approval or
13 disapproval of all applications for a license and all cases
14 involving the renewal, denial, suspension, or revocation of a
15 license.

16 ~~7. Act as the appeal board regarding funding decisions made~~
17 ~~by the department.~~

18 Sec. 463. Section 125.10, subsections 1 and 11, Code 2024,
19 are amended to read as follows:

20 1. Prepare and submit a state plan ~~subject to approval~~
21 ~~by the council and~~ in accordance with 42 U.S.C. §300x-21 et
22 seq. The state plan shall designate the department as the sole
23 agency for supervising the administration of the plan.

24 11. Develop and implement, with the ~~counsel and approval~~
25 advice of the council, the comprehensive plan for treatment of
26 persons with a substance use disorder in accordance with this
27 chapter.

28 Sec. 464. Section 125.12, subsection 1, Code 2024, is
29 amended to read as follows:

30 1. The council shall review the comprehensive substance
31 use disorder program implemented by the department for
32 the treatment of persons with a substance use disorder and
33 concerned family members. ~~Subject to~~ Based on the review
34 of the council, the council shall make recommendations to
35 the director, and the director shall divide the state into

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1 appropriate regions for the conduct of the program and
2 establish standards for the development of the program on the
3 regional level. In establishing the regions, consideration
4 shall be given to city and county lines, population
5 concentrations, and existing substance use disorder treatment
6 services.

7 Sec. 465. Section 125.13, subsection 2, paragraphs a, b, i,
8 and j, Code 2024, are amended to read as follows:

9 a. A hospital providing care or treatment to persons with
10 a substance use disorder licensed under [chapter 135B](#) which is
11 accredited by the joint commission on the accreditation of
12 health care organizations, the commission on accreditation
13 of rehabilitation facilities, the American osteopathic
14 association, or another recognized organization approved by the
15 ~~council~~ department. All survey reports from the accrediting or
16 licensing body must be sent to the department.

17 b. Any practitioner of medicine and surgery or osteopathic
18 medicine and surgery, in the practitioner's private practice.
19 However, a program shall not be exempted from licensing by the
20 ~~council~~ department by virtue of its utilization of the services
21 of a medical practitioner in its operation.

22 i. A substance use disorder treatment program not funded
23 by the department which is accredited or licensed by the joint
24 commission on the accreditation of health care organizations,
25 the commission on the accreditation of rehabilitation
26 facilities, the American osteopathic association, or another
27 recognized organization approved by the ~~council~~ department.
28 All survey reports from the accrediting or licensing body must
29 be sent to the department.

30 j. A hospital substance use disorder treatment program
31 that is accredited or licensed by the joint commission on the
32 accreditation of health care organizations, the commission on
33 the accreditation of rehabilitation facilities, the American
34 osteopathic association, or another recognized organization
35 approved by the ~~council~~ department. All survey reports for

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1 the hospital substance use disorder treatment program from the
2 accrediting or licensing body shall be sent to the department.

3 Sec. 466. Section 125.14, Code 2024, is amended to read as
4 follows:

5 **125.14 Licenses — renewal — fees.**

6 The ~~council~~ department shall consider all cases involving
7 initial issuance, and renewal, denial, suspension, or
8 revocation of a license. The department shall issue a license
9 to an applicant whom the ~~council~~ department determines meets
10 the licensing requirements of **this chapter**. Licenses shall
11 expire no later than three years from the date of issuance
12 and shall be renewed upon timely application made in the same
13 manner as for initial issuance of a license unless notice of
14 nonrenewal is given to the licensee at least thirty days prior
15 to the expiration of the license. The department shall not
16 charge a fee for licensing or renewal of programs contracting
17 with the department for provision of treatment services. A fee
18 may be charged to other licensees.

19 Sec. 467. Section 125.15A, subsection 1, paragraph b, Code
20 2024, is amended to read as follows:

21 **b.** The ~~council~~ department has suspended, revoked, or refused
22 to renew the existing license of the program.

23 Sec. 468. Section 125.16, Code 2024, is amended to read as
24 follows:

25 **125.16 Transfer of license or change of location prohibited.**

26 A license issued under **this chapter** may not be transferred,
27 and the location of the physical facilities occupied or
28 utilized by any program licensed under **this chapter** shall not
29 be changed without the prior written consent of the ~~council~~
30 department.

31 Sec. 469. Section 125.17, Code 2024, is amended to read as
32 follows:

33 **125.17 License suspension or revocation.**

34 Violation of any of the requirements or restrictions
35 of **this chapter** or of any of the rules adopted pursuant to

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1 this chapter is cause for suspension, revocation, or refusal
2 to renew a license. The director shall at the earliest
3 time feasible notify a licensee whose license the ~~council~~
4 department is considering suspending or revoking and shall
5 inform the licensee what changes must be made in the licensee's
6 operation to avoid such action. The licensee shall be
7 given a reasonable time for compliance, as determined by the
8 director, after receiving such notice or a notice that the
9 ~~council~~ department does not intend to renew the license. When
10 the licensee believes compliance has been achieved, or if
11 the licensee considers the proposed suspension, revocation,
12 or refusal to renew unjustified, the licensee may submit
13 pertinent information to the ~~council~~ department and the ~~council~~
14 department shall expeditiously make a decision in the matter
15 and notify the licensee of the decision.

16 Sec. 470. Section 125.18, Code 2024, is amended to read as
17 follows:

18 **125.18 Hearing before ~~council~~ department.**

19 If a licensee under **this chapter** makes a written request
20 for a hearing within thirty days of suspension, revocation,
21 or refusal to renew a license, a hearing before the ~~council~~
22 department shall be expeditiously arranged by the department of
23 inspections, appeals, and licensing whose decision is subject
24 to review by the ~~council~~ department. The ~~council~~ department
25 shall issue a written statement of the ~~council's~~ department's
26 findings within thirty days after conclusion of the hearing
27 upholding or reversing the proposed suspension, revocation,
28 or refusal to renew a license. ~~Action involving suspension,~~
29 ~~revocation, or refusal to renew a license shall not be taken~~
30 ~~by the council unless a quorum is present at the meeting.~~ A
31 copy of the ~~council's~~ department's decision shall be promptly
32 transmitted to the affected licensee who may, if aggrieved
33 by the decision, seek judicial review of the actions of the
34 ~~council~~ department in accordance with the terms of **chapter 17A**.

35 Sec. 471. Section 125.19, Code 2024, is amended to read as

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1 follows:

2 **125.19 Reissuance or reinstatement.**

3 After suspension, revocation, or refusal to renew a license
4 pursuant to [this chapter](#), the affected licensee shall not have
5 the license reissued or reinstated within one year of the
6 effective date of the suspension, revocation, or expiration
7 upon refusal to renew, unless the ~~council~~ department orders
8 otherwise. After that time, proof of compliance with the
9 requirements and restrictions of [this chapter](#) and the rules
10 adopted pursuant to [this chapter](#) must be presented to the
11 ~~council~~ department prior to reinstatement or reissuance of a
12 license.

13 Sec. 472. Section 125.21, subsection 1, Code 2024, is
14 amended to read as follows:

15 1. The ~~council~~ department has exclusive power in this state
16 to approve and license chemical substitutes and antagonists
17 programs, and to monitor chemical substitutes and antagonists
18 programs to ensure that the programs are operating within the
19 rules adopted pursuant to [this chapter](#). The ~~council~~ department
20 shall grant approval and license if the requirements of the
21 rules are met and state funding is not requested. The chemical
22 substitutes and antagonists programs conducted by persons
23 exempt from the licensing requirements of [this chapter](#) pursuant
24 to [section 125.13, subsection 2](#), are subject to approval and
25 licensure under [this section](#).

26 Sec. 473. Section 125.43A, Code 2024, is amended to read as
27 follows:

28 **125.43A Prescreening — exception.**

29 Except in cases of medical emergency or court-ordered
30 admissions, a person shall be admitted to a state mental health
31 institute for treatment of a substance use disorder only after
32 a preliminary intake and assessment by a department-licensed
33 treatment facility or a hospital providing care or treatment
34 for persons with a substance use disorder licensed under
35 chapter 135B and accredited by the joint commission on the

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1 accreditation of health care organizations, the commission
2 on accreditation of rehabilitation facilities, the American
3 osteopathic association, or another recognized organization
4 approved by the ~~council~~ department, or by a designee of a
5 department-licensed treatment facility or a hospital other
6 than a state mental health institute, which confirms that the
7 admission is appropriate to the person's substance use disorder
8 service needs. A county board of supervisors may seek an
9 admission of a patient to a state mental health institute who
10 has not been confirmed for appropriate admission and the county
11 shall be responsible for one hundred percent of the cost of
12 treatment and services of the patient.

13 Sec. 474. Section 125.58, subsection 1, Code 2024, is
14 amended to read as follows:

15 1. If the department has probable cause to believe that
16 an institution, place, building, or agency not licensed
17 as a substance use disorder treatment and rehabilitation
18 facility is in fact a substance use disorder treatment and
19 rehabilitation facility as defined by [this chapter](#), and
20 is not exempt from licensing by section 125.13, subsection
21 2, the ~~council~~ department may order an inspection of the
22 institution, place, building, or agency. If the inspector
23 upon presenting proper identification is denied entry for the
24 purpose of making the inspection, the inspector may, with
25 the assistance of the county attorney of the county in which
26 the premises are located, apply to the district court for an
27 order requiring the owner or occupant to permit entry and
28 inspection of the premises to determine whether there have been
29 violations of [this chapter](#). The investigation may include
30 review of records, reports, and documents maintained by the
31 facility and interviews with staff members consistent with the
32 confidentiality safeguards of state and federal law.

33 Sec. 475. Section 135.141, subsection 2, paragraph i, Code
34 2024, is amended to read as follows:

35 *i.* Adopt rules pursuant to [chapter 17A](#) for the

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1 administration of [this subchapter](#) including rules adopted in
2 cooperation with the Iowa pharmacy association and the Iowa
3 hospital association for the development of a surveillance
4 system to monitor supplies of drugs, antidotes, and vaccines to
5 assist in detecting a potential public health disaster. Prior
6 to adoption, the rules shall be approved by the ~~council on~~
7 ~~health and human services~~ and the director of the department of
8 homeland security and emergency management.

9 Sec. 476. Section 135A.8, subsection 4, Code 2024, is
10 amended to read as follows:

11 4. A local board of health seeking matching funds or grants
12 under [this section](#) shall apply to the department. The ~~council~~
13 ~~on health and human services~~ department shall adopt rules
14 concerning the application and award process for the allocation
15 of moneys in the fund and shall establish the criteria for the
16 allocation of moneys in the fund if the moneys are insufficient
17 to meet the needs of local boards of health.

18 Sec. 477. Section 135A.9, unnumbered paragraph 1, Code
19 2024, is amended to read as follows:

20 The ~~council on health and human services~~ department shall
21 adopt rules pursuant to [chapter 17A](#) to implement [this chapter](#)
22 which shall include but are not limited to the following:

23 Sec. 478. Section 135B.7, subsection 1, paragraph a, Code
24 2024, is amended to read as follows:

25 *a.* The department, ~~with the approval of the council on~~
26 ~~health and human services~~, shall adopt rules setting out the
27 standards for the different types of hospitals and for rural
28 emergency hospitals to be licensed under [this chapter](#). The
29 department shall enforce the rules.

30 Sec. 479. Section 135C.14, unnumbered paragraph 1, Code
31 2024, is amended to read as follows:

32 The department shall, in accordance with [chapter 17A](#) and
33 ~~with the approval of the council on health and human services~~,
34 adopt and enforce rules setting minimum standards for health
35 care facilities. In so doing, the department, ~~with the~~

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1 ~~approval of the council on health and human services,~~ may
2 adopt by reference, with or without amendment, nationally
3 recognized standards and rules, which shall be specified by
4 title and edition, date of publication, or similar information.
5 The rules and standards required by [this section](#) shall be
6 formulated in consultation with the director of health and
7 human services or the director of health and human services'
8 designee, with the director, and with affected industry,
9 professional, and consumer groups, and shall be designed to
10 further the accomplishment of the purposes of [this chapter](#) and
11 shall relate to:

12 Sec. 480. Section 135J.7, Code 2024, is amended to read as
13 follows:

14 **135J.7 Rules.**

15 Except as otherwise provided in [this chapter](#), the department
16 shall adopt rules pursuant to [chapter 17A](#) necessary to
17 implement [this chapter](#), ~~subject to approval of the council~~
18 ~~on health and human services.~~ Formulation of the rules
19 shall include consultation with Iowa hospice organization
20 representatives and other persons affected by [this chapter](#).

21 Sec. 481. Section 135R.4, subsection 1, Code 2024, is
22 amended to read as follows:

23 1. The department, with the advice ~~and approval~~ of the
24 council on health and human services, shall adopt rules
25 specifying the standards for ambulatory surgical centers to be
26 licensed under [this chapter](#). The rules shall be consistent
27 with and shall not exceed the requirements of [this chapter](#) and
28 the conditions for coverage in the federal Medicare program for
29 ambulatory surgical centers under [42 C.F.R. pt. 416](#).

30 Sec. 482. Section 137.104, subsection 1, paragraph b,
31 unnumbered paragraph 1, Code 2024, is amended to read as
32 follows:

33 Make and enforce such reasonable rules and regulations not
34 inconsistent with law and the rules of the ~~council~~ department
35 as may be necessary for the protection and improvement of the

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1 public health.

2 Sec. 483. Section 137.105, subsection 1, paragraph f, Code
3 2024, is amended to read as follows:

4 f. A local board of health member shall serve without
5 compensation, but may be reimbursed for necessary expenses in
6 accordance with rules established by the ~~council~~ department or
7 the applicable jurisdiction.

8 Sec. 484. Section 137.107, Code 2024, is amended to read as
9 follows:

10 **137.107 Request reviewed by state department.**

11 The state department shall review requests submitted
12 pursuant to [section 137.106](#). The state department, upon
13 finding that all required elements are present, ~~shall present~~
14 ~~findings to the council. The council~~ may approve the formation
15 of a district board and if the formation is approved, shall
16 notify the county boards from whom the request was received.

17 Sec. 485. Section 137.114, Code 2024, is amended to read as
18 follows:

19 **137.114 Withdrawal from district.**

20 A county may withdraw from an existing district board upon
21 submission of a request for withdrawal to and approval by
22 the state department. The request shall include a plan to
23 reform its county board or join a different district board,
24 information specified in [section 137.106](#), and approval of the
25 request by the district board ~~and, at the recommendation of~~
26 ~~the state department, the council~~. Any county choosing to
27 withdraw from the district board shall commit to the continuity
28 of services in its county by reestablishing its county
29 board or joining a different district board. The remaining
30 counties in the district shall submit an application including
31 the information specified in [section 137.106](#) to the state
32 department for review as provided in [section 137.107](#).

33 Sec. 486. Section 137.119, Code 2024, is amended to read as
34 follows:

35 **137.119 Adoption of rules.**

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1 The ~~council~~ department shall adopt rules to implement this
2 chapter. The department is vested with discretionary authority
3 to interpret the provisions of this chapter.

4 Sec. 487. Section 139A.8, subsection 3, Code 2024, is
5 amended to read as follows:

6 3. Subject to the provision of subsection 4, the ~~council on~~
7 ~~health and human services~~ department may modify or delete any
8 of the immunizations in subsection 2.

9 Sec. 488. Section 139A.8, subsection 4, paragraph b, Code
10 2024, is amended to read as follows:

11 b. The exemptions under this subsection do not apply in
12 times of emergency or epidemic as determined ~~by the council on~~
13 ~~health and human services~~ and as declared by the director of
14 ~~health and human services~~.

15 Sec. 489. Section 139A.9, Code 2024, is amended to read as
16 follows:

17 **139A.9 Forcible removal — isolation — quarantine.**

18 The forcible removal and isolation or quarantine of any
19 infected person shall be accomplished according to the rules
20 and regulations of the local board or the rules of the ~~council~~
21 ~~on health and human services~~ department.

22 Sec. 490. Section 141A.2, subsection 6, Code 2024, is
23 amended to read as follows:

24 6. The department, ~~with the approval of the council~~
25 ~~on health and human services~~, may conduct epidemiological
26 blinded and nonblinded studies to determine the incidence
27 and prevalence of HIV infection. Initiation of any new
28 epidemiological studies shall be contingent upon the receipt
29 of funding sufficient to cover all the costs associated with
30 the studies. The informed consent, reporting, and counseling
31 requirements of this chapter shall not apply to blinded
32 studies.

33 Sec. 491. Section 217.2, subsection 1, paragraph a, Code
34 2024, is amended to read as follows:

35 a. There is created within the department a council on

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1 health and human services which shall act in a ~~polycymaking and~~
2 an advisory capacity on matters within the jurisdiction of the
3 department. The council shall consist of nine voting members
4 appointed by the governor subject to confirmation by the
5 senate. Appointments shall be made on the basis of interest
6 in public affairs, good judgment, and knowledge and ability in
7 the field of health and human services. Appointments shall
8 be made to provide a diversity of interest and point of view
9 in the membership and without regard to religious opinions or
10 affiliations. The voting members of the council shall serve
11 for six-year staggered terms.

12 Sec. 492. Section 217.3, Code 2024, is amended to read as
13 follows:

14 **217.3 Duties of council.**

15 The council shall:

16 1. Organize annually and select a chairperson and vice
17 chairperson.

18 2. ~~Adopt and establish policy for the operation and Advise~~
19 the department on conduct of the department, ~~subject to any~~
20 ~~guidelines which may be adopted by the general assembly,~~ and
21 the implementation of all services and programs administered
22 by the department.

23 3. Report immediately to the governor any failure by
24 the department to carry out any of the policy decisions or
25 directives of the ~~council~~ department.

26 4. ~~Approve~~ Advise and make recommendations to the
27 department on the budget of the department prior to submission
28 to the governor. Prior to ~~approval of~~ making recommendations
29 on the budget, the council shall publicize and hold a public
30 hearing to provide explanations and hear questions, opinions,
31 and suggestions regarding the budget. Invitations to the
32 hearing shall be extended to the governor, the governor-elect,
33 the director of the department of management, and other persons
34 deemed by the council as integral to the budget process. The
35 budget materials submitted to the governor shall include a

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1 ~~review of options~~ recommendations for revising the medical
2 assistance program made available by federal action or by
3 actions implemented by other states as identified by the
4 department, the medical assistance advisory council created in
5 section 249A.4B, and by county representatives. The review
6 shall address what potential revisions could be made in this
7 state and how the changes would be beneficial to Iowans.

8 5. ~~Insure~~ Make recommendations to the department to ensure
9 that all programs administered or services rendered by the
10 department directly to any citizen or through a local agency
11 to any citizen are coordinated and integrated so that any
12 citizen does not receive a duplication of services from various
13 departments or local agencies that could be rendered by one
14 department or local agency. ~~If the council finds that such~~
15 ~~is not the case, it shall hear and determine which department~~
16 ~~or local agency shall provide the needed service or services~~
17 ~~and enter an order of their determination by resolution of~~
18 ~~the council which must be concurred in by at least a majority~~
19 ~~of the members. Thereafter such order or resolution of the~~
20 ~~council shall be obeyed by all state departments and local~~
21 ~~agencies to which it is directed.~~

22 6. ~~Adopt all necessary rules recommended by the department~~
23 ~~prior to their promulgation pursuant to~~ chapter 17A.

24 7. 6. Recommend to the governor the names of individuals
25 qualified for the position of director when a vacancy exists
26 in the office.

27 Sec. 493. Section 217.3A, Code 2024, is amended to read as
28 follows:

29 **217.3A Advisory committees.**

30 The council may establish and utilize other ad hoc
31 advisory committees as determined necessary to advise the
32 council related to the subject matter under the purview
33 of the department, including but not limited to child and
34 family services, behavioral health, public health, and the
35 department's interactions with the juvenile justice system.

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1 The council shall establish appointment provisions, membership
2 terms, operating guidelines, and other operational requirements
3 for committees established pursuant to [this section](#).

4 Sec. 494. Section 217.6, Code 2024, is amended to read as
5 follows:

6 **217.6 Rules and regulations — organization of department.**

7 1. The director may ~~recommend~~ submit to the council for
8 ~~adoption review and recommendation~~, rules and regulations
9 necessary to administer the duties, functions, and programs
10 of the department. ~~Any action taken, decision made, or~~
11 ~~administrative rule adopted may be reviewed by the director.~~
12 The director, ~~upon~~ may consider such review, ~~may affirm,~~
13 ~~modify, or reverse any such action, decision, or rule~~
14 recommendations in adopting rules for the department.

15 2. The rules and regulations adopted for the public benefits
16 and programs administered by the department shall apply the
17 residency eligibility restrictions required by federal and
18 state law.

19 3. The director shall organize the department into subunits
20 as necessary to most efficiently carry out the intent of this
21 chapter and any other chapter the department is responsible for
22 administering.

23 4. If the department requires or requests a service
24 consumer, service provider, or other person to maintain
25 required documentation in electronic form, the department shall
26 accept such documentation submitted by electronic means and
27 shall not require a physical copy of the documentation unless
28 required by state or federal law.

29 Sec. 495. Section 218.4, subsections 1 and 2, Code 2024, are
30 amended to read as follows:

31 1. The department shall ~~recommend to the council for~~
32 ~~adoption~~ adopt rules not inconsistent with law as necessary
33 for the management of the institutions and the admission,
34 treatment, care, custody, education and discharge of residents.
35 It is the duty of the department to establish rules by which

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1 danger to life and property from fire will be minimized. The
2 department may require any appointees to perform duties in
3 addition to those required by statute.

4 2. Rules adopted by the ~~council~~ department pursuant
5 to chapter 17A shall be uniform and shall apply to all
6 institutions under the department's jurisdiction. The primary
7 rules for use in institutions where persons with mental illness
8 are served shall, unless otherwise indicated, uniformly apply
9 to county or private hospitals in which persons with mental
10 illness are served, but the rules shall not interfere with
11 proper medical treatment administered to such persons by
12 competent physicians. Annually, signed copies of the rules
13 shall be sent to the superintendent of each institution.
14 Copies shall also be sent to the clerk of each district court,
15 the chairperson of the board of supervisors of each county and,
16 as appropriate, to the officer in charge of institutions or
17 hospitals caring for persons with mental illness in each county
18 who shall be responsible for seeing that the rules are posted
19 in each institution or hospital in a prominent place. The
20 rules shall be kept current to meet the public need and shall
21 be revised and published annually.

22 Sec. 496. Section 222.1, subsection 2, Code 2024, is amended
23 to read as follows:

24 2. The Glenwood state resource center and the Woodward
25 state resource center are established and shall be maintained
26 as the state's regional resource centers for the purpose of
27 providing treatment, training, instruction, care, habilitation,
28 and support of persons with an intellectual disability or other
29 disabilities in this state, and providing facilities, services,
30 and other support to the communities located in the region
31 being served by a state resource center. In addition, the
32 state resource centers are encouraged to serve as a training
33 resource for community-based program staff, medical students,
34 and other participants in professional education programs.
35 A resource center may request the approval of the ~~council~~

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1 department to change the name of the resource center for use in
2 communication with the public, in signage, and in other forms
3 of communication.

4 Sec. 497. Section 222.2, Code 2024, is amended to read as
5 follows:

6 **222.2 Definitions.**

7 When used in [this chapter](#), unless the context otherwise
8 requires:

9 1. "Auditor" means the county auditor or the auditor's
10 designee.

11 ~~2. "Council" means the council on health and human services.~~

12 ~~3.~~ 2. "Department" means the department of health and human
13 services.

14 ~~4.~~ 3. "Director" means the director of health and human
15 services.

16 ~~5.~~ 4. "Intellectual disability" means the same as defined
17 in [section 4.1](#).

18 ~~6.~~ 5. "Mental health and disability services region" means
19 a mental health and disability services region formed in
20 accordance with [section 225C.56](#).

21 ~~7.~~ 6. "Regional administrator" means the regional
22 administrator of a mental health and disability services
23 region, as defined in [section 225C.55](#).

24 ~~8.~~ 7. "Special unit" means a special intellectual
25 disability unit established at a state mental health institute
26 pursuant to [sections 222.88 through 222.91](#).

27 ~~9.~~ 8. "State resource centers" or "resource centers" means
28 the Glenwood state resource center and the Woodward state
29 resource center.

30 ~~10.~~ 9. "Superintendents" means the superintendents of the
31 state resource centers.

32 Sec. 498. Section 225.33, Code 2024, is amended to read as
33 follows:

34 **225.33 Death of patient — disposal of body.**

35 When a committed public patient or a voluntary public

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1 patient or a committed private patient dies while at the state
2 psychiatric hospital or at the university hospital, the state
3 psychiatric hospital shall have the body prepared for shipment
4 in accordance with the rules prescribed by the ~~council on~~
5 department of health and human services for shipping such
6 bodies. It is the duty of the state board of regents to make
7 arrangements for the embalming and such other preparation as
8 necessary to comply with the rules and for the purchase of
9 suitable caskets.

10 Sec. 499. Section 225C.49, subsection 1, unnumbered
11 paragraph 1, Code 2024, is amended to read as follows:

12 The department shall provide coordination of the programs
13 administered by the department which serve individuals with a
14 disability and the individuals' families, including but not
15 limited to the following juvenile justice and child welfare
16 services: family-centered services described under section
17 232.102, decategorization of child welfare funding provided
18 for under [section 232.188](#), and foster care services paid under
19 section 234.35, subsection 3. The department shall regularly
20 review administrative rules associated with such programs and
21 make recommendations to the ~~council~~, governor, and general
22 assembly for revisions to remove barriers to the programs for
23 individuals with a disability and the individuals' families
24 including the following:

25 Sec. 500. Section 226.1, subsections 3 and 4, Code 2024, are
26 amended to read as follows:

27 3. A mental health institute may request the approval of the
28 ~~council~~ department to change the name of the institution for
29 use in communication with the public, in signage, and in other
30 forms of communication.

31 4. For the purposes of [this chapter](#), unless the context
32 otherwise requires:

33 ~~a. "Council" means the council on health and human services.~~

34 ~~b.~~ a. "Department" means the department of health and human
35 services.

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1 ~~e.~~ b. "*Director*" means the director of health and human
2 services.

3 ~~d.~~ c. "*Mental health and disability services region*" means
4 a mental health and disability services region formed in
5 accordance with [section 225C.56](#).

6 ~~e.~~ d. "*Mental health institute*" or "*state mental health*
7 *institute*" means a state hospital for persons with mental
8 illness as designated in [this chapter](#).

9 ~~f.~~ e. "*Regional administrator*" means the same as defined
10 in [section 225C.55](#).

11 Sec. 501. Section 234.1, Code 2024, is amended to read as
12 follows:

13 **234.1 Definitions.**

14 As used in [this chapter](#), unless the context otherwise
15 requires:

16 1. "*Child*" means either a person less than eighteen years of
17 age or a person eighteen, nineteen, or twenty years of age who
18 meets all of the following conditions:

19 *a.* The person was placed by court order issued pursuant
20 to [chapter 232](#) in foster care or in an institution listed in
21 section 218.1 and either of the following situations apply to
22 the person:

23 (1) After reaching eighteen years of age, the person
24 has remained continuously and voluntarily under the care
25 of an individual, as defined in [section 237.1](#), licensed to
26 provide foster care pursuant to [chapter 237](#) or in a supervised
27 apartment living arrangement, in this state.

28 (2) The person aged out of foster care after reaching
29 eighteen years of age and subsequently voluntarily applied for
30 placement with an individual, as defined in [section 237.1](#),
31 licensed to provide foster care pursuant to [chapter 237](#) or for
32 placement in a supervised apartment living arrangement, in this
33 state.

34 *b.* The person has demonstrated a willingness to participate
35 in case planning and to complete the responsibilities

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1 prescribed in the person's case permanency plan.

2 c. The department has made an application for the person
3 for adult services upon a determination that it is likely the
4 person will need or be eligible for services or other support
5 from the adult services system.

6 ~~2. "Council" means the council on health and human services.~~

7 ~~3.~~ 2. "Department" means the department of health and human
8 services.

9 ~~4.~~ 3. "Director" means the director of health and human
10 services.

11 ~~5.~~ 4. "Food programs" means the supplemental nutrition
12 assistance program and donated foods programs authorized by
13 federal law under the United States department of agriculture.

14 ~~6.~~ 5. "Supplemental nutrition assistance program" or "SNAP"
15 means benefits provided by the federal program administered
16 through 7 C.F.R. pts. 270 - 283, as amended.

17 Sec. 502. Section 234.6, subsection 1, unnumbered paragraph
18 1, Code 2024, is amended to read as follows:

19 The director shall administer the family investment program,
20 state supplementary assistance, food programs, child welfare,
21 and emergency relief, family and adult service programs, and
22 any other form of public assistance and institutions that are
23 placed under the director's administration. The director shall
24 perform duties, formulate and adopt rules as necessary, and
25 outline policies, dictate procedure, and delegate powers as
26 necessary for competent and efficient administration. ~~Subject~~
27 ~~to restrictions that may be imposed by the council, the~~ The
28 director may abolish, alter, consolidate, or establish subunits
29 and abolish or change existing subunits. The director may
30 employ necessary personnel and determine their compensation;
31 may allocate or reallocate functions and duties among subunits;
32 and may adopt rules relating to the employment of personnel
33 and the allocation of their functions and duties among the
34 various subunits as required for competent and efficient
35 administration. The director shall do all of the following:

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1 Sec. 503. Section 234.6, subsection 1, paragraphs d and h,
2 Code 2024, are amended to read as follows:

3 *d.* Notwithstanding any provisions to the contrary in chapter
4 239B relating to the consideration of income and resources of
5 claimants for assistance, ~~and with the consent and approval of~~
6 ~~the council~~, adopt rules necessary to qualify for federal aid
7 in the assistance programs administered by the director.

8 *h.* ~~Recommend~~ Adopt rules ~~for their adoption by the council~~
9 for before and after school child care programs, conducted
10 within and by or contracted for by school districts, that are
11 appropriate for the ages of the children who receive services
12 under the programs.

13 Sec. 504. Section 237.1, Code 2024, is amended to read as
14 follows:

15 **237.1 Definitions.**

16 As used in [this chapter](#):

17 1. "Agency" means a person which provides child foster care
18 and which does not meet the definition of an individual as
19 defined under [this section](#).

20 2. "Child" means child as defined in [section 234.1](#).

21 3. "Child foster care" means the provision of parental
22 nurturing, including but not limited to the furnishing of
23 food, lodging, training, education, supervision, treatment,
24 or other care, to a child on a full-time basis by a person,
25 including a relative of the child if the relative is licensed
26 under [this chapter](#), but not including a guardian of the child.
27 "Child foster care" does not include any of the following care
28 situations:

29 *a.* Care furnished by an individual person who receives the
30 child of a personal friend as an occasional and personal guest
31 in the individual person's home, free of charge and not as a
32 business.

33 *b.* Care furnished by an individual person with whom a child
34 has been placed for lawful adoption, unless that adoption is
35 not completed within two years after placement.

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1 c. Care furnished by a private boarding school subject to
2 approval by the state board of education pursuant to section
3 256.11.
4 d. Child care furnished by a child care center, a child
5 development home, or a child care home as defined in section
6 237A.1.
7 e. Care furnished in a hospital licensed under [chapter 135B](#)
8 or care furnished in a nursing facility licensed under chapter
9 135C.
10 f. Care furnished by a relative of a child or an individual
11 person with a meaningful relationship with the child where the
12 child is not under the placement, care, or supervision of the
13 department.
14 ~~4. "Council" means the council on health and human services.~~
15 ~~5. 4. "Department" means the department of health and human~~
16 ~~services.~~
17 ~~6. 5. "Director" means the director of health and human~~
18 ~~services.~~
19 ~~7. 6. "Facility" means the personnel, program, physical~~
20 ~~plant, and equipment of a licensee.~~
21 ~~8. 7. "Individual" means an individual person or a married~~
22 ~~couple who provides child foster care in a single-family home~~
23 ~~environment and which does not meet the definition of an agency~~
24 ~~under [this section](#).~~
25 ~~9. 8. "Licensee" means an individual or an agency licensed~~
26 ~~under [this chapter](#).~~
27 ~~10. 9. "Reasonable and prudent parent standard" means~~
28 ~~the standard characterized by careful and sensible parenting~~
29 ~~decisions that maintain the health, safety, and best interests~~
30 ~~of a child, while at the same time encouraging the emotional~~
31 ~~and developmental growth of a child, that a caregiver shall~~
32 ~~use when determining whether to allow a child in foster care~~
33 ~~under the placement, care, or supervision of the department to~~
34 ~~participate in extracurricular, enrichment, cultural, or social~~
35 ~~activities. For the purposes of [this subsection](#), "caregiver"~~

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1 means an individual or an agency licensed under [this chapter](#)
2 with which a child in foster care has been placed or a juvenile
3 shelter care home approved under [chapter 232](#) in which a child
4 in foster care has been placed.

5 Sec. 505. Section 237.3, subsection 1, Code 2024, is amended
6 to read as follows:

7 1. Except as otherwise provided by [subsections 3 and 4](#),
8 the department shall ~~promulgate, after their adoption by the~~
9 ~~council, adopt~~ and enforce in accordance with [chapter 17A](#),
10 administrative rules necessary to implement [this chapter](#).
11 Formulation of the rules shall include consultation with
12 representatives of child foster care providers and other
13 persons affected by [this chapter](#). The rules shall encourage
14 the provision of child foster care in a single-family, home
15 environment, exempting the single-family, home facility from
16 inappropriate rules.

17 Sec. 506. Section 237A.1, Code 2024, is amended to read as
18 follows:

19 **237A.1 Definitions.**

20 As used in [this chapter](#) unless the context otherwise
21 requires:

22 1. "*Child*" means either of the following:

23 a. A person twelve years of age or younger.

24 b. A person thirteen years of age or older but younger than
25 nineteen years of age who has a developmental disability as
26 defined under the federal Developmental Disabilities Assistance
27 and Bill of Rights Act of 2000, Pub. L. No. 106-402, as
28 codified in 42 U.S.C. §15002(8).

29 2. "*Child care*" means the care, supervision, and guidance of
30 a child by a person other than the child's parent, guardian,
31 or custodian for periods of less than twenty-four hours per
32 day per child on a regular basis, but does not include care,
33 supervision, and guidance of a child by any of the following:

34 a. An instructional program for children who are attending
35 prekindergarten as defined by the state board of education

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1 under [section 256.11](#) or a higher grade level and are at least
2 four years of age, or are at least three years of age and
3 eligible for special education under [chapter 256B](#), administered
4 by any of the following:

5 (1) A public or nonpublic school system accredited by the
6 department of education or the state board of regents.

7 (2) A nonpublic school system which is not accredited by the
8 department of education or the state board of regents.

9 *b.* Any of the following church-related programs:

10 (1) An instructional program.

11 (2) A youth program other than a preschool, before or after
12 school child care program, or other child care program.

13 (3) A program providing care to children on church premises
14 while the children's parents are attending church-related or
15 church-sponsored activities on the church premises.

16 *c.* Short-term classes of less than two weeks' duration held
17 between school terms or during a break within a school term.

18 *d.* A child care center for sick children operated as part of
19 a pediatrics unit in a hospital licensed by the department of
20 inspections, appeals, and licensing pursuant to [chapter 135B](#).

21 *e.* A program operated not more than one day per week by
22 volunteers which meets all of the following conditions:

23 (1) Not more than eleven children are served per volunteer.

24 (2) The program operates for less than four hours during any
25 twenty-four-hour period.

26 (3) The program is provided at no cost to the children's
27 parent, guardian, or custodian.

28 *f.* A program administered by a political subdivision of the
29 state which is primarily for recreational or social purposes
30 and is limited to children who are five years of age or older
31 and attending school.

32 *g.* An after school program continuously offered throughout
33 the school year calendar to children who are at least five
34 years of age and are enrolled in school, and attend the program
35 intermittently or a summer-only program for such children. The

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1 program must be provided through a nominal membership fee or
2 at no cost.

3 *h.* A special activity program which meets less than four
4 hours per day for the sole purpose of the special activity.
5 Special activity programs include but are not limited to music
6 or dance classes, organized athletic or sports programs,
7 recreational classes, scouting programs, and hobby or craft
8 clubs or classes.

9 *i.* A nationally accredited camp.

10 *j.* A structured program for the purpose of providing
11 therapeutic, rehabilitative, or supervisory services to
12 children under any of the following:

13 (1) A purchase of service or managed care contract with the
14 department.

15 (2) A contract approved by a governance board of a
16 decategorization of child welfare and juvenile justice funding
17 project created under [section 232.188](#).

18 (3) An arrangement approved by a juvenile court order.

19 *k.* Care provided on-site to children of parents residing in
20 an emergency, homeless, or domestic violence shelter.

21 1. A child care facility providing respite care to a
22 licensed foster family home for a period of twenty-four hours
23 or more to a child who is placed with that licensed foster
24 family home.

25 *m.* A program offered to a child whose parent, guardian,
26 or custodian is engaged solely in a recreational or social
27 activity, remains immediately available and accessible on the
28 physical premises on which the child's care is provided, and
29 does not engage in employment while the care is provided.
30 However, if the recreational or social activity is provided
31 in a fitness center or on the premises of a nonprofit
32 organization, the parent, guardian, or custodian of the child
33 may be employed to teach or lead the activity.

34 3. "*Child care center*" or "*center*" means a facility
35 providing child care or preschool services for seven or more

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1 children, except when the facility is registered as a child
2 development home.

3 4. *"Child care facility"* or *"facility"* means a child care
4 center, preschool, or a registered child development home.

5 5. *"Child care home"* means a person or program providing
6 child care to any of the following children at any one time
7 that is not registered to provide child care under this
8 chapter, as authorized under [section 237A.3](#):

9 a. Five or fewer children.

10 b. Six or fewer children, if at least one of the children
11 is school-aged.

12 6. *"Child development home"* means a person or program
13 registered under [section 237A.3A](#) that may provide child care to
14 seven or more children at any one time.

15 7. *"Children needing special needs care"* or *"special needs*
16 *child"* means a child or children with one or more of the
17 following conditions:

18 a. The child has been diagnosed by a physician or by a
19 person endorsed for service as a school psychologist by the
20 department of education to have a developmental disability
21 which substantially limits one or more major life activities,
22 and the child requires professional treatment, assistance in
23 self-care, or the purchase of special adaptive equipment.

24 b. The child has been determined by a qualified intellectual
25 disability professional to have a condition which impairs the
26 child's intellectual and social functioning.

27 c. The child has been diagnosed by a mental health
28 professional to have a behavioral or emotional disorder
29 characterized by situationally inappropriate behavior which
30 deviates substantially from behavior appropriate to the
31 child's age, or which significantly interferes with the child's
32 intellectual, social, or personal development.

33 ~~8. *"Council"* means the council on health and human services.~~

34 ~~9. 8. *"Department"* means the department of health and human~~
35 ~~services.~~

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1 ~~10.~~ 9. "Director" means the director of health and human
2 services.

3 ~~11.~~ 10. "Infant" means a child who is less than twenty-four
4 months of age.

5 ~~12.~~ 11. "Involvement with child care" means licensed
6 or registered under [this chapter](#), employed in a child care
7 facility, residing in a child care facility, receiving public
8 funding for providing child care, or providing child care as a
9 child care home provider, or residing in a child care home.

10 ~~13.~~ 12. "Licensed center" means a center issued a full
11 or provisional license by the department under the provisions
12 of [this chapter](#) or a center for which a license is being
13 processed.

14 ~~14.~~ 13. "Poverty level" means the poverty level defined by
15 the most recently revised poverty income guidelines published
16 by the United States department of health and human services.

17 ~~15.~~ 14. "Preschool" means a child care facility which
18 provides to children ages three through five, for periods of
19 time not exceeding three hours per day, programs designed
20 to help the children to develop intellectual skills, social
21 skills, and motor skills, and to extend their interest and
22 understanding of the world about them.

23 ~~16.~~ 15. "School" means kindergarten or a higher grade
24 level.

25 ~~17. "State child care advisory committee" means the state~~
26 ~~child care advisory committee established pursuant to section~~
27 ~~135.173A.~~

28 Sec. 507. Section 238.1, Code 2024, is amended to read as
29 follows:

30 **238.1 Definitions.**

31 For the purpose of [this chapter](#) unless the context otherwise
32 requires:

33 1. "Child" means the same as defined in [section 234.1](#).

34 2. "Child-placing agency" or "agency" means any agency,
35 whether public, semipublic, or private, which represents that

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1 the agency places children permanently or temporarily in
2 private family homes or receives children for placement in
3 private family homes, or which actually engages for gain or
4 otherwise in the placement of children in private family homes.
5 "Agency" includes individuals, institutions, partnerships,
6 voluntary associations, and corporations, other than
7 institutions under the management or control of the department.

8 ~~3. "Council" means the council on health and human services.~~

9 ~~4.~~ 3. "Department" means the department of health and human
10 services.

11 ~~5.~~ 4. "Director" means the director of health and human
12 services.

13 Sec. 508. Section 238.12, Code 2024, is amended to read as
14 follows:

15 **238.12 Appeal — judicial review.**

16 1. A licensee aggrieved by a decision of the department
17 revoking the licensee's license may appeal to the ~~council~~
18 department in the manner prescribed by the ~~council~~ department.
19 The ~~council~~ department shall, upon receipt of such an appeal,
20 give the licensee reasonable notice and opportunity for a fair
21 hearing before the ~~council or its duly~~ department's authorized
22 representative. Following the hearing, the ~~council~~ department
23 shall take final action and notify the licensee in writing.

24 2. Judicial review of the actions of the ~~council~~ department
25 may be sought in accordance with ~~the terms of~~ chapter 17A.

26 Sec. 509. Section 249.1, Code 2024, is amended to read as
27 follows:

28 **249.1 Definitions.**

29 As used in this chapter:

30 ~~1. "Council" means the council on health and human services.~~

31 ~~2.~~ 1. "Department" means the department of health and human
32 services.

33 ~~3.~~ 2. "Director" means the director of health and human
34 services.

35 ~~4.~~ 3. "Federal supplemental security income" means cash

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1 payments made to individuals by the United States government
2 under Tit. XVI of the Social Security Act as amended by Pub. L.
3 No. 92-603, or any other amendments thereto.

4 ~~5.~~ 4. "Previous categorical assistance programs" means the
5 aid to the blind program authorized by chapter 241, the aid to
6 the disabled program authorized by chapter 241A and the old-age
7 assistance program authorized by chapter 249, Code 1973.

8 ~~6.~~ 5. "State supplementary assistance" means cash payments
9 made to individuals:

10 a. By the United States government on behalf of the state of
11 Iowa pursuant to section 249.2.

12 b. By the state of Iowa directly pursuant to sections 249.3
13 through 249.5.

14 Sec. 510. Section 249.4, subsection 1, Code 2024, is amended
15 to read as follows:

16 1. Applications for state supplementary assistance shall
17 be made in the form and manner prescribed by the director or
18 the director's designee, ~~with the approval of the council,~~
19 pursuant to chapter 17A. Each person who applies and is found
20 eligible under section 249.3 shall, so long as the person's
21 eligibility continues, receive state supplementary assistance
22 on a monthly basis, from funds appropriated to the department
23 for the purpose.

24 Sec. 511. Section 249A.4B, subsections 1 and 7, Code 2024,
25 are amended to read as follows:

26 1. A medical assistance advisory council is created to
27 comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of
28 the federal Social Security Act and to advise the director
29 about health and medical care services under the medical
30 assistance program. The council shall meet ~~no more than~~
31 quarterly as necessary. The director's designee responsible
32 for public health or their designee and a public member of the
33 council selected by the public members of the council shall
34 serve as co-chairpersons of the council.

35 7. The director shall consider the recommendations offered

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1 by the council in the director's preparation of the medical
2 assistance budget ~~recommendations to the council on health and~~
3 ~~human services pursuant to~~ section 217.3 and in implementation
4 of medical assistance program policies.

5 Sec. 512. Section 331.304, subsection 9, Code 2024, is
6 amended to read as follows:

7 9. A county shall not adopt or enforce any ordinance
8 imposing any registration or licensing system or registration
9 or license fees for or relating to owner-occupied manufactured
10 or mobile homes including the lots, lands, or manufactured
11 home community or mobile home park upon or in which they are
12 located. A county shall not adopt or enforce any ordinance
13 imposing any registration or licensing system, or registration
14 or license fees, or safety or sanitary standards for rental
15 manufactured or mobile homes unless similar registration or
16 licensing system, or registration or license fees, or safety
17 or sanitary standards are required for other rental properties
18 intended for human habitation. This subsection does not
19 preclude the investigation and abatement of a nuisance or the
20 enforcement of a tiedown system, or the enforcement of any
21 ~~regulations rules~~ of the ~~council on~~ department of health and
22 human services or local board of health if those ~~regulations~~
23 rules apply to other rental properties or to owner-occupied
24 housing intended for human habitation.

25 Sec. 513. Section 364.3, subsection 5, Code 2024, is amended
26 to read as follows:

27 5. A city shall not adopt or enforce any ordinance imposing
28 any registration or licensing system or registration or license
29 fees for or relating to owner-occupied manufactured or mobile
30 homes including the lots, lands, or manufactured home community
31 or mobile home park upon or in which they are located. A
32 city shall not adopt or enforce any ordinance imposing any
33 registration or licensing system, or registration or license
34 fees, or safety or sanitary standards for rental manufactured
35 or mobile homes unless a similar registration or licensing

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1 system, or registration or license fees, or safety or sanitary
2 standards are required for other rental properties intended
3 for human habitation. **This subsection** does not preclude the
4 investigation and abatement of a nuisance or the enforcement of
5 a tiedown system, or the enforcement of any ~~regulations~~ rules
6 of the ~~council on~~ department of health and human services or
7 local board of health if those ~~regulations~~ rules apply to other
8 rental properties or to owner-occupied housing intended for
9 human habitation.

10 DIVISION XI

11 COMMISSION ON AGING ELIMINATION

12 Sec. 514. Section 231.4, subsection 1, paragraph d, Code
13 2024, is amended to read as follows:

14 ~~d. "Commission" means the commission on aging. "Council"~~
15 means the council on health and human services.

16 Sec. 515. Section 231.14, Code 2024, is amended to read as
17 follows:

18 **231.14 Commission Council duties and authority.**

19 ~~1. The commission is the policymaking body of the sole state~~
20 ~~agency responsible for administration of the federal Act. The~~
21 commission council shall do all of the following:

22 ~~a. 1. Approve~~ Make recommendations to the department
23 regarding approval of state and area plans on aging.

24 ~~b. 2. Adopt~~ Recommend policies to coordinate state
25 activities related to the purposes of **this chapter**.

26 ~~c. 3. Serve as an effective and visible advocate for~~
27 ~~older individuals by establishing recommending policies for~~
28 ~~reviewing and commenting upon all state plans, budgets, and~~
29 ~~policies which affect older individuals and for providing~~
30 ~~technical assistance to any agency, organization, association,~~
31 ~~or individual representing the needs of older individuals.~~

32 ~~d. Divide the state into distinct planning and service~~
33 ~~areas after considering the geographical distribution of~~
34 ~~older individuals in the state, the incidence of the need~~
35 ~~for supportive services, nutrition services, multipurpose~~

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~~1 senior centers, and legal services, the distribution of older
2 individuals who have low incomes residing in such areas, the
3 distribution of resources available to provide such services
4 or centers, the boundaries of existing areas within the
5 state which are drawn for the planning or administration of
6 supportive services programs, the location of units of general
7 purpose, local government within the state, and any other
8 relevant factors.~~

~~9 e. Designate for each planning and service area a public or
10 private nonprofit agency or organization as the area agency on
11 aging for that area. The commission may revoke the designation
12 of an area agency on aging pursuant to [section 231.32](#).~~

~~13 f. 4. Adopt policies to assure Make recommendations to
14 ensure that the department will take into account the views of
15 older individuals in the development of policy.~~

~~16 g. Adopt a method for the distribution of federal
17 Act and state funds taking into account, to the maximum
18 extent feasible, the best available data on the geographic
19 distribution of older individuals in the state, and publish the
20 method for review and comment.~~

~~21 h. 5. Adopt Recommend policies and measures to assure
22 that preference will be given to providing services to older
23 individuals with the greatest economic or social needs, with
24 particular attention to low-income minority older individuals,
25 older individuals with limited English proficiency, and older
26 individuals residing in rural areas.~~

~~27 i. 6. Adopt Recommend policies to administer state programs
28 authorized by [this chapter](#).~~

~~29 j. 7. Adopt Recommend policies and administrative rules
30 pursuant to [chapter 17A](#) that support the capabilities of
31 the area agencies on aging and the aging and disabilities
32 resource centers to serve older individuals and persons with
33 disabilities experiencing Alzheimer's disease or related
34 dementias.~~

~~35 2. The commission shall adopt administrative rules pursuant~~

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1 to ~~chapter 17A~~ to administer the duties specified in this
2 chapter and in all other chapters under the department's
3 jurisdiction.

4 Sec. 516. Section 231.21, Code 2024, is amended to read as
5 follows:

6 **231.21 Administration of chapter — department of health and**
7 **human services.**

8 The department of health and human services shall administer
9 this chapter under the policy direction recommendations of the
10 ~~commission on aging~~ council.

11 Sec. 517. Section 231.23, Code 2024, is amended to read as
12 follows:

13 **231.23 Department — duties and authority.**

14 The department shall:

15 1. Develop and administer a state plan on aging.

16 2. ~~Assist the commission in the review and approval of~~
17 Review and approve area plans.

18 3. ~~Pursuant to commission policy, coordinate~~ Coordinate
19 state activities related to the purposes of ~~this chapter~~ and
20 all other chapters under the department's jurisdiction.

21 4. Advocate for older individuals by reviewing and
22 commenting upon all state plans, budgets, laws, rules,
23 ~~regulations,~~ and policies which affect older individuals and
24 by providing technical assistance to any agency, organization,
25 association, or individual representing the needs of older
26 individuals.

27 5. ~~Assist the commission in dividing~~ Divide the state into
28 distinct planning and service areas after considering the
29 geographical distribution of older individuals in the state,
30 the incidence of the need for supportive services, nutrition
31 services, multipurpose senior centers, and legal services, the
32 distribution of older individuals who have low incomes residing
33 in such areas, the distribution of resources available to
34 provide such services or centers, the boundaries of existing
35 areas within the state which are drawn for the planning or

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1 administration of supportive services programs, the location of
2 units of general purpose, local government within the state,
3 and any other relevant factors.

4 6. ~~Assist the commission in designating~~ Designate for each
5 area a public or private nonprofit agency or organization as
6 the area agency on aging for that area. The department may
7 revoke the designation of an area agency on aging pursuant to
8 section 231.32.

9 7. ~~Pursuant to commission policy, take~~ Take into account the
10 views of older Iowans.

11 8. ~~Assist the commission in adopting~~ Adopt a method for
12 the distribution of funds available from the federal Act and
13 state appropriations and allocations taking into account, to
14 the maximum extent feasible, the best available data on the
15 geographic distribution of older individuals in the state.

16 9. ~~Assist the commission in assuring~~ Adopt policies and
17 measures to ensure that preference will be given to providing
18 services to older individuals with the greatest economic or
19 social needs, with particular attention to low-income minority
20 older individuals, older individuals with limited English
21 proficiency, and older individuals residing in rural areas.

22 10. ~~Assist the commission in developing, adopting, and~~
23 ~~enforcing~~ Develop, adopt, and enforce administrative rules,
24 including by issuing necessary forms and procedures, to
25 administer the duties specified in this chapter and in all
26 other chapters under the department's jurisdiction.

27 11. Apply for, receive, and administer grants, devises,
28 donations, gifts, or bequests of real or personal property from
29 any source to conduct projects consistent with the purposes of
30 the department. Notwithstanding [section 8.33](#), moneys received
31 by the department pursuant to [this section](#) are not subject to
32 reversion to the general fund of the state.

33 12. Administer state authorized programs.

34 13. Establish a procedure for an area agency on aging to
35 use in selection of members of the agency's board of directors.

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1 The selection procedure shall be incorporated into the bylaws
2 of the board of directors.

3 14. Adopt policies and administrative rules pursuant to
4 chapter 17A that support the capabilities of the area agencies
5 on aging and the aging and disabilities resource centers
6 to serve older individuals and persons with disabilities
7 experiencing Alzheimer's disease or related dementias.

8 Sec. 518. Section 231.31, Code 2024, is amended to read as
9 follows:

10 **231.31 State plan on aging.**

11 The department shall develop, ~~and submit to the commission~~
12 ~~on aging for approval,~~ a multiyear state plan on aging.
13 The state plan on aging shall meet all applicable federal
14 requirements.

15 Sec. 519. Section 231.32, Code 2024, is amended to read as
16 follows:

17 **231.32 Criteria for designation of area agencies on aging.**

18 1. The ~~commission~~ department shall designate an area
19 agency on aging for each planning and service area. The
20 ~~commission shall continue the designation~~ shall continue until
21 an area agency on aging's designation is removed for cause as
22 determined by the ~~commission~~ department, until the time of
23 renewal or the annual update of an area plan, until the agency
24 voluntarily withdraws as an area agency on aging, or until a
25 change in the designation of planning and service areas or area
26 agencies on aging is required by state or federal law. In that
27 event, the ~~commission~~ department shall proceed in accordance
28 with subsections 2, 3, and 4. Designated area agencies on
29 aging shall comply with the requirements of the federal Act.

30 2. The ~~commission~~ department shall designate an area agency
31 to serve each planning and service area, after consideration of
32 the views offered by units of general purpose local government.
33 An area agency may be:

34 a. An established office of aging which is operating within
35 a planning and service area designated by the ~~commission~~

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1 department.

2 **b.** Any office or agency of a unit of general purpose local
3 government, which is designated to function only for the
4 purpose of serving as an area agency on aging by the chief
5 elected official of such unit.

6 **c.** Any office or agency designated by the appropriate
7 chief elected officials of any combination of units of
8 general purpose local government to act only on behalf of such
9 combination for such purpose.

10 **d.** Any public or nonprofit private agency in a planning and
11 service area or any separate organizational unit within such
12 agency which is under the supervision or direction for this
13 purpose of the department and which can and will engage only in
14 the planning or provision of a broad range of long-term living
15 and community support services or nutrition services within the
16 planning and service area.

17 3. When the ~~commission~~ department designates a new area
18 agency on aging, the ~~commission~~ department shall give the right
19 of first refusal to a unit of general purpose local government
20 if:

21 **a.** Such unit can meet the requirements of **subsection 1.**

22 **b.** The boundaries of such a unit and the boundaries of the
23 area are reasonably contiguous.

24 4. Each area agency shall provide assurance, determined
25 adequate by the ~~commission~~ department, that the area agency has
26 the ability to develop an area plan and to carry out, directly
27 or through contractual or other arrangements, a program in
28 accordance with the plan within the planning and service area.
29 In designating an area agency on aging within the planning and
30 service area, the ~~commission~~ department shall give preference
31 to an established office of aging, unless the ~~commission~~
32 department finds that no such office within the planning and
33 service area has the capacity to carry out the area plan.

34 5. Upon designation, an area agency on aging shall be
35 considered an instrumentality of the state and shall adhere to

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1 all state and federal mandates applicable to an instrumentality
2 of the state.

3 Sec. 520. Section 231.33, subsections 1 and 13, Code 2024,
4 are amended to read as follows:

5 1. Develop and administer an area plan on aging approved by
6 the ~~commission~~ department.

7 13. Submit all fiscal and performance reports in accordance
8 with the policies of the ~~commission~~ department.

9 Sec. 521. Section 231.56, Code 2024, is amended to read as
10 follows:

11 **231.56 Services and programs.**

12 The department shall administer long-term living and
13 community support services and programs that allow older
14 individuals to secure and maintain maximum independence and
15 dignity in a home environment that provides for self-care with
16 appropriate supportive services, assist in removing individual
17 and social barriers to economic and personal independence
18 for older individuals, and provide a continuum of care for
19 older individuals and individuals with disabilities. Funds
20 appropriated for this purpose shall be allocated based on
21 administrative rules adopted by the ~~commission~~ department. The
22 department shall require such records as needed to administer
23 this section.

24 Sec. 522. Section 231E.3, Code 2024, is amended to read as
25 follows:

26 **231E.3 Definitions.**

27 As used in [this chapter](#), unless the context otherwise
28 requires:

29 1. "Client" means an individual for whom a representative
30 payee is appointed.

31 ~~2. "Commission" means the commission on aging.~~

32 ~~3.~~ 2. "Conservator" means conservator as defined in section
33 633.3.

34 ~~4.~~ 3. "Court" means court as defined in [section 633.3](#).

35 ~~5.~~ 4. "Department" means the department of health and human

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1 services.

2 ~~6.~~ 5. "*Director*" means the director of health and human
3 services.

4 ~~7.~~ 6. "*Guardian*" means guardian as defined in section
5 633.3.

6 ~~8.~~ 7. "*Incompetent*" means incompetent as defined in section
7 633.3.

8 ~~9.~~ 8. "*Local office*" means a local office of public
9 guardian.

10 ~~10.~~ 9. "*Local public guardian*" means an individual under
11 contract with the department to act as a guardian, conservator,
12 or representative payee.

13 ~~11.~~ 10. "*Public guardian*" means the state public guardian
14 or a local public guardian.

15 ~~12.~~ 11. "*Public guardianship services*" means guardianship,
16 conservatorship, or representative payee services provided by
17 the state public guardian or a local public guardian.

18 ~~13.~~ 12. "*Representative payee*" means an individual
19 appointed by a government entity to receive funds on behalf of
20 a client pursuant to federal regulation.

21 ~~14.~~ 13. "*State agency*" means any executive department,
22 commission, board, institution, division, bureau, office,
23 agency, or other executive entity of state government.

24 ~~15.~~ 14. "*State office*" means the state office of public
25 guardian.

26 ~~16.~~ 15. "*State public guardian*" means the administrator of
27 the state office of public guardian.

28 ~~17.~~ 16. "*Ward*" means the individual for whom a guardianship
29 or conservatorship is established.

30 Sec. 523. REPEAL. Sections 231.11, 231.12, and 231.13, Code
31 2024, are repealed.

32 DIVISION XII

33 ELIMINATION OF ADVISORY COUNCIL ON BRAIN INJURIES

34 Sec. 524. Section 135.22A, Code 2024, is amended to read as
35 follows:

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1 ~~135.22A Advisory council on brain~~ Brain injuries — policy
2 ~~— department as lead agency.~~

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. “*Brain injury*” means a brain injury as defined in section
6 135.22.

7 b. “*Council*” means the ~~advisory council on brain injuries~~
8 health and human services.

9 ~~2. The advisory council on brain injuries is established.~~
10 ~~The following persons or their designees shall serve as ex~~
11 ~~officio, nonvoting members of the council.~~

12 ~~a. The director of health and human services or the~~
13 ~~director’s designee.~~

14 ~~b. The director of the department of education.~~

15 ~~c. The chief of the special education bureau of the~~
16 ~~department of education.~~

17 ~~d. The administrator of the division of vocational~~
18 ~~rehabilitation services of the department of workforce~~
19 ~~development.~~

20 ~~e. The director of the department for the blind.~~

21 ~~3. The council shall be composed of a minimum of nine~~
22 ~~members appointed by the governor in addition to the ex officio~~
23 ~~members, and the governor may appoint additional members.~~
24 ~~Insofar as practicable, the council shall include persons with~~
25 ~~brain injuries; family members of persons with brain injuries;~~
26 ~~representatives of industry, labor, business, and agriculture;~~
27 ~~representatives of federal, state, and local government; and~~
28 ~~representatives of religious, charitable, fraternal, civic,~~
29 ~~educational, medical, legal, veteran, welfare, and other~~
30 ~~professional groups and organizations. Members shall be~~
31 ~~appointed representing every geographic and employment area~~
32 ~~of the state and shall include members of both sexes. A~~
33 ~~simple majority of the members appointed by the governor shall~~
34 ~~constitute a quorum.~~

35 ~~4. Members of the council appointed by the governor shall~~

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~~1 be appointed for terms of two years. Vacancies on the council~~
~~2 shall be filled for the remainder of the term of the original~~
~~3 appointment. Members whose terms expire may be reappointed.~~
4 ~~5. The voting members of the council shall appoint a~~
5 chairperson and a vice chairperson and other officers as the
6 council deems necessary. The officers shall serve until their
7 successors are appointed and qualified. Members of the council
8 shall receive actual expenses for their services. Members may
9 also be eligible to receive compensation as provided in section
10 7E.6. The council shall adopt rules pursuant to ~~chapter 17A.~~
11 ~~6.~~ 2. The council shall do all of the following:
12 a. Promote meetings and programs for the discussion of
13 methods to reduce the debilitating effects of brain injuries,
14 and disseminate information in cooperation with any other
15 department, agency, or entity on the prevention, evaluation,
16 care, treatment, and rehabilitation of persons affected by
17 brain injuries.
18 b. Study and review current prevention, evaluation, care,
19 treatment, and rehabilitation technologies and recommend
20 appropriate preparation, training, retraining, and distribution
21 of personnel and resources in the provision of services
22 to persons with brain injuries through private and public
23 residential facilities, day programs, and other specialized
24 services.
25 c. Participate in developing and disseminating criteria and
26 standards which may be required for future funding or licensing
27 of facilities, day programs, and other specialized services for
28 persons with brain injuries in this state.
29 d. Make recommendations to the governor for developing and
30 administering a state plan to provide services for persons with
31 brain injuries.
32 e. ~~Meet at least quarterly~~ as necessary.
33 ~~7.~~ 3. The department is designated as Iowa's lead agency
34 for brain injury. For the purposes of ~~this section~~, the
35 designation of lead agency authorizes the department to

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1 perform or oversee the performance of those functions specified
2 in [subsection 6](#), paragraphs "a" through "c". ~~The council~~
3 ~~is assigned to the department for administrative purposes.~~
4 ~~The director shall be responsible for budgeting, program~~
5 ~~coordination, and related management functions.~~

6 ~~8. The council may receive gifts, grants, or donations~~
7 ~~made for any of the purposes of its programs and disburse and~~
8 ~~administer them in accordance with their terms and under the~~
9 ~~direction of the director.~~

10 Sec. 525. Section 135.22B, subsection 2, paragraph c, Code
11 2024, is amended to read as follows:

12 c. The department shall consult with the advisory council
13 ~~on brain injuries, established pursuant to [section 135.22A](#),~~
14 regarding the program and shall report to the council
15 concerning the program at least quarterly. The council shall
16 make recommendations to the department concerning the program's
17 operation.

18 DIVISION XIII

19 MENTAL HEALTH AND DISABILITY SERVICES COMMISSION ELIMINATION

20 Sec. 526. Section 135C.23, subsection 2, paragraph b, Code
21 2024, is amended to read as follows:

22 b. [This section](#) does not prohibit the admission of a
23 patient with a history of dangerous or disturbing behavior to
24 an intermediate care facility for persons with mental illness,
25 intermediate care facility for persons with an intellectual
26 disability, nursing facility, or county care facility when the
27 intermediate care facility for persons with mental illness,
28 intermediate care facility for persons with an intellectual
29 disability, nursing facility, or county care facility has a
30 program which has received prior approval from the department
31 to properly care for and manage the patient. An intermediate
32 care facility for persons with mental illness, intermediate
33 care facility for persons with an intellectual disability,
34 nursing facility, or county care facility is required to
35 transfer or discharge a resident with dangerous or disturbing

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1 behavior when the intermediate care facility for persons with
2 mental illness, intermediate care facility for persons with
3 an intellectual disability, nursing facility, or county care
4 facility cannot control the resident's dangerous or disturbing
5 behavior. The department, ~~in coordination with the state~~
6 ~~mental health and disability services commission created in~~
7 ~~section 225C.5~~, shall adopt rules pursuant to chapter 17A for
8 programs to be required in intermediate care facilities for
9 persons with mental illness, intermediate care facilities for
10 persons with an intellectual disability, nursing facilities,
11 and county care facilities that admit patients or have
12 residents with histories of dangerous or disturbing behavior.

13 Sec. 527. Section 225C.2, Code 2024, is amended to read as
14 follows:

15 **225C.2 Definitions.**

16 As used in this chapter:

17 1. "Child" or "children" means a person or persons under
18 eighteen years of age.

19 2. "Children's behavioral health services" means services for
20 children with a serious emotional disturbance.

21 3. "Children's behavioral health system" or "children's
22 system" means the behavioral health service system for children
23 implemented pursuant to this subchapter.

24 ~~4. "Commission" means the mental health and disability~~
25 ~~services commission.~~

26 ~~5.~~ 4. "Council" means the council on health and human
27 services.

28 ~~6.~~ 5. "Department" means the department of health and human
29 services.

30 ~~7.~~ 6. "Director" means the director of health and human
31 services.

32 ~~8.~~ 7. "Disability services" means services and other
33 support available to a person with mental illness, an
34 intellectual disability or other developmental disability, or
35 brain injury.

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1 ~~9.~~ 8. *"Mental health and disability services region"* means
2 a mental health and disability services region formed in
3 accordance with [section 225C.56](#).

4 ~~10.~~ 9. *"Mental health and disability services regional*
5 *service system"* means the mental health and disability service
6 system for a mental health and disability services region.

7 ~~11.~~ 10. *"Regional administrator"* means the same as defined
8 in [section 225C.55](#).

9 ~~12.~~ 11. *"Serious emotional disturbance"* means a diagnosable
10 mental, behavioral, or emotional disorder of sufficient
11 duration to meet diagnostic criteria specified within the most
12 current diagnostic and statistical manual of mental disorders
13 published by the American psychiatric association that results
14 in a functional impairment. *"Serious emotional disturbance"*
15 does not include substance use or developmental disorders
16 unless those disorders co-occur with such a diagnosable mental,
17 behavioral, or emotional disorder.

18 ~~13.~~ *"State board"* means the children's behavioral health
19 system state board created in [section 225C.51](#).

20 Sec. 528. Section 225C.4, Code 2024, is amended to read as
21 follows:

22 **225C.4 Department duties.**

23 1. To the extent funding is available, the department shall
24 perform the following duties:

25 a. Prepare and administer the comprehensive mental health
26 and disability services plan as provided in [section 225C.6B](#),
27 including state mental health and intellectual disability plans
28 for the provision of disability services within the state and
29 the state developmental disabilities plan. The department
30 shall take into account any related planning activities
31 implemented by the state board of regents or a body designated
32 by the board for that purpose, the department of management
33 or a body designated by the director of the department for
34 that purpose, the department of education, the department of
35 workforce development and any other appropriate governmental

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1 body, in order to facilitate coordination of disability
2 services provided in this state. The state mental health and
3 intellectual disability plans shall be consistent with the
4 state health plan, and shall take into account mental health
5 and disability services regional service system management
6 plans.

7 *b.* Assist mental health and disability services region
8 governing boards and regional administrators in planning for
9 community-based disability services.

10 *c.* ~~Assist the state board in planning~~ Plan for
11 community-based children's behavioral health services.

12 *d.* Emphasize the provision of evidence-based outpatient and
13 community support services by community mental health centers
14 and local intellectual disability providers as a preferable
15 alternative to acute inpatient services and services provided
16 in large institutional settings.

17 *e.* Encourage and facilitate coordination of mental health
18 and disability services with the objective of developing
19 and maintaining in the state a mental health and disability
20 service delivery system to provide services to all persons in
21 this state who need the services, regardless of the place of
22 residence or economic circumstances of those persons. The
23 department shall work with the ~~commission~~ council and other
24 state agencies, including but not limited to the departments
25 of corrections and education, and the state board of regents,
26 to develop and implement a strategic plan to expand access to
27 qualified mental health workers across the state.

28 *f.* Encourage and facilitate applied research and preventive
29 educational activities related to causes and appropriate
30 treatment for disabilities. The department may designate, or
31 enter into agreements with, private or public agencies to carry
32 out this function.

33 *g.* Coordinate community-based services with those of the
34 state mental health institutes and state resource centers.

35 *h.* Administer state programs regarding the care, treatment,

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1 and supervision of persons with mental illness or an
2 intellectual disability, except the programs administered by
3 the state board of regents.

4 *i.* Administer and distribute state appropriations in
5 connection with the mental health and disability services
6 regional service fund established by [section 225C.7A](#).

7 *j.* Act as compact administrator with power to effectuate the
8 purposes of interstate compacts on mental health.

9 *k.* Establish and maintain a data collection and management
10 information system oriented to the needs of patients,
11 providers, the department, and other programs or facilities in
12 accordance with [section 225C.6A](#). The system shall be used to
13 identify, collect, and analyze service outcome and performance
14 measures data in order to assess the effects of the services
15 on the persons utilizing the services. The department shall
16 annually submit to the ~~commission~~ council information collected
17 by the department indicating the changes and trends in the
18 mental health and disability services system. The department
19 shall make the outcome data available to the public.

20 *l.* Encourage and facilitate coordination of children's
21 behavioral health services with the objective of developing
22 and maintaining in the state a children's behavioral health
23 system to provide behavioral health services to all children
24 in this state who need the services, regardless of the place
25 of residence or economic circumstances of those children.

26 The department shall work with ~~the state board~~ and other
27 state agencies including but not limited to the department of
28 education to develop and implement a strategic plan to expand
29 access to qualified mental health workers across the state.

30 *m.* Establish and maintain a data collection and management
31 information system oriented to the needs of children utilizing
32 the children's behavioral health system, providers, the
33 department, and other programs or facilities in accordance
34 with [section 225C.6A](#). The system shall be used to identify,
35 collect, and analyze service outcome and performance measures

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1 data in order to assess the effects of the services on the
2 children utilizing the services. The department shall annually
3 submit to the ~~state board~~ council information collected by the
4 department indicating the changes and trends in the children's
5 behavioral health system. The department shall make the
6 outcome data available to the public.

7 *n.* Prepare a budget and reports of the department's
8 activities.

9 *o.* Establish suitable agreements with other state
10 agencies to encourage appropriate care and to facilitate the
11 coordination of disability services.

12 *p.* Provide consultation and technical assistance to
13 patients' advocates appointed pursuant to [section 229.19](#),
14 in cooperation with the judicial branch and the certified
15 volunteer long-term care ombudsmen certified pursuant to
16 section 231.45.

17 *q.* Provide technical assistance to agencies and
18 organizations, to aid them in meeting standards which are
19 established, or with which compliance is required, under
20 statutes administered by the department, including but not
21 limited to [chapters 227](#) and [230A](#).

22 *r.* ~~Recommend to the commission~~ Establish minimum
23 accreditation standards for the maintenance and operation of
24 community mental health centers, services, and programs under
25 section 230A.110. The department's review and evaluation of
26 the centers, services, and programs for compliance with the
27 adopted standards shall be as provided in [section 230A.111](#).

28 *s.* ~~Recommend to the commission~~ Establish minimum standards
29 for supported community living services. The department shall
30 review and evaluate the services for compliance with the
31 adopted standards.

32 *t.* In cooperation with the department of inspections,
33 appeals, and licensing, recommend minimum standards under
34 section 227.4 for the care of and services to persons with
35 mental illness or an intellectual disability residing in

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1 county care facilities. The department shall also cooperate
2 with the department of inspections, appeals, and licensing
3 in recommending minimum standards for care of and services
4 provided to persons with mental illness or an intellectual
5 disability living in a residential care facility regulated
6 under [chapter 135C](#).

7 u. Recommend minimum standards for the maintenance and
8 operation of public or private facilities offering disability
9 services, which are not subject to licensure by the department
10 or the department of inspections, appeals, and licensing.

11 v. Provide technical assistance concerning disability
12 services and funding to mental health and disability services
13 region governing boards and regional administrators.

14 w. Coordinate with the mental health planning and advisory
15 council created pursuant to 42 U.S.C. §300x-3 to ensure the
16 council membership includes representation by a military
17 veteran who is knowledgeable concerning the behavioral and
18 mental health issues of veterans.

19 x. Enter into performance-based contracts with
20 regional administrators as described in [section 225C.57](#).
21 A performance-based contract shall require a regional
22 administrator to fulfill the statutory and regulatory
23 requirements of the regional service system under [this chapter](#).

24 A failure to fulfill the requirements may be addressed by
25 remedies specified in the contract, including but not limited
26 to suspension of contract payments or cancellation of the
27 contract. The contract provisions may include but are not
28 limited to requirements for the regional service system
29 to attain outcomes within a specified range of acceptable
30 performance in any of the following categories:

31 (1) Access standards for the required core services.

32 (2) Penetration rates for serving the number of persons
33 expected to be served.

34 (3) Utilization rates for inpatient and residential
35 treatment.

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1 (4) Readmission rates for inpatient and residential
2 treatment.

3 (5) Employment of the persons receiving services.

4 (6) Administrative costs.

5 (7) Data reporting.

6 (8) Timely and accurate claims processing.

7 (9) School attendance.

8 y. Provide information through the internet concerning
9 waiting lists for services implemented by mental health and
10 disability services regions.

11 z. By January 1 of each odd-numbered year, submit to the
12 governor and the general assembly an evaluation of:

13 (1) The extent to which services to persons with
14 disabilities are actually available to persons in each county
15 and mental health and disability services region in the state
16 and the quality of those services.

17 (2) The effectiveness of the services being provided by
18 disability service providers in this state and by each of the
19 state mental health institutes established under chapter 226
20 and by each of the state resource centers established under
21 chapter 222.

22 aa. Identify disability services outcomes and indicators to
23 support the ability of eligible persons with a disability to
24 live, learn, work, and recreate in communities of the persons'
25 choice. The identification duty includes but is not limited to
26 responsibility for identifying, collecting, and analyzing data
27 as necessary to issue reports on outcomes and indicators at the
28 county, region, and state levels.

29 2. a. The department shall coordinate with the department
30 of inspections, appeals, and licensing in the establishment
31 of facility-based and community-based, subacute mental health
32 services.

33 b. A person shall not provide community-based, subacute
34 mental health services unless the person has been accredited
35 to provide the services. The department shall adopt standards

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1 for subacute mental health services and for accreditation of
2 providers of community-based, subacute mental health services.

3 c. As used in this subsection, "subacute mental health
4 services" means all of the following:

5 (1) A comprehensive set of wraparound services for a person
6 who has had or is at imminent risk of having acute or crisis
7 mental health symptoms that does not permit the person to
8 remain in or threatens removal of the person from the person's
9 home and community, but who has been determined by a mental
10 health professional and a licensed health care professional,
11 subject to the professional's scope of practice, not to need
12 inpatient acute hospital services. For the purposes of this
13 subparagraph, "mental health professional" means the same as
14 defined in section 228.1 and "licensed health care professional"
15 means a person licensed under chapter 148 to practice medicine
16 and surgery or osteopathic medicine and surgery, an advanced
17 registered nurse practitioner licensed under chapter 152 or
18 152E, or a physician assistant licensed under chapter 148C.

19 (2) Intensive, recovery-oriented treatment and monitoring
20 of the person with direct or remote access to a psychiatrist or
21 advanced registered nurse practitioner.

22 (3) An outcome-focused, interdisciplinary approach designed
23 to return the person to living successfully in the community.

24 (4) Services that may be provided in a wide array of
25 settings ranging from the person's home to a facility providing
26 subacute mental health services.

27 (5) Services that are time limited to not more than ten
28 days or another time period determined in accordance with rules
29 adopted for this purpose.

30 d. Subacute mental health services and the standards for
31 the services shall be established in a manner that allows for
32 accessing federal Medicaid funding.

33 2. 3. The department may:

34 a. Apply for, receive, and administer federal aids, grants,
35 and gifts for purposes relating to disability services or

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1 programs.

2 **b.** Establish and supervise suitable standards of care,
3 treatment, and supervision for persons with disabilities in all
4 institutions under the control of the director.

5 **c.** Appoint professional consultants to furnish advice on
6 any matters pertaining to disability services. The consultants
7 shall be paid as provided by an appropriation of the general
8 assembly.

9 **d.** Administer a public housing unit program to apply for,
10 receive, and administer federal assistance, grants, and other
11 public or private funds for purposes related to providing
12 housing in accordance with [section 225C.45](#).

13 Sec. 529. Section 225C.6, Code 2024, is amended to read as
14 follows:

15 **225C.6 Duties of ~~commission~~ council.**

16 1. To the extent funding is available, the ~~commission~~
17 council shall perform the following duties:

18 **a.** Advise the department on the administration of the
19 overall state disability services system.

20 **b.** ~~Pursuant to Make recommendations made for this purpose~~
21 ~~by the director, adopt for the adoption of necessary rules~~
22 pursuant to [chapter 17A](#) which relate to disability programs
23 and services, including but not limited to definitions of each
24 disability included within the term "*disability services*" as
25 necessary for purposes of state, county, and regional planning,
26 programs, and services.

27 **c.** ~~Adopt Recommend standards for community mental health~~
28 ~~centers, services, and programs as recommended under pursuant~~
29 ~~to [section 230A.110](#). The department shall determine whether~~
30 ~~to grant, deny, or revoke the accreditation of the centers,~~
31 ~~services, and programs.~~

32 **d.** ~~Adopt Recommend standards for the provision under the~~
33 ~~medical assistance program of individual case management~~
34 ~~services.~~

35 **e.** Unless another governmental body sets standards for a

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1 service available to persons with disabilities, ~~adopt~~ recommend
2 state standards for that service. The ~~commission~~ council shall
3 review the licensing standards used by the department or the
4 department of inspections, appeals, and licensing for those
5 facilities providing disability services.

6 *f.* Assure Make recommendations to ensure that proper
7 reconsideration and appeal procedures are available to persons
8 aggrieved by decisions, actions, or circumstances relating to
9 accreditation.

10 *g.* ~~Adopt~~ Make recommendations to the department for the
11 adoption of necessary rules for awarding grants from the state
12 and federal government as well as other moneys that become
13 available to the department for grant purposes.

14 *h.* Annually submit to the governor and the general assembly:

15 (1) A report concerning the activities of the ~~commission~~
16 council relating to mental health and disability services.

17 (2) Recommendations formulated by the ~~commission~~ council
18 for changes in law.

19 ~~*i.* By January 1 of each odd-numbered year, submit to the~~
20 ~~governor and the general assembly an evaluation of:~~

21 ~~(1) The extent to which services to persons with~~
22 ~~disabilities are actually available to persons in each county~~
23 ~~and mental health and disability services region in the state~~
24 ~~and the quality of those services.~~

25 ~~(2) The effectiveness of the services being provided by~~
26 ~~disability service providers in this state and by each of the~~
27 ~~state mental health institutes established under chapter 226~~
28 ~~and by each of the state resource centers established under~~
29 ~~chapter 222.~~

30 ~~*j.*~~ *i.* Advise Make recommendations to the director, the
31 ~~council,~~ the governor, and the general assembly on budgets and
32 appropriations concerning disability services.

33 ~~*k.*~~ *j.* Coordinate activities with the Iowa developmental
34 disabilities council and the mental health planning council,
35 created pursuant to federal law. The ~~commission~~ council shall

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1 work with other state agencies on coordinating, collaborating,
2 and communicating concerning activities involving persons with
3 disabilities.

4 ~~1. Pursuant to a recommendation made by the department,~~
5 ~~identify~~

6 k. Make recommendations for basic financial eligibility
7 standards for the disability services provided by a mental
8 health and disability services region. ~~The initial standards~~
9 ~~shall be as specified in this chapter.~~

10 ~~m. Identify disability services outcomes and indicators to~~
11 ~~support the ability of eligible persons with a disability to~~
12 ~~live, learn, work, and recreate in communities of the persons'~~
13 ~~choice. The identification duty includes but is not limited to~~
14 ~~responsibility for identifying, collecting, and analyzing data~~
15 ~~as necessary to issue reports on outcomes and indicators at the~~
16 ~~county, region, and state levels.~~

17 ~~2. Notwithstanding [section 217.3](#), the commission may adopt~~
18 ~~the rules authorized by [subsection 1](#), pursuant to chapter~~
19 ~~17A, without prior review and approval of those rules by the~~
20 ~~council.~~

21 3. 2. If the executive branch creates a committee, task
22 force, council, or other advisory body to consider disability
23 services policy or program options involving children or adult
24 consumers, the commission council is designated to receive
25 and consider any report, findings, recommendations, or other
26 work product issued by such body. The commission council may
27 address the report, findings, recommendations, or other work
28 product in fulfilling the commission's council's functions
29 and to advise the department, ~~council~~, governor, and general
30 assembly concerning disability services.

31 ~~4. a. The department shall coordinate with the department~~
32 ~~of inspections, appeals, and licensing in the establishment~~
33 ~~of facility-based and community-based, subacute mental health~~
34 ~~services.~~

35 ~~b. A person shall not provide community-based, subacute~~

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1 ~~mental health services unless the person has been accredited~~
2 ~~to provide the services. The commission shall adopt standards~~
3 ~~for subacute mental health services and for accreditation of~~
4 ~~providers of community-based, subacute mental health services.~~

5 ~~c. As used in [this subsection](#), "subacute mental health~~
6 ~~services" means all of the following:~~

7 ~~(1) A comprehensive set of wraparound services for persons~~
8 ~~who have had or are at imminent risk of having acute or~~
9 ~~crisis mental health symptoms that do not permit the persons~~
10 ~~to remain in or threatens removal of the persons from their~~
11 ~~home and community, but who have been determined by a mental~~
12 ~~health professional and a licensed health care professional,~~
13 ~~subject to the professional's scope of practice, not to need~~
14 ~~inpatient acute hospital services. For the purposes of this~~
15 ~~subparagraph, "mental health professional" means the same as~~
16 ~~defined in [section 228.1](#) and "licensed health care professional"~~
17 ~~means a person licensed under [chapter 148](#) to practice medicine~~
18 ~~and surgery or osteopathic medicine and surgery, an advanced~~
19 ~~registered nurse practitioner licensed under [chapter 152](#) or~~
20 ~~[152E](#), or a physician assistant licensed under [chapter 148C](#).~~

21 ~~(2) Intensive, recovery-oriented treatment and monitoring~~
22 ~~of the person with direct or remote access to a psychiatrist or~~
23 ~~advanced registered nurse practitioner.~~

24 ~~(3) An outcome-focused, interdisciplinary approach designed~~
25 ~~to return the person to living successfully in the community.~~

26 ~~(4) Services that may be provided in a wide array of~~
27 ~~settings ranging from the person's home to a facility providing~~
28 ~~subacute mental health services.~~

29 ~~(5) Services that are time limited to not more than ten~~
30 ~~days or another time period determined in accordance with rules~~
31 ~~adopted for this purpose.~~

32 ~~d. Subacute mental health services and the standards for~~
33 ~~the services shall be established in a manner that allows for~~
34 ~~accessing federal Medicaid funding.~~

35 Sec. 530. Section 225C.6B, subsection 2, Code 2024, is

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1 amended to read as follows:

2 2. *Comprehensive plan.* The department shall develop
3 a comprehensive written five-year state mental health and
4 disability services plan with annual updates and readopt
5 the plan every five years. The plan shall describe the key
6 components of the state's mental health and disability services
7 system, including the services that are community-based,
8 state institution-based, or regional or state-based. The
9 five-year plan and each update shall be submitted annually to
10 the ~~commission~~ council on or before October 30 for review and
11 approval.

12 Sec. 531. Section 225C.7A, subsection 8, paragraph j, Code
13 2024, is amended to read as follows:

14 j. If the department has made its decisions but has
15 determined that there are otherwise qualifying requests for
16 incentive funds that are beyond the amount available in the
17 incentive fund for a fiscal year, the department shall compile
18 a list of such requests and the supporting information for
19 the requests. The list and information shall be submitted to
20 the ~~commission, the children's behavioral health system state~~
21 ~~board,~~ council and the general assembly.

22 Sec. 532. Section 225C.7A, subsection 9, Code 2024, is
23 amended to read as follows:

24 9. The ~~commission~~ department shall consult with regional
25 administrators and the director in prescribing forms and
26 adopting rules to administer **this section**.

27 Sec. 533. Section 225C.19, subsection 2, paragraph e, Code
28 2024, is amended to read as follows:

29 e. The elements of the services system shall be specified in
30 administrative rules adopted by the ~~commission~~ department.

31 Sec. 534. Section 225C.19A, Code 2024, is amended to read
32 as follows:

33 **225C.19A Crisis stabilization programs.**

34 The department shall accredit, certify, or apply standards
35 of review to authorize the operation of crisis stabilization

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1 programs, including crisis stabilization programs operating
2 in a psychiatric medical institution for children pursuant
3 to [chapter 135H](#) that provide children with mental health,
4 substance use disorder, and co-occurring mental health and
5 substance use disorder services. In authorizing the operation
6 of a crisis stabilization program, the department shall apply
7 the relevant requirements for an emergency mental health crisis
8 services provider and system under [section 225C.19](#). A program
9 authorized to operate under [this section](#) is not required to be
10 licensed under [chapter 135B](#), [135C](#), [135G](#), or [135H](#), or certified
11 under [chapter 231C](#). The ~~commission~~ department shall adopt
12 rules to implement [this section](#). The department shall accept
13 accreditation of a crisis stabilization program by a national
14 accrediting organization in lieu of applying the rules adopted
15 in accordance with [this section](#) to the program.

16 Sec. 535. Section 225C.21, subsection 2, Code 2024, is
17 amended to read as follows:

18 2. The ~~commission~~ department shall adopt rules pursuant
19 to [chapter 17A](#) establishing minimum standards for supported
20 community living services. The department shall determine
21 whether to grant, deny, or revoke approval for any supported
22 community living service.

23 Sec. 536. Section 225C.28A, subsection 7, Code 2024, is
24 amended to read as follows:

25 7. Provide an ongoing process to determine the degree
26 of access to and the effectiveness of the services and other
27 support in achieving the disability services outcomes and
28 indicators identified by the ~~commission~~ department pursuant to
29 ~~section 225C.6~~ [225C.4](#).

30 Sec. 537. Section 225C.29, Code 2024, is amended to read as
31 follows:

32 **225C.29 Compliance.**

33 Except for a violation of section 225C.28B, subsection
34 2, the sole remedy for violation of a rule adopted by the
35 ~~commission~~ department to implement [sections 225C.25](#), [225C.26](#),

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1 225C.28A, and 225C.28B shall be by a proceeding for compliance
2 initiated by request to the department pursuant to chapter 17A.
3 Any decision of the department shall be in accordance with due
4 process of law and is subject to appeal to the Iowa district
5 court pursuant to sections 17A.19 and 17A.20 by any aggrieved
6 party. Either the department or a party in interest may apply
7 to the Iowa district court for an order to enforce the decision
8 of the department. Any rules adopted by the ~~commission~~
9 department to implement sections 225C.25, 225C.26, 225C.28A,
10 and 225C.28B do not create any right, entitlement, property,
11 or liberty right or interest, or private cause of action for
12 damages against the state or a political subdivision of the
13 state or for which the state or a political subdivision of the
14 state would be responsible. Any violation of section 225C.28B,
15 subsection 2, shall solely be subject to the enforcement by the
16 commissioner of insurance and penalties granted by chapter 507B
17 for a violation of section 507B.4, subsection 3, paragraph "g".

18 Sec. 538. Section 225C.58, subsection 2, Code 2024, is
19 amended to read as follows:

20 2. The accounting system and financial reporting to the
21 department shall conform with the cost principles for state,
22 local, and Indian tribal governments issued by the United
23 States office of management and budget. The information
24 shall segregate expenditures for administration, purchase of
25 service, and enterprise costs for which the region is a service
26 provider or is directly billing and collecting payments and
27 shall be identified along with other financial information in
28 a uniform chart of accounts prescribed by the department of
29 management. Following periodic review of administrative costs,
30 the department shall make recommendations, in consultation
31 with the legislative services agency, for standards defining
32 region administrative costs and the methodology for calculating
33 a region's administrative load. Such standards shall be
34 specified in rule adopted by the ~~state commission~~ department.

35 Sec. 539. Section 225C.60, subsection 1, paragraph a, Code

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1 2024, is amended to read as follows:

2 a. The mental health and disability services provided
3 by counties operating as a region shall be delivered in
4 accordance with a regional service system management plan
5 approved by the region's governing board and implemented by the
6 regional administrator in accordance with this section. The
7 requirements for a regional service system management plan and
8 plan format shall be specified in rule adopted by the ~~state~~
9 ~~commission pursuant to a recommendation made by the department~~.
10 A regional management plan shall include an annual service and
11 budget plan, a policies and procedures manual, and an annual
12 report.

13 Sec. 540. Section 225C.60, subsection 2, unnumbered
14 paragraph 1, Code 2024, is amended to read as follows:

15 Each region shall submit to the department an annual service
16 and budget plan approved by the region's governing board and
17 subject to approval by the director. Provisions for approval
18 by the director of the annual service and budget plan, and
19 any amendments to the plan, and other requirements shall be
20 specified in rule adopted by the ~~state commission~~ department.
21 The provisions addressed in the annual plan shall include but
22 are not limited to all of the following:

23 Sec. 541. Section 225C.60, subsection 4, unnumbered
24 paragraph 1, Code 2024, is amended to read as follows:

25 The region shall have in effect a policies and procedures
26 manual for the regional service system. The manual shall be
27 approved by the region's governing board and is subject to
28 approval by the director. An approved manual shall remain
29 in effect subject to amendment. An amendment to the manual
30 shall be submitted to the department at least forty-five days
31 prior to the date of implementation of the amendment. Prior
32 to implementation of an amendment to the manual, the amendment
33 must be approved by the director ~~in consultation with the state~~
34 ~~commission~~. The manual shall include but is not limited to all
35 of the following:

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1 Sec. 542. Section 225C.62, subsection 1, paragraph c,
2 unnumbered paragraph 1, Code 2024, is amended to read as
3 follows:

4 The person must be in compliance with resource limitations
5 identified in rule adopted by the ~~state commission~~ department.
6 The limitation shall be derived from the federal supplemental
7 security income program resource limitations. A person with
8 resources above the federal supplemental security income
9 program resource limitations may be eligible subject to
10 limitations adopted in rule by the ~~state commission~~ pursuant
11 ~~to a recommendation made by the~~ department. If a person does
12 not qualify for federally funded services and other support but
13 meets income, resource, and functional eligibility requirements
14 for regional services, the following types of resources shall
15 be disregarded:

16 Sec. 543. Section 225C.63, subsection 1, paragraph d, Code
17 2024, is amended to read as follows:

18 d. The person's eligibility for individualized services
19 shall be determined in accordance with the standardized
20 functional assessment methodology approved for mental health
21 services by the director ~~in consultation with the state~~
22 ~~commission~~.

23 Sec. 544. Section 225C.65, subsection 3, unnumbered
24 paragraph 1, Code 2024, is amended to read as follows:

25 ~~Pursuant to recommendations made by the director, the state~~
26 ~~commission~~ The department shall adopt rules ~~as required by~~
27 ~~section 225C.6~~ to define the services included in the core
28 service domains listed in ~~this section~~. The rules shall
29 provide service definitions, service provider standards,
30 service access standards, and service implementation dates, and
31 shall provide consistency, to the extent possible, with similar
32 service definitions under the medical assistance program.

33 Sec. 545. Section 227.4, Code 2024, is amended to read as
34 follows:

35 **227.4 Standards for care of persons with mental illness or an**

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1 intellectual disability in county care facilities.

2 The department, in cooperation with the department of
3 inspections, appeals, and licensing, shall ~~recommend and the~~
4 ~~mental health and disability services commission created in~~
5 ~~section 225C.5~~ shall adopt, or amend and adopt, standards for
6 the care of and services to persons with mental illness or an
7 intellectual disability residing in county care facilities.
8 The standards shall be enforced by the department of
9 inspections, appeals, and licensing as a part of the licensure
10 inspection conducted pursuant to [chapter 135C](#). The objective
11 of the standards is to ensure that persons with mental illness
12 or an intellectual disability who are residents of county care
13 facilities are not only adequately fed, clothed, and housed,
14 but are also offered reasonable opportunities for productive
15 work and recreational activities suited to their physical and
16 mental abilities and offering both a constructive outlet for
17 their energies and, if possible, therapeutic benefit. ~~When~~
18 ~~recommending standards under this section, the department shall~~
19 ~~designate an advisory committee representing administrators of~~
20 ~~county care facilities, regional administrators, mental health~~
21 ~~and disability services region governing boards, and county~~
22 ~~care facility certified volunteer long term care ombudsmen to~~
23 ~~assist in the establishment of standards.~~

24 Sec. 546. Section 229.19, subsection 4, unnumbered
25 paragraph 1, Code 2024, is amended to read as follows:

26 The ~~state mental health and disability services commission~~
27 ~~created in section 225C.5~~ department, in consultation with
28 advocates and county and judicial branch representatives, shall
29 adopt rules pursuant to [chapter 17A](#) relating to advocates that
30 include but are not limited to all of the following topics:

31 Sec. 547. Section 230A.102, subsection 2, Code 2024, is
32 amended to read as follows:

33 2. ~~"Commission"~~ "Council", ~~"department"~~, ~~"director"~~, and
34 ~~"disability services"~~ mean the same as defined in section
35 225C.2.

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1 Sec. 548. Section 230A.103, subsections 1 and 2, Code 2024,
2 are amended to read as follows:

3 1. The department, subject to agreement by any community
4 mental health center that would provide services for the
5 catchment area and approval by the ~~commission~~ department,
6 shall designate at least one community mental health center
7 under this chapter for addressing the mental health needs of
8 the county or counties comprising the catchment area. The
9 designation process shall provide for the input of potential
10 service providers regarding designation of the initial
11 catchment area or a change in the designation.

12 2. The department shall utilize objective criteria for
13 designating a community mental health center to serve a
14 catchment area and for withdrawing such designation. The
15 ~~commission~~ department shall adopt rules outlining the criteria.
16 The criteria shall include but are not limited to provisions
17 for meeting all of the following requirements:

18 a. An appropriate means shall be used for determining which
19 prospective designee is best able to serve all ages of the
20 targeted population within the catchment area with minimal or
21 no service denials.

22 b. An effective means shall be used for determining the
23 relative ability of a prospective designee to appropriately
24 provide mental health services and other support to consumers
25 residing within a catchment area as well as consumers residing
26 outside the catchment area. The criteria shall address the
27 duty for a prospective designee to arrange placements outside
28 the catchment area when such placements best meet consumer
29 needs and to provide services within the catchment area to
30 consumers who reside outside the catchment area when the
31 services are necessary and appropriate.

32 Sec. 549. Section 230A.105, subsection 2, Code 2024, is
33 amended to read as follows:

34 2. Specific eligibility criteria for members of the target
35 population shall be identified in administrative rules adopted

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1 by the ~~commission~~ department. The eligibility criteria shall
2 address both clinical and financial eligibility.

3 Sec. 550. Section 230A.106, subsection 1, Code 2024, is
4 amended to read as follows:

5 1. A community mental health center designated in
6 accordance with this chapter shall offer core services and
7 support addressing the basic mental health and safety needs of
8 the target population and other residents of the catchment area
9 served by the center and may offer other services and support.
10 The core services shall be identified in administrative rules
11 adopted by the ~~commission~~ department for this purpose.

12 Sec. 551. Section 230A.110, subsection 1, Code 2024, is
13 amended to read as follows:

14 1. The ~~department~~ council shall recommend and the
15 ~~commission~~ department shall adopt standards for designated
16 community mental health centers and comprehensive community
17 mental health programs, with the overall objective of ensuring
18 that each center and each affiliate providing services under
19 contract with a center furnishes high-quality mental health
20 services within a framework of accountability to the community
21 it serves. The standards adopted shall conform with federal
22 standards applicable to community mental health centers
23 and shall be in substantial conformity with the applicable
24 behavioral health standards adopted by the joint commission,
25 formerly known as the joint commission on accreditation
26 of health care organizations, or other recognized national
27 standards for evaluation of psychiatric facilities unless
28 in the judgment of the department, with approval of the
29 commission, there are sound reasons for departing from the
30 standards.

31 Sec. 552. Section 230A.111, subsection 1, unnumbered
32 paragraph 1, Code 2024, is amended to read as follows:

33 The review and evaluation of designated centers shall be
34 performed through a formal accreditation review process as
35 recommended by the ~~department~~ council and approved by the

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1 ~~commission~~ department. The accreditation process shall include
2 all of the following:

3 Sec. 553. Section 230A.111, subsection 1, paragraph b, Code
4 2024, is amended to read as follows:

5 b. Use of random or complaint-specific, on-site limited
6 accreditation reviews in the interim between full accreditation
7 reviews, as a quality review approach. The results of such
8 reviews shall be presented to the ~~commission~~ department.

9 Sec. 554. Section 249A.4, subsection 15, Code 2024, is
10 amended to read as follows:

11 15. Establish appropriate reimbursement rates for community
12 mental health centers that are accredited by the ~~mental health~~
13 ~~and disability services commission~~ department.

14 Sec. 555. Section 249A.12, subsection 4, Code 2024, is
15 amended to read as follows:

16 4. a. The ~~mental health and disability services commission~~
17 ~~shall recommend to the department~~ shall take the actions
18 necessary to assist in the transition of individuals being
19 served in an intermediate care facility for persons with
20 an intellectual disability, who are appropriate for the
21 transition, to services funded under a medical assistance
22 home and community-based services waiver for persons with an
23 intellectual disability in a manner which maximizes the use
24 of existing public and private facilities. The actions may
25 include but are not limited to submitting any of the following
26 or a combination of any of the following as a request for a
27 revision of the medical assistance home and community-based
28 services waiver for persons with an intellectual disability:

29 (1) Allow for the transition of intermediate care
30 facilities for persons with an intellectual disability licensed
31 under [chapter 135C](#), to services funded under the medical
32 assistance home and community-based services waiver for persons
33 with an intellectual disability. The request shall be for
34 inclusion of additional persons under the waiver associated
35 with the transition.

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1 (2) Allow for reimbursement under the waiver for day program
2 or other service costs.

3 (3) Allow for exception provisions in which an intermediate
4 care facility for persons with an intellectual disability which
5 does not meet size and other facility-related requirements
6 under the waiver in effect on June 30, 1996, may convert to a
7 waiver service for a set period of time such as five years.
8 Following the set period of time, the facility would be subject
9 to the waiver requirements applicable to services which were
10 not operating under the exception provisions.

11 b. In implementing the provisions of [this subsection](#), the
12 ~~mental health and disability services commission~~ department
13 shall consult with other states. The waiver revision request
14 or other action necessary to assist in the transition of
15 service provision from intermediate care facilities for
16 persons with an intellectual disability to alternative programs
17 shall be implemented by the department in a manner that can
18 appropriately meet the needs of individuals at an overall
19 lower cost to counties, the federal government, and the state.
20 In addition, the department shall take into consideration
21 significant federal changes to the medical assistance program
22 in formulating the department's actions under [this subsection](#).
23 The department shall ~~consult with the mental health and~~
24 ~~disability services commission in adopting~~ adopt rules for
25 oversight of facilities converted pursuant to [this subsection](#).
26 A transition approach described in paragraph "a" may be modified
27 as necessary to obtain federal waiver approval.

28 Sec. 556. Section 321.189, subsection 10, Code 2024, is
29 amended to read as follows:

30 10. *Autism spectrum disorder status.* A licensee who has
31 autism spectrum disorder, as defined in [section 514C.28](#), may
32 request that the license be marked to reflect the licensee's
33 autism spectrum disorder status on the face of the license
34 when the licensee applies for the issuance or renewal of a
35 license. The department may adopt rules pursuant to chapter

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1 17A establishing criteria under which a license may be marked,
2 including requiring the licensee to submit medical proof of the
3 licensee's autism spectrum disorder status. When a driver's
4 license is so marked, the licensee's autism spectrum disorder
5 status shall be noted in the electronic database used by
6 the department and law enforcement to access registration,
7 titling, and driver's license information. The department, in
8 consultation with the ~~mental~~ council on health and disability
9 human services commission, shall develop educational media to
10 raise awareness of a licensee's ability to request the license
11 be marked to reflect the licensee's autism spectrum disorder
12 status.

13 Sec. 557. Section 321.190, subsection 1, paragraph b,
14 subparagraph (6), Code 2024, is amended to read as follows:

15 (6) An applicant for a nonoperator's identification
16 card who has autism spectrum disorder, as defined in section
17 514C.28, may request that the card be marked to reflect
18 the applicant's autism spectrum disorder status on the face
19 of the card when the applicant applies for the issuance or
20 renewal of a card. The department may adopt rules pursuant to
21 chapter 17A establishing criteria under which a card may be
22 marked, including requiring the applicant to submit medical
23 proof of the applicant's autism spectrum disorder status.
24 The department, in consultation with the ~~mental~~ council on
25 health and disability human services commission, shall develop
26 educational media to raise awareness of an applicant's ability
27 to request the card be marked to reflect the applicant's autism
28 spectrum disorder status.

29 Sec. 558. Section 426B.4, Code 2024, is amended to read as
30 follows:

31 **426B.4 Rules.**

32 ~~The mental health and disability services commission~~
33 department of health and human services shall consult with
34 regional administrators ~~and the director of health and human~~
35 ~~services~~ in prescribing forms and adopting rules pursuant to

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1 chapter 17A to administer [this chapter](#).

2 Sec. 559. REPEAL. Section 225C.5, Code 2024, is repealed.

3 DIVISION XIV

4 ELIMINATION OF CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD

5 Sec. 560. Section 225C.52, Code 2024, is amended to read as
6 follows:

7 ~~225C.52 Children's behavioral health system state board —~~
8 **Council duties.**

9 The council shall provide guidance on the implementation
10 and management of a children's behavioral health system for
11 the provision of services to children with a serious emotional
12 disturbance. To the extent funding is available, the state
13 ~~board~~ council shall perform the following duties:

14 1. Advise the director on the administration of the
15 children's behavioral health system.

16 2. Provide ~~consultation services~~ support to agencies
17 regarding the development of administrative rules for the
18 children's behavioral health system.

19 3. Identify behavioral health outcomes and indicators for
20 eligible children with a serious emotional disturbance to
21 promote children living with their own families and in the
22 community.

23 4. Submit a written report on or before December 1 of each
24 year to the governor and the general assembly. At a minimum,
25 the report shall include a summary of all activities undertaken
26 by the ~~state board~~ council relating to the children's
27 behavioral health system and results from identified behavioral
28 health outcomes and indicators for the children's behavioral
29 health system.

30 Sec. 561. Section 225C.55, Code 2024, is amended to read as
31 follows:

32 **225C.55 Definitions.**

33 As used in [this subchapter](#), unless the context otherwise
34 requires:

35 1. "*Children's behavioral health services*" means the same as

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1 defined in [section 225C.2](#).

2 2. *"Council"* means the council on health and human services.

3 ~~2.~~ 3. *"Department"* means the department of health and human
4 services.

5 ~~3.~~ 4. *"Director"* means the director of health and human
6 services.

7 ~~4.~~ 5. *"Disability services"* means the same as defined in
8 section 225C.2.

9 ~~5.~~ 6. *"Population"* means, as of July 1 of the fiscal year
10 preceding the fiscal year in which the population figure is
11 applied, the population shown by the latest preceding certified
12 federal census or the latest applicable population estimate
13 issued by the United States census bureau, whichever is most
14 recent.

15 ~~6.~~ 7. *"Regional administrator"* means the administrative
16 office, organization, or entity formed by agreement of the
17 counties participating in a region to function on behalf of
18 those counties in accordance with [this subchapter](#).

19 ~~7.~~ 8. *"Serious emotional disturbance"* means the same as
20 defined in [section 225C.2](#).

21 ~~8.~~ *"State board"* means the children's system state board
22 created in [section 225C.51](#).

23 ~~9.~~ *"State commission"* means the mental health and disability
24 services commission created in [section 225C.5](#).

25 Sec. 562. Section 225C.66, subsection 3, Code 2024, is
26 amended to read as follows:

27 ~~3. Pursuant to recommendations made by the state board,~~
28 ~~the~~ The department shall adopt rules to define the services
29 included in the core domains listed in [this section](#). The rules
30 shall provide service definitions, service provider standards,
31 service access standards, and service implementation dates, and
32 shall provide consistency, to the extent possible, with similar
33 service definitions under the medical assistance program.

34 Sec. 563. REPEAL. Section 225C.51, Code 2024, is repealed.

35 DIVISION XV

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1 ELIMINATION OF CONGENITAL AND INHERITED DISORDERS ADVISORY
2 COMMITTEE

3 Sec. 564. Section 136A.2, Code 2024, is amended to read as
4 follows:

5 **136A.2 Definitions.**

6 As used in [this chapter](#), unless the context otherwise
7 requires:

8 1. *"Attending health care provider"* means a licensed
9 physician, nurse practitioner, certified nurse midwife, or
10 physician assistant.

11 ~~2. *"Congenital and inherited disorders advisory committee"*~~
12 ~~or *"advisory committee"* means the congenital and inherited~~
13 ~~disorders advisory committee created in [this chapter](#).~~

14 ~~3.~~ 2. *"Congenital disorder"* means an abnormality existing
15 prior to or at birth, including a stillbirth, that adversely
16 affects the health and development of a fetus, newborn, child,
17 or adult, including a structural malformation or a genetic,
18 chromosomal, inherited, or biochemical disorder.

19 3. *"Council"* means the council on health and human services.

20 4. *"Department"* means the department of health and human
21 services.

22 5. *"Disorder"* means a congenital or inherited disorder.

23 6. *"Genetics"* means the study of inheritance and how genes
24 contribute to health conditions and the potential for disease.

25 7. *"Genomics"* means the functions and interactions of all
26 human genes and their variation within human populations,
27 including their interaction with environmental factors, and
28 their contribution to health.

29 8. *"Inherited disorder"* means a condition caused by an
30 abnormal change in a gene or genes passed from a parent or
31 parents to their child. Onset of the disorder may be prior to
32 or at birth, during childhood, or in adulthood.

33 9. *"Stillbirth"* means an unintended fetal death occurring
34 after a gestation period of twenty completed weeks, or an
35 unintended fetal death of a fetus with a weight of three

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1 hundred fifty or more grams.

2 Sec. 565. Section 136A.3A, Code 2024, is amended to read as
3 follows:

4 ~~136A.3A Congenital and inherited disorders advisory committee~~
5 ~~established — process~~ Process for addition of conditions to
6 newborn screening.

7 1. ~~A congenital and inherited disorders advisory committee~~
8 ~~is established to~~ The council shall assist the department in
9 the development of programs that ensure the availability and
10 access to quality genetic and genomic health care services for
11 all Iowans.

12 2. ~~The members of the advisory committee shall be appointed~~
13 ~~by the director and shall include persons with relevant~~
14 ~~expertise and interest including parent representatives.~~

15 3. ~~2.~~ The advisory committee council shall assist the
16 department in designating the conditions to be included in the
17 newborn screening and in regularly evaluating the effectiveness
18 and appropriateness of the newborn screening.

19 4. ~~3. a.~~ Beginning July 1, 2022, the ~~advisory committee~~
20 council shall ensure that all conditions included in the
21 federal recommended uniform screening panel as of January 1,
22 2022, are included in the newborn screening.

23 b. Within twelve months of the addition of a new
24 condition to the federal recommended uniform screening panel,
25 the ~~advisory committee~~ council shall consider and make a
26 recommendation to the department regarding inclusion of the
27 new condition in the newborn screening, including the current
28 newborn screening capacity to screen for the new condition
29 and the resources necessary to screen for the new condition
30 going forward. If the ~~advisory committee~~ council recommends
31 inclusion of a new condition, the department shall include the
32 new condition in the newborn screening within eighteen months
33 of receipt of the recommendation.

34 5. ~~4.~~ The department shall submit a status report to the
35 general assembly, annually, by December 31, regarding all of

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1 the following:

2 a. The current conditions included in the newborn screening.

3 b. Any new conditions currently under consideration or
4 recommended by the ~~advisory committee~~ council for inclusion in
5 the newborn screening.

6 c. Any new conditions considered but not recommended by the
7 ~~advisory committee~~ council in the prior twelve-month period and
8 the reason for not recommending any such conditions.

9 d. Any departmental request for additional program capacity
10 or resources necessitated by the inclusion of a recommended new
11 condition in the newborn screening.

12 e. Any delay and the reason for the delay by the ~~advisory~~
13 ~~committee~~ council in complying with the specified twelve-month
14 time frame in considering or recommending the inclusion of a
15 new condition in the newborn screening to the department.

16 f. Any delay and the reason for the delay by the department
17 in complying with the specified eighteen-month time frame in
18 including a new condition in the newborn screening following
19 receipt of a recommendation from the ~~advisory committee~~ council
20 recommending the inclusion of such condition.

21 ~~6.~~ 5. The state hygienic laboratory shall establish
22 the newborn screening fee schedule in a manner sufficient
23 to support the newborn screening system of care including
24 laboratory screening costs, short-term and long-term follow-up
25 program costs, the newborn screening developmental fund, and
26 the cost of the department's newborn screening data system.

27 DIVISION XVI

28 ELIMINATION OF EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

29 Sec. 566. Section 147A.2, Code 2024, is amended to read as
30 follows:

31 ~~147A.2 Council established — terms of office~~ on health and
32 human services — advisory duties.

33 ~~1. An EMS advisory council shall be appointed by the~~
34 ~~director. Membership of the council shall be comprised of~~
35 ~~individuals nominated from, but not limited to, the following~~

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~~1 state or national organizations: Iowa osteopathic medical
2 association, Iowa medical society, American college of
3 emergency physicians, Iowa physician assistant society, Iowa
4 academy of family physicians, university of Iowa hospitals
5 and clinics, American academy of emergency medicine, American
6 academy of pediatrics, Iowa EMS association, Iowa firefighters
7 association, Iowa professional fire fighters, EMS education
8 programs committee, Iowa nurses association, Iowa hospital
9 association, and the Iowa state association of counties. The
10 council shall also include at least two at-large members
11 who are volunteer emergency medical care providers and a
12 representative of a private service program.~~

13 2. The EMS advisory council on health and human services
14 shall advise the director and develop policy recommendations
15 concerning the regulation, administration, and coordination of
16 emergency medical services in the state.

17 Sec. 567. REPEAL. Section 147A.3, Code 2024, is repealed.

18 DIVISION XVII

19 ELIMINATION OF TRAUMA SYSTEM ADVISORY COUNCIL

20 Sec. 568. Section 147A.23, Code 2024, is amended to read as
21 follows:

22 **147A.23 Trauma care system development.**

23 1. The department is designated as a lead agency in this
24 state responsible for the development of a statewide trauma
25 care system.

26 2. The department, ~~in consultation with the trauma system~~
27 ~~advisory council~~, shall develop, coordinate, and monitor a
28 statewide trauma care system. This system shall include, but
29 not be limited to, the following:

30 a. (1) Development of criteria for the categorization
31 of all hospitals and emergency care facilities according to
32 their trauma care capabilities. These categories shall be for
33 levels I, II, III, and IV, based on the most current guidelines
34 published by the American college of surgeons committee on
35 trauma, the American college of emergency physicians, and

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1 the model trauma care plan of the United States department
2 of health and human services' health resources and services
3 administration.

4 (2) The categorization of all hospitals and emergency
5 care facilities by the department as to their capacity to
6 provide trauma care services. The categorization shall be
7 determined by the department from self-reported information
8 provided to the department by the hospital or emergency care
9 facility. This categorization shall not be construed to imply
10 any guarantee on the part of the department as to the level of
11 trauma care services available at the hospital or emergency
12 care facility.

13 b. (1) Development of a process for the verification of
14 the trauma care capacity of each facility and the issuance of a
15 certificate of verification. The standards and verification
16 process shall be established by rule and may vary as
17 appropriate by level of trauma care capability. To the extent
18 possible, the standards and verification process shall be
19 coordinated with other applicable accreditation and licensing
20 standards.

21 (2) The issuance of a certificate of verification of all
22 categorized hospitals and emergency care facilities from the
23 department at the level preferred by the hospital or emergency
24 care facility. ~~The standards and verification process shall~~
25 ~~be established by rule and may vary as appropriate by level of~~
26 ~~trauma care capability. To the extent possible, the standards~~
27 ~~and verification process shall be coordinated with other~~
28 ~~applicable accreditation and licensing standards.~~

29 c. Upon verification and the issuance of a certificate
30 of verification, agreement by a hospital or emergency care
31 facility ~~agrees~~ to maintain a level of commitment and resources
32 sufficient to meet responsibilities and standards as required
33 by the trauma care criteria established by rule under this
34 subchapter. Verifications are valid for a period of three
35 years or as determined by the department and are renewable. As

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1 part of the verification and renewal process, the department
2 may conduct periodic on-site reviews of the services and
3 facilities of the hospital or emergency care facility.

4 d. Implementation of an Iowa trauma care plan.

5 e. Development of standards for medical direction, trauma
6 care, triage and transfer protocols, and trauma registries.

7 f. Promotion of public information and education activities
8 for injury prevention.

9 g. The development of strategies and the review of rules
10 adopted under this subchapter to promote optimal trauma care
11 delivery throughout the state.

12 h. Development, implementation, and conducting of trauma
13 care system evaluation, quality assessment, and quality
14 improvement.

15 ~~d.~~ 3. The department is responsible for the funding of the
16 administrative costs of [this subchapter](#). Any funds received
17 by the department for this purpose shall be deposited in the
18 emergency medical services fund established in [section 135.25](#).

19 ~~e.~~ 4. [This section](#) shall not be construed to limit the
20 number and distribution of level I, II, III, and IV categorized
21 and verified trauma care facilities in a community or region.

22 5. Proceedings, records, and reports developed pursuant
23 to this section constitute peer review records under section
24 147.135, and are not subject to discovery by subpoena or
25 admissible as evidence. All information and documents
26 received from a hospital or emergency care facility under this
27 subchapter shall be confidential pursuant to section 272C.6,
28 subsection 4.

29 Sec. 569. Section 147A.26, subsection 1, Code 2024, is
30 amended to read as follows:

31 1. The department shall maintain a statewide trauma
32 reporting system by which ~~the trauma system advisory council~~
33 ~~and~~ the department may monitor the effectiveness of the
34 statewide trauma care system.

35 Sec. 570. REPEAL. Section 147A.24, Code 2024, is repealed.

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DIVISION XVIII

ELIMINATION OF JUSTICE ADVISORY BOARD

Sec. 571. Section 216A.131, Code 2024, is amended to read
as follows:

216A.131 Definitions.

For the purpose of this subchapter, unless the context
otherwise requires:

1. ~~"Board" means the justice advisory board.~~

2. ~~"Department", "department"~~ means the department of health
and human services.

Sec. 572. Section 216A.133, Code 2024, is amended to read
as follows:

216A.133 ~~Purpose and~~ Department duties.

1. ~~The purpose of the board~~ department shall ~~be~~ do all of
the following:

a. Develop short-term and long-term goals to improve the
criminal and juvenile justice systems.

b. Identify and analyze justice system issues, including
the impact of present criminal and juvenile justice policy, and
make recommendations for policy change.

c. Develop and assist others in implementing recommendations
and plans for justice system improvement.

d. Provide the general assembly with an analysis of current
and proposed criminal code provisions.

e. Provide for a clearinghouse of justice system information
to coordinate with data resource agencies and assist others in
the use of justice system data.

2. ~~The board shall advise the department on its~~
~~administration of state and federal grants and appropriations~~
~~and shall carry out other functions consistent with this~~
~~subchapter.~~

3. ~~The duties of the board shall consist of the following:~~

a. ~~Identifying issues and analyzing the operation and impact~~
~~of present criminal and juvenile justice policy and making~~
~~recommendations for policy changes.~~

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1 ~~b.~~ f. ~~Coordinating~~ Coordinate with data resource agencies
2 to provide data and analytical information to federal, state,
3 and local governments, and ~~assisting~~ assist agencies in the use
4 of criminal and juvenile justice data.

5 ~~e.~~ g. ~~Reporting~~ Report criminal justice system needs to the
6 governor, the general assembly, and other decision makers to
7 improve the criminal justice system.

8 ~~d.~~ h. ~~Reporting~~ Report juvenile justice system needs to
9 the governor, the general assembly, and other decision makers
10 to address issues specifically affecting the juvenile justice
11 system, including evidence-based programs for group foster
12 care placements and the state training school, diversion, and
13 community-based services for juvenile offenders.

14 ~~e.~~ i. ~~Providing~~ Provide technical assistance upon request
15 to state and local agencies.

16 ~~f.~~ j. ~~Administering~~ Administer federal funds and funds
17 appropriated by the state or that are otherwise available
18 in compliance with applicable laws, regulations, and other
19 requirements for purposes of study, research, investigation,
20 planning, and implementation in the areas of criminal and
21 juvenile justice.

22 ~~g.~~ k. ~~Making~~ Make grants to cities, counties, and other
23 entities pursuant to applicable law.

24 ~~h.~~ l. ~~Maintaining~~ Maintain an Iowa correctional policy
25 project as provided in [section 216A.137](#).

26 ~~i.~~ m. ~~Providing~~ Provide input and make recommendations
27 to the director including in the development of a budget
28 ~~recommendations~~ for the department.

29 ~~j.~~ ~~Developing and making recommendations to the director.~~

30 ~~k.~~ n. ~~Serving as a liaison between the department and~~
31 ~~the public, sharing~~ Share information and ~~gathering~~ gather
32 constituency input.

33 ~~l.~~ ~~Recommending to the department the adoption of rules~~
34 ~~pursuant to~~ [chapter 17A](#) ~~as it deems necessary for the board and~~
35 ~~department.~~

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1 ~~m. o.~~ Recommend legislative and executive
2 action to the governor and general assembly.

3 ~~n. p.~~ Establish advisory committees, work
4 groups, or other coalitions as appropriate.

5 ~~o. q.~~ Provide the general assembly with
6 an analysis and recommendations of current criminal code
7 provisions and proposed legislation which include but are not
8 limited to all of the following:

9 (1) Potential disparity in sentencing.

10 (2) Truth in sentencing.

11 (3) Victims.

12 (4) The proportionality of specific sentences.

13 (5) Sentencing procedures.

14 (6) Costs associated with the implementation of criminal
15 code provisions, including costs to the judicial branch,
16 department of corrections, and judicial district departments
17 of correctional services, costs for representing indigent
18 defendants, and costs incurred by political subdivisions of the
19 state.

20 (7) Best practices related to the department of corrections
21 including recidivism rates, safety and the efficient use of
22 correctional staff, and compliance with correctional standards
23 set by the federal government and other jurisdictions.

24 (8) Best practices related to the ~~Iowa child death state~~
25 mortality review team committee established in [section 135.43](#)
26 ~~and the Iowa domestic abuse death review team established in~~
27 [section 135.109](#).

28 ~~p. r.~~ Study and ~~making~~ make recommendations for
29 treating and supervising adult and juvenile sex offenders in
30 institutions, community-based programs, and in the community,
31 in areas which include but are not limited to all of the
32 following:

33 (1) The effectiveness of electronically monitoring sex
34 offenders.

35 (2) The cost and effectiveness of special sentences

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1 pursuant to [chapter 903B](#).

2 (3) Risk assessment models created for sex offenders.

3 (4) Determining the best treatment programs available for
4 sex offenders and the efforts of Iowa and other states to
5 implement treatment programs.

6 (5) The efforts of Iowa and other states to prevent sex
7 abuse-related crimes including child sex abuse.

8 (6) Any other related issues the board deems necessary,
9 including but not limited to computer and internet sex-related
10 crimes, sex offender case management, best practices for sex
11 offender supervision, the sex offender registry, and the
12 effectiveness of safety zones.

13 ~~g. s. Providing~~ Provide expertise and advice to the
14 legislative services agency, the department of corrections, the
15 judicial branch, and others charged with formulating fiscal,
16 correctional, or minority impact statements.

17 ~~r. t. Reviewing~~ Review data supplied by the department, the
18 department of management, the legislative services agency, the
19 Iowa supreme court, and other departments or agencies for the
20 purpose of determining the effectiveness and efficiency of the
21 collection of such data.

22 ~~4. 2.~~ The ~~board~~ department shall submit reports, in
23 accordance with [section 216A.135](#), to the governor and general
24 assembly regarding actions taken, issues studied, and ~~board~~
25 council recommendations.

26 Sec. 573. Section 216A.135, subsection 1, Code 2024, is
27 amended to read as follows:

28 1. The ~~board~~ department shall submit a three-year criminal
29 and juvenile justice plan for the state, beginning December 1,
30 2020, and every three years thereafter, by December 1. The
31 three-year plan shall be updated annually. Each three-year
32 plan and annual updates of the three-year plan shall be
33 submitted to the governor and the general assembly by December
34 1.

35 Sec. 574. Section 216A.137, subsection 1, Code 2024, is

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1 amended to read as follows:

2 1. The department shall maintain an Iowa correctional
3 policy project for the purpose of conducting analyses of
4 major correctional issues affecting the criminal and juvenile
5 justice system. The ~~board~~ department shall identify and
6 prioritize the issues and studies to be addressed ~~by the~~
7 ~~department~~ through this project and shall report project
8 plans and findings annually along with the report required
9 in section 216A.135. Issues and studies to be considered ~~by~~
10 ~~the board~~ shall include but are not limited to a review of the
11 information systems available to assess corrections trends
12 and program effectiveness, the development of an evaluation
13 plan for assessing the impact of corrections expenditures,
14 and a study of the desirability and feasibility of changing
15 the state's sentencing practices, which includes a prison
16 population forecast.

17 Sec. 575. REPEAL. Section 216A.132, Code 2024, is repealed.

18 DIVISION XIX

19 ELIMINATION OF IOWA COLLABORATION FOR YOUTH DEVELOPMENT COUNCIL

20 Sec. 576. Section 216A.140, Code 2024, is amended to read
21 as follows:

22 ~~216A.140 Iowa collaboration for youth development council —~~
23 ~~state~~ State of Iowa youth advisory council.

24 1. *Definitions.* For the purposes of this section, unless
25 the context otherwise requires:

26 a. "Youth" means children and young persons who are ages six
27 through twenty-one years.

28 b. "Youth advisory council" means the state of Iowa youth
29 advisory council created by this section.

30 ~~c. "Youth development council" means the Iowa collaboration~~
31 ~~for youth development council created by~~ this section.

32 ~~2. Collaboration council created. An Iowa collaboration for~~
33 ~~youth development council is created as an alliance of state~~
34 ~~agencies that address the needs of youth in Iowa.~~

35 ~~3. Purpose. The purpose of the youth development council is~~

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1 ~~to improve the lives and futures of Iowa's youth by doing all~~
2 ~~of the following:~~
3 ~~a. Adopting and applying positive youth development~~
4 ~~principles and practices at the state and local levels.~~
5 ~~b. Increasing the quality, efficiency, and effectiveness of~~
6 ~~opportunities and services and other supports for youth.~~
7 ~~c. Improving and coordinating state youth policy and~~
8 ~~programs across state agencies.~~
9 ~~4. Vision statement. All youth development activities~~
10 ~~addressed by the youth development council shall be aligned~~
11 ~~around the following vision statement:~~
12 ~~"All Iowa youth will be safe, healthy, successful, and prepared~~
13 ~~for adulthood."~~
14 ~~5. Membership. The youth development council membership~~
15 ~~shall be determined by the council itself and shall include the~~
16 ~~directors or chief administrators, or their designees, from the~~
17 ~~following state agencies and programs:~~
18 ~~a. Child advocacy board.~~
19 ~~b. Department of education.~~
20 ~~c. Department of health and human services.~~
21 ~~d. Department of workforce development.~~
22 ~~e. Office of drug control policy.~~
23 ~~f. Iowa cooperative extension service in agriculture and~~
24 ~~home economics.~~
25 ~~6. Procedure. Except as otherwise provided by law, the~~
26 ~~youth development council shall determine its own rules of~~
27 ~~procedure and operating policies, including but not limited~~
28 ~~to terms of members. The youth development council may form~~
29 ~~committees or subgroups as necessary to achieve its purpose.~~
30 ~~7. Duties. The youth development council's duties shall~~
31 ~~include but are not limited to all of the following:~~
32 ~~a. Study, explore, and plan for the best approach to~~
33 ~~structure and formalize the functions and activities of the~~
34 ~~youth development council to meet its purpose, and make formal~~
35 ~~recommendations for improvement to the governor and general~~

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1 ~~assembly.~~

2 ~~b. Review indicator data and identify barriers to youth~~
3 ~~success and develop strategies to address the barriers.~~

4 ~~c. Coordinate across agencies the state policy priorities~~
5 ~~for youth.~~

6 ~~d. Strengthen partnerships with the nonprofit and private~~
7 ~~sectors to gather input, build consensus, and maximize use of~~
8 ~~existing resources and leverage new resources to improve the~~
9 ~~lives of youth and their families.~~

10 ~~e. Oversee the activities of the youth advisory council.~~

11 ~~f. Seek input from and engage the youth advisory council~~
12 ~~in the development of more effective policies, practices, and~~
13 ~~programs to improve the lives and futures of youth.~~

14 ~~g. Report annually by February 1 to the governor and general~~
15 ~~assembly.~~

16 ~~8.~~ 2. State of Iowa youth advisory council. A state of
17 Iowa youth advisory council is created to provide input to the
18 governor, general assembly, and state and local policymakers on
19 youth issues.

20 a. The purpose of the youth advisory council is to foster
21 communication among a group of engaged youth and the governor,
22 general assembly, and state and local policymakers regarding
23 programs, policies, and practices affecting youth and families;
24 and to advocate for youth on important issues affecting youth;
25 and to improve the lives and futures of Iowa's youth.

26 b. The youth advisory council shall consist of no more than
27 twenty-one youth ages fourteen through twenty years who reside
28 in Iowa. Membership shall be for two-year staggered terms.
29 The director or the director's designee shall select council
30 members using an application process. The director or the
31 director's designee shall strive to maintain a diverse council
32 membership and shall take into consideration race, ethnicity,
33 disabilities, gender, and geographic location of residence of
34 the applicants.

35 c. Except as otherwise provided by law, the youth advisory

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1 council shall determine its own rules of procedure and
2 operating policies, subject to approval by the director or the
3 director's designee.

4 *d.* The youth advisory council shall ~~meet at least quarterly.~~
5 do all of the following:

6 (1) Adopt and apply positive youth development principles
7 and practices at the state and local levels.

8 (2) Increase the quality, efficiency, and effectiveness of
9 opportunities and services and other supports for youth.

10 (3) Improve, coordinate, and prioritize state youth policy
11 and programs across state agencies.

12 (4) Align all policies around the vision that all Iowa youth
13 will be safe, healthy, successful, and prepared for adulthood.

14 (5) Review indicator data, identify barriers to youth
15 success, and develop strategies to address the barriers.

16 (6) Strengthen partnerships with the nonprofit and private
17 sectors to gather input, build consensus, and maximize the use
18 of existing resources and leverage new resources to improve the
19 lives of youth and their families.

20 (7) Report annually by February 1 to the governor and the
21 general assembly.

22 ~~9- 3. *Lead agency.* The lead agency for support of the Iowa~~
23 ~~collaboration for youth development council and the state of~~
24 ~~Iowa youth advisory council is the department. The department~~
25 ~~shall coordinate activities and, with funding made available~~
26 ~~to it for such purposes, provide staff support for the youth~~
27 ~~development council and the youth advisory council.~~

28 DIVISION XX

29 ELIMINATION OF COMMISSIONS UNDER HUMAN RIGHTS BOARD

30 Sec. 577. Section 216A.1, subsection 1, paragraph a, Code
31 2024, is amended by striking the paragraph and inserting in
32 lieu thereof the following:

33 *a.* Community advocacy and services on behalf of
34 underrepresented populations in the state.

35 Sec. 578. Section 216A.3, Code 2024, is amended to read as

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1 follows:

2 **216A.3 Human rights board.**

3 1. A human rights board is created within the department.

4 2. The board shall consist of ~~sixteen~~ twelve members,
5 including ~~eleven~~ seven voting members and five nonvoting
6 members, ~~and~~ determined as follows:

7 a. The voting members shall consist of ~~nine~~ seven voting
8 members ~~selected by each of the permanent commissions within~~
9 ~~the department, and two voting members, appointed by the~~
10 ~~governor. For purposes of this paragraph "a", "permanent~~
11 ~~commissions" means the commission of Latino affairs,~~
12 ~~commission on the status of women, commission of persons~~
13 ~~with disabilities, commission on community action agencies,~~
14 ~~commission of deaf services, justice advisory board, commission~~
15 ~~on the status of African Americans, commission of Asian and~~
16 ~~Pacific Islander affairs, and commission of Native American~~
17 ~~affairs who shall be appointed by the governor, subject to~~
18 confirmation by the senate pursuant to section 2.32, and shall
19 represent underrepresented populations in the state. All
20 voting members shall reside in the state. The term of office
21 for voting members is four years.

22 b. The nonvoting members shall consist of the department
23 director, two state representatives, one appointed by the
24 speaker of the house of representatives and one by the minority
25 leader of the house of representatives, and two state senators,
26 one appointed by the majority leader of the senate and one by
27 the minority leader of the senate.

28 3. A majority of the voting members of the board shall
29 constitute a quorum, and the affirmative vote of two-thirds of
30 the voting members present is necessary for any substantive
31 action taken by the board. The board shall select a
32 chairperson from the voting members of the board. ~~The board~~
33 ~~shall meet not less than four times a year.~~

34 4. The board shall ~~develop~~ do all of the following:

35 a. Develop and monitor implementation of a comprehensive

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1 strategic plan to remove barriers for underrepresented
2 populations or groups and, in doing so, to increase Iowa's
3 productivity and inclusivity, including performance measures
4 and benchmarks.

5 b. Study the opportunities for and changing needs of the
6 underrepresented populations or groups in the state.

7 c. Serve as a liaison between the department and the public,
8 sharing information and gathering constituency input.

9 d. Recommend to the department the adoption of rules
10 pursuant to chapter 17A as the board deems necessary.

11 e. Recommend legislative and executive action to the
12 governor and general assembly to advance the interests of
13 underrepresented populations or groups and to improve the
14 status of low-income persons in the state.

15 f. Establish advisory committees, work groups, or other
16 coalitions as appropriate.

17 g. Advance the interests of underrepresented populations
18 or groups in the areas of human rights, access to justice,
19 economic equality, and the elimination of discrimination.

20 Sec. 579. Section 216A.4, Code 2024, is amended to read as
21 follows:

22 **216A.4 Definitions.**

23 For purposes of **this chapter**, unless the context otherwise
24 requires:

25 1. "Asian or Pacific Islander" means an individual from any
26 of the countries of Asia or islands of the Pacific.

27 ~~1.~~ 2. "Board" means the human rights board.

28 ~~2.~~ 3. "Department" means the department of health and human
29 services.

30 ~~3.~~ 4. "Director" means the director of health and human
31 services.

32 5. "Tribal government" means the governing body of a
33 federally recognized Indian tribe.

34 ~~4.~~ 6. "Underrepresented" means the historical
35 marginalization of populations or groups in the United States

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1 and Iowa, including but not limited to African Americans, Asian
2 and Pacific Islanders, persons who are deaf or hard of hearing,
3 persons with disabilities, Latinos, Native Americans, women,
4 persons who have low socioeconomic status, at-risk youth, and
5 adults or juveniles with a criminal history.

6 COMMISSION AND OFFICE OF LATINO AFFAIRS ELIMINATION

7 Sec. 580. REPEAL. Sections 216A.11, 216A.12, 216A.13,
8 216A.14, and 216A.15, Code 2024, are repealed.

9 COMMISSION AND OFFICE ON THE STATUS OF WOMEN ELIMINATION

10 Sec. 581. Section 241.3, subsection 2, Code 2024, is amended
11 to read as follows:

12 2. The department shall consult and cooperate with the
13 department of workforce development, the United States
14 commissioner of social security administration, ~~the office~~
15 ~~on the status of women of the department,~~ the department of
16 education, and other persons in the executive branch of the
17 state government as the department considers appropriate to
18 facilitate the coordination of multipurpose service programs
19 established under **this chapter** with existing programs of a
20 similar nature.

21 Sec. 582. REPEAL. Sections 216A.51, 216A.52, 216A.53, and
22 216A.54, Code 2024, are repealed.

23 COMMISSION AND OFFICE ON PERSONS WITH DISABILITIES ELIMINATION

24 Sec. 583. REPEAL. Sections 216A.71, 216A.72, 216A.74, and
25 216A.75, Code 2024, are repealed.

26 COMBINING OF DEAF SERVICES COMMISSION AND DUAL PARTY RELAY
27 COUNCIL

28 Sec. 584. Section 216A.111, subsection 2, Code 2024, is
29 amended by striking the subsection.

30 Sec. 585. Section 216A.113, Code 2024, is amended to read
31 as follows:

32 **216A.113 Deaf services commission established.**

33 1. The commission of deaf services is established, and shall
34 consist of seven voting members appointed by the governor,
35 ~~subject to confirmation by the senate pursuant to section~~

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1 ~~2.32.~~ Membership of the commission shall include at least four
2 members who are deaf ~~and at least one member who is~~ or hard of
3 hearing, and three members who are representatives of telephone
4 companies. The commission shall also include the director, or
5 the director's designee, as a nonvoting member. All members
6 shall reside in Iowa.

7 2. ~~Members~~ Voting members of the commission shall serve
8 four-year staggered terms which shall begin and end pursuant to
9 section 69.19. ~~Members~~ Voting members whose terms expire may
10 be reappointed. Vacancies on the commission may be filled for
11 the remainder of the term in the same manner as the original
12 appointment. ~~Members~~ Voting members shall receive actual
13 expenses incurred while serving in their official capacity,
14 subject to statutory limits. ~~Members~~ Voting members may also
15 be eligible to receive compensation as provided in section
16 7E.6.

17 3. ~~Members~~ The voting members of the commission shall
18 appoint a chairperson and vice chairperson and other officers
19 as the commission deems necessary. ~~The commission shall~~
20 ~~meet at least quarterly during each fiscal year.~~ A majority
21 of the voting members currently appointed to the commission
22 shall constitute a quorum. A quorum shall be required for the
23 conduct of business of the commission, and the affirmative vote
24 of a majority of the currently appointed voting members is
25 necessary for any substantive action taken by the commission.
26 A voting member shall not vote on any action if the voting
27 member has a conflict of interest on the matter, and a
28 statement by the voting member of a conflict of interest shall
29 be conclusive for this purpose.

30 Sec. 586. Section 216A.114, Code 2024, is amended to read
31 as follows:

32 **216A.114 Commission powers and duties.**

33 The commission shall have the following powers and duties:

34 1. Study the changing needs and opportunities for the deaf
35 and hard-of-hearing people in this state.

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1 2. Serve as a liaison between the ~~office~~ department and the
2 public, sharing information and gathering constituency input.

3 3. Recommend to the board for adoption rules pursuant
4 to chapter 17A as it deems necessary for the commission and
5 office.

6 4. Recommend legislative and executive action to the
7 governor and general assembly.

8 5. Establish advisory committees, work groups, or other
9 coalitions as appropriate.

10 6. Advise the utilities board on the planning,
11 establishment, administration, and promotion of a statewide
12 program to provide dual party relay service and to secure,
13 finance, and distribute telecommunications devices for the deaf
14 and hard of hearing pursuant to chapter 477C.

15 Sec. 587. Section 477C.2, Code 2024, is amended to read as
16 follows:

17 **477C.2 Definitions.**

18 As used in this chapter, unless the context otherwise
19 requires:

20 1. "*Board*" means the utilities board created in section
21 474.1.

22 2. "*Commission*" means the commission on deaf services
23 created in section 216A.113.

24 ~~2.~~ 3. "*Communication disorder*" means the inability to use
25 the telephone for communication without a telecommunications
26 device for the deaf and hard of hearing.

27 ~~3.~~ "*Council*" ~~means the dual party relay council established~~
28 ~~in section 477C.5.~~

29 4. "*Dual party relay service*" or "*relay service*" means a
30 communication service which provides persons with communication
31 disorders access to the telephone system functionally
32 equivalent to the access available to persons without
33 communication disorders.

34 5. "*Telecommunications device for the deaf and hard of*
35 *hearing*" means any specialized or supplemental telephone

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1 equipment used by persons with communication disorders to
2 provide access to the telephone system.

3 Sec. 588. Section 477C.3, unnumbered paragraph 1, Code
4 2024, is amended to read as follows:

5 With the advice of the ~~council~~ commission, the board shall
6 plan, establish, administer, and promote a statewide program to
7 provide dual party relay service as follows:

8 Sec. 589. Section 477C.4, Code 2024, is amended to read as
9 follows:

10 **477C.4 Telecommunications devices for the deaf and hard of**
11 **hearing.**

12 With the advice of the ~~council~~ commission, the board may
13 plan, establish, administer, and promote a program to secure,
14 finance, and distribute telecommunications devices for the
15 deaf and hard of hearing. The board may establish eligibility
16 criteria for persons to receive telecommunications devices
17 for the deaf and hard of hearing, including but not limited
18 to requiring certification that the recipient cannot use the
19 telephone for communication without a telecommunications device
20 for the deaf and hard of hearing.

21 Sec. 590. Section 477C.5, subsection 2, paragraph c, Code
22 2024, is amended by striking the paragraph.

23 Sec. 591. Section 622B.4, Code 2024, is amended to read as
24 follows:

25 **622B.4 List.**

26 ~~The office of deaf services of the~~ department of health and
27 human services shall prepare and continually update a listing
28 of qualified and available sign language interpreters. The
29 courts and administrative agencies shall maintain a directory
30 of qualified interpreters for deaf and hard-of-hearing
31 persons as furnished by the department of health and human
32 services. ~~The office of deaf services of the~~ department
33 of health and human services shall maintain a list of sign
34 language interpreters which shall be made available to a court,
35 administrative agency, or interested parties to an action using

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1 the services of a sign language interpreter.

2 Sec. 592. REPEAL. Sections 216A.112 and 477C.5, Code 2024,
3 are repealed.

4 COMMISSION AND OFFICE ON STATUS OF AFRICAN AMERICANS
5 ELIMINATION

6 Sec. 593. REPEAL. Sections 216A.141, 216A.142, 216A.143,
7 and 216A.146, Code 2024, are repealed.

8 COMMISSION AND OFFICE ON ASIAN AND PACIFIC ISLANDERS
9 ELIMINATION

10 Sec. 594. REPEAL. Sections 216A.151, 216A.152, 216A.153,
11 and 216A.154, Code 2024, are repealed.

12 COMMISSION AND OFFICE OF NATIVE AMERICAN AFFAIRS ELIMINATION

13 Sec. 595. Section 216A.167, Code 2024, is amended to read
14 as follows:

15 **216A.167 Limitations on authority.**

16 1. The ~~commission board~~ and ~~office department~~ shall not have
17 the authority to do any of the following:

18 a. Implement or administer the duties of the state of Iowa
19 under the federal Indian Gaming Regulatory Act, shall not have
20 any authority to recommend, negotiate, administer, or enforce
21 any agreement or compact entered into between the state of Iowa
22 and Indian tribes located in the state pursuant to section
23 10A.104, and shall not have any authority relative to Indian
24 gaming issues.

25 b. Administer the duties of the state under the federal
26 National Historic Preservation Act, the federal Native American
27 Graves Protection and Repatriation Act, and **chapter 263B**. The
28 ~~commission board~~ shall also not interfere with the advisory
29 role of a separate Indian advisory council or committee
30 established by the state archeologist by rule for the purpose
31 of consultation on matters related to ancient human skeletal
32 remains and associated artifacts.

33 2. **This subchapter** shall not diminish or inhibit the right
34 of any tribal government to interact directly with the state
35 or any of its departments or agencies for any purpose which a

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1 tribal government desires to conduct its business or affairs as
2 a sovereign governmental entity.

3 Sec. 596. REPEAL. Sections 216A.161, 216A.162, 216A.163,
4 216A.165, and 216A.166, Code 2024, are repealed.

5 COMMUNITY ACTION AGENCY COMMISSION ELIMINATION

6 Sec. 597. Section 216A.91, Code 2024, is amended to read as
7 follows:

8 **216A.91 Definitions.**

9 For purposes of [this subchapter](#), unless the context
10 otherwise requires:

11 ~~1. "Commission" means the commission on community action~~
12 ~~agencies.~~

13 ~~2.~~ 1. "Community action agency" means a public agency
14 or a private nonprofit agency which is authorized under its
15 charter or bylaws to receive funds to administer community
16 action programs and is designated by the governor to receive
17 and administer the funds.

18 ~~3.~~ 2. "Community action program" means a program conducted
19 by a community action agency which includes projects to provide
20 a range of services to improve the conditions of poverty in the
21 area served by the community action agency.

22 Sec. 598. Section 216A.93, Code 2024, is amended to read as
23 follows:

24 **216A.93 Establishment of community action agencies.**

25 The department shall recognize and assist in the designation
26 of certain community action agencies to assist in the delivery
27 of community action programs. These programs shall include but
28 not be limited to outreach, community services block grant,
29 low-income energy assistance, and weatherization programs. If
30 a community action agency is in effect and currently serving an
31 area, that community action agency shall become the designated
32 community action agency for that area. If any geographic area
33 of the state ceases to be served by a designated community
34 action agency, the department may solicit applications and
35 assist the governor in designating a community action agency

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1 for that area in accordance with current community services
2 block grant requirements. The department shall supervise the
3 collection of data regarding the scope of services provided by
4 the community action agencies.

5 Sec. 599. Section 541A.1, Code 2024, is amended to read as
6 follows:

7 **541A.1 Definitions.**

8 For the purposes of [this chapter](#), unless the context
9 otherwise requires:

10 1. "Account holder" means an individual who is the owner of
11 an individual development account.

12 2. "Charitable contributor" means a nonprofit association
13 described in section 501(c)(3) of the Internal Revenue Code
14 which makes a deposit to an individual development account
15 and which is exempt from taxation under section 501(a) of the
16 Internal Revenue Code.

17 ~~3. "Commission" means the commission on community action~~
18 ~~agencies created in [section 216A.92A](#).~~

19 ~~4.~~ 3. "Department" means the department of health and human
20 services.

21 ~~5.~~ 4. "Director" means the director of health and human
22 services.

23 ~~6.~~ 5. "Federal poverty level" means the first poverty
24 income guidelines published in the calendar year by the United
25 States department of health and human services.

26 ~~7.~~ 6. "Financial institution" means a financial institution
27 approved by the director as an investment mechanism for
28 individual development accounts.

29 ~~8.~~ 7. "Household income" means the annual household
30 income of an account holder or prospective account holder, as
31 determined in accordance with rules adopted by the director.

32 ~~9.~~ 8. "Individual contributor" means an individual who
33 makes a deposit to an individual development account and is not
34 the account holder or a charitable contributor.

35 ~~10.~~ 9. "Individual development account" means either of the

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1 following:

2 a. A financial instrument that is certified to have the
3 characteristics described in [section 541A.2](#) by the operating
4 organization.

5 b. A financial instrument that is certified by the
6 operating organization to have the characteristics described
7 in and funded by a federal individual development account
8 program under which federal and state funding contributed to
9 match account holder deposits is deposited by an operating
10 organization in accordance with federal law and regulations,
11 and which includes but is not limited to any of the programs
12 implemented under the following federal laws:

13 (1) The federal Personal Responsibility and Work
14 Opportunity Act of 1996, 42 U.S.C. §604(h).

15 (2) The federal Assets for Independence Act, Pub. L. No.
16 105-285, Tit. IV.

17 ~~11.~~ 10. "*Operating organization*" means an agency selected
18 by the department for involvement in operating individual
19 development accounts directed to a specific target population.

20 ~~12.~~ 11. "*Source of principal*" means any of the sources of
21 a deposit to an individual development account under section
22 541A.2, subsection 2.

23 Sec. 600. Section 541A.5, subsections 1 and 2, Code 2024,
24 are amended to read as follows:

25 1. The ~~commission~~ department, in consultation with
26 the department of administrative services, shall adopt
27 administrative rules to administer [this chapter](#).

28 2. a. The rules adopted by the ~~commission~~ department
29 shall include but are not limited to provision for transfer
30 of an individual development account to a different financial
31 institution than originally approved by the department, if
32 the different financial institution has an agreement with the
33 account's operating organization.

34 b. The rules for determining household income may provide
35 categorical eligibility for prospective account holders who are

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1 enrolled in programs with income eligibility restrictions that
2 are equal to or less than the maximum household income allowed
3 for payment of a state match under [section 541A.3](#).

4 *c.* Subject to the availability of funding, the ~~commission~~
5 department may adopt rules implementing an individual
6 development account program for refugees. Rules shall identify
7 purposes authorized for withdrawals to meet the special needs
8 of refugee families.

9 Sec. 601. Section 541A.6, Code 2024, is amended to read as
10 follows:

11 **541A.6 Compliance with federal requirements.**

12 The ~~commission~~ department shall adopt rules for compliance
13 with federal individual development account requirements under
14 the federal Personal Responsibility and Work Opportunity
15 Reconciliation Act of 1996, §103, as codified in 42 U.S.C.
16 §604(h), under the federal Assets for Independence Act, Pub.
17 L. No. 105-285, Tit. IV, or with any other federal individual
18 development account program requirements for drawing federal
19 funding. Any rules adopted under [this section](#) shall not apply
20 the federal individual development account program requirements
21 to an operating organization which does not utilize federal
22 funding for the accounts with which it is connected or to an
23 account holder who does not receive temporary assistance for
24 needy families block grant or other federal funding.

25 Sec. 602. REPEAL. Sections 216A.92A and 216A.92B, Code
26 2024, are repealed.

27 ELIMINATION OF FAMILY DEVELOPMENT AND SELF-SUFFICIENCY COUNCIL

28 Sec. 603. Section 216A.107, Code 2024, is amended to read
29 as follows:

30 **216A.107 Family development and self-sufficiency — council**
31 **and grant program.**

32 ~~1. A family development and self-sufficiency council is~~
33 ~~established within the department. The council shall consist~~
34 ~~of the following persons:~~

35 ~~a. The director of the department or the director's~~

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1 designee.

2 ~~b. The director of the school of social work at the~~
3 ~~university of Iowa or the director's designee.~~

4 ~~c. The dean of the college of human sciences at Iowa state~~
5 ~~university or the dean's designee.~~

6 ~~d. Two recipients or former recipients of the family~~
7 ~~investment program, selected by the other members of the~~
8 ~~council.~~

9 ~~e. One recipient or former recipient of the family~~
10 ~~investment program who is a member of a racial or ethnic~~
11 ~~minority, selected by the other members of the council.~~

12 ~~f. One member representing providers of services to victims~~
13 ~~of domestic violence, selected by the other members of the~~
14 ~~council.~~

15 ~~g. The head of the department of design, textiles,~~
16 ~~gerontology, and family studies at the university of northern~~
17 ~~Iowa or that person's designee.~~

18 ~~h. The director of the department of education or the~~
19 ~~director's designee.~~

20 ~~i. The director of the department of workforce development~~
21 ~~or the director's designee.~~

22 ~~j. Two persons representing the business community, selected~~
23 ~~by the other members of the council.~~

24 ~~k. Two members from each chamber of the general assembly~~
25 ~~serving as ex officio, nonvoting members. The two members~~
26 ~~of the senate shall be appointed one each by the majority~~
27 ~~leader and the minority leader of the senate. The two~~
28 ~~members of the house of representatives shall be appointed one~~
29 ~~each by the speaker and the minority leader of the house of~~
30 ~~representatives.~~

31 ~~2. Unless otherwise provided by law, terms of members,~~
32 ~~election of officers, and other procedural matters shall be~~
33 ~~as determined by the council. A quorum shall be required for~~
34 ~~the conduct of business of the council, and the affirmative~~
35 ~~vote of a majority of the currently appointed voting members~~

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~~1 is necessary for any substantive action taken by the council.
2 A member shall not vote on any action if the member has a
3 conflict of interest on the matter, and a statement by the
4 member of a conflict of interest shall be conclusive for this
5 purpose.~~

6 3. 1. The family development and self-sufficiency council
7 on health and human services shall do all of the following:

8 a. Identify the factors and conditions that place Iowa
9 families at risk of dependency upon the family investment
10 program. The council shall seek to use relevant research
11 findings and national and Iowa-specific data on the family
12 investment program.

13 b. Identify the factors and conditions that place Iowa
14 families at risk of family instability. The council shall
15 seek to use relevant research findings and national and
16 Iowa-specific data on family stability issues.

17 c. Subject to the availability of funds for this
18 purpose, award grants to public or private organizations
19 for provision of family development services to families at
20 risk of dependency on the family investment program or of
21 family instability. Not more than five percent of any funds
22 appropriated by the general assembly for the purposes of this
23 lettered paragraph may be used for staffing and administration
24 of the grants. Grant proposals for the family development and
25 self-sufficiency grant program shall include the following
26 elements:

27 (1) Designation of families to be served that meet one or
28 more criteria for being at risk of dependency on the family
29 investment program or of family instability, and agreement
30 to serve clients that are referred by the department from
31 the family investment program which meet the criteria. The
32 criteria may include but are not limited to factors such as
33 educational level, work history, family structure, age of the
34 youngest child in the family, previous length of stay on the
35 family investment program, and participation in the family

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1 investment program or the foster care program while the head of
2 a household was a child. Grant proposals shall also establish
3 the number of families to be served under the grant.

4 (2) Designation of the services to be provided for
5 the families served, including assistance regarding
6 job-seeking skills, family budgeting, nutrition, self-esteem,
7 methamphetamine education, health and hygiene, child rearing,
8 child education preparation, and goal setting. Grant proposals
9 shall indicate the support groups and support systems to be
10 developed for the families served during the transition between
11 the need for assistance and self-sufficiency.

12 (3) Designation of the manner in which other needs of the
13 families will be provided for, including but not limited to
14 child care assistance, transportation, substance use disorder
15 treatment, support group counseling, food, clothing, and
16 housing.

17 (4) Designation of the process for training of the staff
18 which provides services, and the appropriateness of the
19 training for the purposes of meeting family development and
20 self-sufficiency goals of the families being served.

21 (5) Designation of the support available within the
22 community for the program and for meeting subsequent needs of
23 the clients, and the manner in which community resources will
24 be made available to the families being served.

25 (6) Designation of the manner in which the program will be
26 subject to audit and to evaluation.

27 (7) Designation of agreement provisions for tracking and
28 reporting performance measures developed pursuant to paragraph
29 "d".

30 d. Develop appropriate performance measures for the grant
31 program to demonstrate how the program helps families achieve
32 self-sufficiency.

33 e. Seek to enlist research support from the Iowa research
34 community in meeting the duties outlined in paragraphs "a"
35 through "d".

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1 *f.* Seek additional support for the funding of grants under
2 the program, including but not limited to funds available
3 through the federal government in serving families at risk of
4 long-term welfare dependency, and private foundation grants.
5 *g.* Make recommendations to the governor and the general
6 assembly on the effectiveness of programs in Iowa and
7 throughout the country that provide family development services
8 that lead to self-sufficiency for families at risk of welfare
9 dependency.
10 ~~4.~~ 2. *a.* The department shall administer the family
11 development and self-sufficiency grant program.
12 *b.* To the extent that the family development and
13 self-sufficiency grant program is funded by the federal
14 temporary assistance for needy families block grant and by the
15 state maintenance of efforts funds appropriated in connection
16 with the block grant, the department shall comply with all
17 federal requirements for the block grant. The department is
18 responsible for payment of any federal penalty imposed that is
19 attributable to the grant program and shall receive any federal
20 bonus payment attributable to the grant program.
21 *c.* The department shall ensure that expenditures of moneys
22 appropriated to the department from the general fund of the
23 state for the family development and self-sufficiency grant
24 program are eligible to be considered as state maintenance of
25 effort expenditures under federal temporary assistance for
26 needy families block grant requirements.
27 *d.* The department shall consider the recommendations of
28 the council on health and human services in adopting rules
29 pertaining to the grant program.
30 *e.* The department shall submit to the governor and general
31 assembly on or before November 30 following the end of each
32 state fiscal year, a report detailing performance measure
33 and outcome data evaluating the family development and
34 self-sufficiency grant program for the fiscal year that just
35 ended.

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1 DIVISION XXI

2 ELIMINATION OF TOBACCO USE PREVENTION AND CONTROL ADVISORY
3 COUNCIL AND COMMISSION ON TOBACCO USE PREVENTION AND CONTROL

4 Sec. 604. Section 142A.2, Code 2024, is amended to read as
5 follows:

6 **142A.2 Definitions.**

7 As used in [this chapter](#), unless the context otherwise
8 requires:

9 ~~1. "Commission" means the commission on tobacco use~~
10 ~~prevention and control established in [this chapter](#).~~

11 ~~2.~~ 1. "Community partnership" means a public agency or
12 nonprofit organization implementing the tobacco use prevention
13 and control initiative in a local area in accordance with this
14 chapter.

15 ~~3.~~ 2. "Department" means the department of health and human
16 services.

17 ~~4.~~ 3. "Director" means the director of health and human
18 services.

19 ~~5.~~ 4. "Initiative" means the comprehensive tobacco use
20 prevention and control initiative established in [this chapter](#).

21 ~~6.~~ 5. "Manufacturer" means manufacturer as defined in
22 section 453A.1.

23 ~~7.~~ 6. "Pregnant woman" means a female of any age who is
24 pregnant.

25 ~~8.~~ 7. "School-age youth" means a person attending school in
26 kindergarten through grade twelve.

27 ~~9.~~ 8. "Tobacco" means both cigarettes and tobacco products
28 as defined in [section 453A.1](#).

29 ~~10.~~ 9. "Youth" means a person who is five through
30 twenty-four years of age.

31 Sec. 605. Section 142A.5, Code 2024, is amended to read as
32 follows:

33 **142A.5 Department duties.**

34 The department shall do all of the following:

35 1. Coordinate and develop the budget request for all tobacco

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1 use prevention and control programs and activities under the
2 purview of the department.

3 ~~2. Receive and review budget recommendations from the~~
4 ~~commission. The director shall consider these recommendations~~
5 ~~in developing the budget request for the department.~~

6 ~~3. Implement the initiative, coordinate the activities of~~
7 ~~the commission and the initiative, and coordinate other tobacco~~
8 ~~use prevention and control activities.~~

9 ~~4. Monitor and evaluate the effectiveness of performance~~
10 ~~measures.~~

11 ~~5. Provide staff and administrative support to the~~
12 ~~commission.~~

13 2. Provide a forum for the discussion, development, and
14 recommendation of public policy alternatives in the field of
15 tobacco use prevention and control.

16 ~~6. Administer contracts entered into under [this chapter](#).~~

17 ~~7. 3. Coordinate and cooperate with other tobacco use~~
18 ~~prevention and control programs within and outside of the~~
19 ~~state.~~

20 ~~8. Provide necessary information to the commission to~~
21 ~~assist the commission in making its annual report to the joint~~
22 ~~appropriations subcommittee pursuant to [section 142A.4](#), and in~~
23 ~~fulfilling other commission duties pursuant to [section 142A.4](#).~~

24 4. Advise and make recommendations to the governor and
25 the general assembly relative to tobacco use, treatment,
26 intervention, prevention, control, and education programs in
27 the state.

28 5. Develop and implement the comprehensive tobacco use
29 prevention and control initiative as provided in this chapter.

30 a. Develop an educational component of the initiative.
31 Educational efforts provided through the school system shall be
32 developed in conjunction with the department of education.

33 b. Develop a plan for implementation of the initiative in
34 accordance with the purpose and intent specified in section
35 142A.1.

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- 1 c. Provide for technical assistance, training, and other
2 support under the initiative.
- 3 d. Take actions to develop and implement a statewide
4 system for the initiative programs that are delivered through
5 community partnerships.
- 6 e. Manage and coordinate the provision of funding and other
7 moneys available to the initiative by combining all or portions
8 of appropriations or other revenues as authorized by law.
- 9 f. Assist with the linkage of the initiative with child
10 welfare and juvenile justice decategorization projects,
11 education programming, early childhood Iowa areas, and other
12 programs and services directed to youth at the state and
13 community level.
- 14 g. Adopt rules pursuant to chapter 17A as necessary for
15 the designation, governance, and oversight of the initiative
16 and the implementation of this chapter. The department shall
17 provide for community partnership and youth program input in
18 the rules adoption process. The rules shall include but are
19 not limited to all of the following:
- 20 (1) Performance indicators for initiative programs,
21 community partnerships, and the services provided under the
22 auspices of community partnerships. The performance indicators
23 shall be developed with input from communities.
- 24 (2) Minimum standards to further the provision of equal
25 access to services.
- 26 h. Monitor and evaluate the effectiveness of performance
27 measures utilized under the initiative.
- 28 i. Prioritize funding needs and the allocation of moneys
29 appropriated and other resources available for the programs and
30 activities of the initiative.
- 31 j. Review fiscal needs of the initiative and make
32 recommendations to the director in the development of budget
33 requests.
- 34 k. Evaluate the work of the department relating to the
35 initiative utilizing relevant department records and documents,

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1 and other information reasonably obtainable.

2 6. a. Coordinate and respond to any requests from a
3 community partnership relating to any of the following:

4 (1) Removal of barriers to community partnership efforts.

5 (2) Pooling and redirecting of existing federal, state, or
6 other public or private funds available for purposes that are
7 consistent with the initiative.

8 (3) Seeking of federal waivers to assist community
9 partnership efforts.

10 b. In coordinating and responding to the requests, the
11 department shall work with state agencies, the governor, and
12 the general assembly as necessary to address requests deemed
13 appropriate by the department.

14 7. Submit a report to the governor and the general assembly
15 on an annual basis regarding the initiative, including
16 demonstrated progress based on performance indicators.

17 8. Annually appear before the joint appropriations
18 subcommittee that makes recommendations concerning the
19 department's budget on tobacco use prevention and control
20 to report on budget expenditures and department operations
21 relative to the prior fiscal year and the current fiscal year.

22 9. Solicit and accept any gift of money or property,
23 including any grant of money, services, or property from the
24 federal government, the state, a political subdivision, or
25 a private source that is consistent with the goals of the
26 initiative. The department shall adopt rules prohibiting the
27 acceptance of gifts from a manufacturer of tobacco products.

28 10. Develop the structure for the statewide youth summit to
29 be held annually.

30 11. Approve the content of any materials distributed by the
31 youth program pursuant to section 142A.9, prior to distribution
32 of the materials.

33 12. Administer contracts entered into under this chapter.

34 Sec. 606. Section 142A.6, subsection 5, Code 2024, is
35 amended to read as follows:

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1 5. Procurement of goods and services necessary to implement
2 the initiative is subject to approval of the ~~commission~~
3 ~~department~~. Notwithstanding ~~chapter 8A, subchapter III, or any~~
4 ~~other provision of law to the contrary, such procurement may~~
5 ~~be accomplished by the commission under its own competitive~~
6 ~~bidding process which shall provide for consideration of~~
7 ~~such factors as price, bidder competence, and expediency in~~
8 ~~procurement.~~

9 Sec. 607. Section 142A.8, subsections 2 and 3, Code 2024,
10 are amended to read as follows:

11 2. A community partnership area shall encompass a county
12 or multicounty area, school district or multischool district
13 area, economic development enterprise zone that meets the
14 requirements of an urban or rural enterprise community under
15 Tit. XIII of the federal Omnibus Budget Reconciliation Act of
16 1993, or early childhood Iowa area, in accordance with criteria
17 adopted by the ~~commission~~ department for appropriate population
18 levels and size of geographic areas.

19 3. The ~~commission~~ department shall adopt rules pursuant to
20 chapter 17A providing procedures for the initial designation
21 of community partnership areas and for subsequent changes to
22 the initially designated areas.

23 Sec. 608. Section 142A.10, Code 2024, is amended to read as
24 follows:

25 **142A.10 Funding of programs delivered through community**
26 **partnerships.**

27 1. The ~~commission~~ department shall develop and implement a
28 statewide system for the initiative programs that are delivered
29 through community partnerships.

30 2. The system shall provide for equitable allocation of
31 funding for initiative programs among the state's community
32 partnership areas, based upon school-age population and other
33 criteria established by the ~~commission~~ department.

34 3. The specific programs, distribution provisions, and
35 other provisions approved by the ~~commission~~ department for

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1 expenditure of the maximum allocation amount established for
2 a community partnership area shall be outlined in the written
3 contract with the community partnership.

4 4. Any allocation received by a community partnership
5 shall be matched with local funding, in-kind services, office
6 support, or other tangible support or offset of costs.

7 Sec. 609. REPEAL. Sections 142A.3 and 142A.4, Code 2024,
8 are repealed.

9 DIVISION XXII

10 HAWKI BOARD AND ADVISORY COMMITTEE FOR CHILDREN WITH SPECIAL
11 HEALTH CARE NEEDS ELIMINATION

12 Sec. 610. Section 249A.4B, subsection 2, paragraph b, Code
13 2024, is amended to read as follows:

14 b. The council shall include all of the following nonvoting
15 members:

16 (1) The director's designee responsible for public health
17 or their designee.

18 (2) The long-term care ombudsman, or the long-term care
19 ombudsman's designee.

20 (3) The dean of Des Moines university college of osteopathic
21 medicine, or the dean's designee.

22 (4) The dean of the university of Iowa college of medicine,
23 or the dean's designee.

24 ~~(5) A member of the Hawki board created in [section 514I.5](#),~~
25 ~~selected by the members of the Hawki board.~~

26 ~~(6)~~ (5) The following members of the general assembly, each
27 for a term of two years as provided in [section 69.16B](#):

28 (a) Two members of the house of representatives, one
29 appointed by the speaker of the house of representatives
30 and one appointed by the minority leader of the house of
31 representatives from their respective parties.

32 (b) Two members of the senate, one appointed by the
33 president of the senate after consultation with the majority
34 leader of the senate and one appointed by the minority leader
35 of the senate.

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1 Sec. 611. Section 514I.1, subsection 2, Code 2024, is
2 amended to read as follows:

3 2. It is the intent of the general assembly that the program
4 be implemented and administered in compliance with Tit. XXI
5 of the federal Social Security Act. If, as a condition of
6 receiving federal funds for the program, federal law requires
7 implementation and administration of the program in a manner
8 not provided in [this chapter](#), during a period when the general
9 assembly is not in session, the department, with the approval
10 of the ~~Hawki board~~ medical assistance advisory council, shall
11 proceed to implement and administer those provisions, subject
12 to review by the next regular session of the general assembly.

13 Sec. 612. Section 514I.2, Code 2024, is amended to read as
14 follows:

15 **514I.2 Definitions.**

16 As used in [this chapter](#), unless the context otherwise
17 requires:

18 1. *"Benchmark benefit package"* means any of the following:

19 a. The standard blue cross/blue shield preferred provider
20 option service benefit plan, described in and offered under 5
21 U.S.C. §8903(1).

22 b. A health benefits coverage plan that is offered and
23 generally available to state employees in this state.

24 c. The plan of a health maintenance organization as defined
25 in 42 U.S.C. §300e, with the largest insured commercial,
26 nonmedical assistance enrollment of covered lives in the state.

27 2. *"Cost sharing"* means the payment of a premium or
28 copayment as provided for by Tit. XXI of the federal Social
29 Security Act and [section 514I.10](#).

30 3. *"Department"* means the department of health and human
31 services.

32 4. *"Director"* means the director of health and human
33 services.

34 5. *"Eligible child"* means an individual who meets the
35 criteria for participation in the program under [section 514I.8](#).

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1 ~~6. "Hawki board" or "board" means the entity which adopts~~
2 ~~rules and establishes policy for, and directs the department~~
3 ~~regarding, the Hawki program.~~
4 ~~7. 6. "Hawki program" or "program" means the healthy and~~
5 well kids in Iowa program created in [this chapter](#) to provide
6 health insurance coverage to eligible children.
7 ~~8. 7. "Health insurance coverage" means health insurance~~
8 coverage as defined in 42 U.S.C. §300gg-91.
9 8. "Medical assistance advisory council" or "advisory
10 council" means the medical assistance advisory council created
11 in section 249A.4B.
12 9. "Participating insurer" means any of the following:
13 a. An entity licensed by the division of insurance
14 of the department of insurance and financial services to
15 provide health insurance in Iowa that has contracted with the
16 department to provide health insurance coverage to eligible
17 children under [this chapter](#).
18 b. A managed care organization acting pursuant to a contract
19 with the department to administer the Hawki program.
20 10. "Qualified child health plan" or "plan" means health
21 insurance coverage provided by a participating insurer under
22 this chapter.
23 Sec. 613. Section 514I.4, Code 2024, is amended to read as
24 follows:
25 **514I.4 Director and department — duties — powers.**
26 1. The director, with the approval of the ~~Hawki board~~
27 medical assistance advisory council, shall implement this
28 chapter. The director shall do all of the following:
29 a. At least every six months, evaluate the scope of the
30 program currently being provided under [this chapter](#), project
31 the probable cost of continuing the program, and compare
32 the probable cost with the remaining balance of the state
33 appropriation made for payment of assistance under [this chapter](#)
34 during the current appropriation period. The director shall
35 report the findings of the evaluation to the ~~board~~ advisory

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1 council and shall annually report findings to the governor and
2 the general assembly by January 1.

3 **b.** Establish premiums to be paid to participating insurers
4 for provision of health insurance coverage.

5 **c.** Contract with participating insurers to provide health
6 insurance coverage under this chapter.

7 **d.** Recommend to the ~~board~~ advisory council proposed rules
8 necessary to implement the program.

9 **e.** Recommend to the board individuals to serve as members of
10 the clinical advisory committee.

11 2. **a.** The director, with the approval of the ~~board~~ advisory
12 council, may contract with participating insurers to provide
13 dental-only services.

14 **b.** The director, with the approval of the ~~board~~ advisory
15 council, may contract with participating insurers to provide
16 the supplemental dental-only coverage to otherwise eligible
17 children who have private health care coverage as specified in
18 the federal Children's Health Insurance Program Reauthorization
19 Act of 2009, Pub. L. No. 111-3.

20 3. The department may enter into contracts with other
21 persons whereby the other person provides some or all of the
22 functions, pursuant to rules adopted by the ~~board~~ advisory
23 council, which are required of the director or the department
24 under this section. All contracts entered into pursuant to
25 this section shall be made available to the public.

26 4. The department shall do or shall provide for all of the
27 following:

28 **a.** Determine eligibility for program enrollment as
29 prescribed by federal law and regulation, using policies and
30 procedures adopted by rule of the department pursuant to
31 chapter 17A. The department shall not enroll a child who has
32 group health coverage unless expressly authorized by such
33 rules.

34 **b.** Enroll qualifying children in the program with
35 maintenance of a supporting eligibility file or database.

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1 *c.* Utilize the department's eligibility system to maintain
2 eligibility files with pertinent eligibility determination and
3 ongoing enrollment information including but not limited to
4 data regarding beneficiaries, enrollment dates, disenrollments,
5 and annual financial redeterminations.
6 *d.* Provide for administrative oversight and monitoring of
7 federal requirements.
8 *e.* Perform annual financial reviews of eligibility for each
9 beneficiary.
10 *f.* Collect and track monthly family premiums to assure that
11 payments are current.
12 *g.* Notify each participating insurer of new program
13 enrollees who are enrolled by the department in that
14 participating insurer's plan.
15 *h.* Verify the number of program enrollees with each
16 participating insurer for determination of the amount of
17 premiums to be paid to each participating insurer.
18 *i.* Maintain data for the purpose of quality assurance
19 reports as required by rule of the ~~board~~ advisory council.
20 *j.* (1) Establish the family cost sharing amounts for
21 children of families with incomes of one hundred fifty percent
22 or more but not exceeding two hundred percent of the federal
23 poverty level, of not less than ten dollars per individual
24 and twenty dollars per family, if not otherwise prohibited by
25 federal law, with the approval of the ~~board~~ advisory council.
26 (2) Establish for children of families with incomes
27 exceeding two hundred percent but not exceeding three hundred
28 percent of the federal poverty level, family cost sharing
29 amounts, and graduated premiums based on a rationally developed
30 sliding fee schedule, in accordance with federal law, with the
31 approval of the ~~board~~ advisory council.
32 *k.* Perform annual, random reviews of enrollee applications
33 to ensure compliance with program eligibility and enrollment
34 policies. Quality assurance reports shall be made to the
35 ~~board~~ advisory council based upon the data maintained by the

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1 department.

2 1. Perform other duties as determined by the ~~board~~ advisory
3 council.

4 Sec. 614. Section 514I.5, Code 2024, is amended to read as
5 follows:

6 514I.5 ~~Hawki board~~ Medical assistance advisory council —
7 duties.

8 1. ~~A Hawki board for the Hawki program is established. The~~
9 ~~board shall meet not less than six and not more than twelve~~
10 ~~times annually, for the purposes of establishing medical~~
11 ~~assistance advisory council shall establish policy for,~~
12 ~~directing direct~~ the department on, and ~~adopting adopt~~ rules
13 for the Hawki program. ~~The board shall consist of seven voting~~
14 ~~members and four ex officio, nonvoting members, including all~~
15 ~~of the following:~~

16 ~~a. The commissioner of insurance, or the commissioner's~~
17 ~~designee.~~

18 ~~b. The director of the department of education, or the~~
19 ~~director's designee.~~

20 ~~c. The director of health and human services, or the~~
21 ~~director's designee.~~

22 ~~d. Four public members appointed by the governor and~~
23 ~~subject to confirmation by the senate. The public members~~
24 ~~shall be members of the general public who have experience,~~
25 ~~knowledge, or expertise in the subject matter embraced within~~
26 ~~this chapter.~~

27 ~~e. Two members of the senate and two members of the house of~~
28 ~~representatives, serving as ex officio, nonvoting members. The~~
29 ~~legislative members of the board shall be appointed one each~~
30 ~~by the majority leader of the senate, after consultation with~~
31 ~~the president of the senate, and by the minority leader of the~~
32 ~~senate, and by the speaker of the house of representatives,~~
33 ~~after consultation with the majority leader of the house of~~
34 ~~representatives, and by the minority leader of the house~~
35 ~~of representatives. Legislative members shall receive~~

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1 compensation pursuant to ~~section 2.12.~~

2 ~~2. Members appointed by the governor shall serve two-year~~
3 ~~staggered terms as designated by the governor, and legislative~~
4 ~~members of the board shall serve two-year terms. The filling~~
5 ~~of positions reserved for the public representatives,~~
6 ~~vacancies, membership terms, payment of compensation and~~
7 ~~expenses, and removal of the members are governed by chapter~~
8 ~~69. Members of the board are entitled to receive reimbursement~~
9 ~~of actual expenses incurred in the discharge of their duties.~~
10 ~~Public members of the board are also eligible to receive~~
11 ~~compensation as provided in section 7E.6. A majority of the~~
12 ~~voting members constitutes a quorum and the affirmative vote~~
13 ~~of a majority of the voting members is necessary for any~~
14 ~~substantive action to be taken by the board. The members~~
15 ~~shall select a chairperson on an annual basis from among the~~
16 ~~membership of the board.~~

17 ~~3. 2. The board advisory council shall approve any contract~~
18 ~~entered into pursuant to this chapter. All contracts entered~~
19 ~~into pursuant to this chapter shall be made available to the~~
20 ~~public.~~

21 ~~4. The department shall act as support staff to the board.~~

22 ~~5. The board may receive and accept grants, loans, or~~
23 ~~advances of funds from any person and may receive and accept~~
24 ~~from any source contributions of money, property, labor, or any~~
25 ~~other thing of value, to be held, used, and applied for the~~
26 ~~purposes of the program.~~

27 ~~6. 3. The Hawki board medical assistance advisory council~~
28 ~~shall do all of the following:~~

29 ~~a. Define, in consultation with the department, the regions~~
30 ~~of the state for which plans are offered in a manner as to~~
31 ~~ensure access to services for all children participating in the~~
32 ~~program.~~

33 ~~b. Approve the benefit package design, review the benefit~~
34 ~~package design on a periodic basis, and make necessary changes~~
35 ~~in the benefit design to reflect the results of the periodic~~

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1 reviews.

2 *c.* Develop, with the assistance of the department, an
3 outreach plan, and provide for periodic assessment of the
4 effectiveness of the outreach plan. The plan shall provide
5 outreach to families of children likely to be eligible
6 for assistance under the program, to inform them of the
7 availability of and to assist the families in enrolling
8 children in the program. The outreach efforts may include, but
9 are not limited to, solicitation of cooperation from programs,
10 agencies, and other persons who are likely to have contact
11 with eligible children, including but not limited to those
12 associated with the educational system, and the development
13 of community plans for outreach and marketing. Other state
14 agencies shall assist the department in data collection related
15 to outreach efforts to potentially eligible children and their
16 families.

17 *d.* In consultation with the clinical advisory committee,
18 assess the initial health status of children participating in
19 the program, establish a baseline for comparison purposes, and
20 develop appropriate indicators to measure the subsequent health
21 status of children participating in the program.

22 *e.* Review, in consultation with the department, and take
23 necessary steps to improve interaction between the program and
24 other public and private programs which provide services to the
25 population of eligible children.

26 *f.* By January 1, annually, prepare, with the assistance
27 of the department, and submit a report to the governor, the
28 general assembly, and the council on health and human services,
29 concerning the ~~board's~~ advisory council's activities, findings,
30 and recommendations.

31 *g.* Solicit input from the public regarding the program and
32 related issues and services.

33 *h.* Establish and consult with a clinical advisory committee
34 to make recommendations to the board regarding the clinical
35 aspects of the Hawki program.

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1 *i.* Prescribe the elements to be included in a health
2 improvement program plan required to be developed by a
3 participating insurer. The elements shall include but are not
4 limited to health maintenance and prevention and health risk
5 assessment.

6 ~~*j.* Establish an advisory committee to make~~ Make
7 ~~recommendations to the board and to the general assembly~~
8 ~~by January 1 annually concerning the provision of health~~
9 ~~insurance coverage to children with special health care needs.~~
10 ~~The committee shall include individuals with experience in,~~
11 ~~knowledge of, or expertise in this area.~~ The recommendations
12 shall address, but are not limited to, all of the following:
13 (1) The definition of the target population of children
14 with special health care needs for the purposes of determining
15 eligibility under the program.
16 (2) Eligibility options for and assessment of children with
17 special health care needs for eligibility.
18 (3) Benefit options for children with special health care
19 needs.
20 (4) Options for enrollment of children with special health
21 care needs in and disenrollment of children with special health
22 care needs from qualified child health plans utilizing a
23 capitated fee form of payment.
24 (5) The appropriateness and quality of care for children
25 with special health care needs.
26 (6) The coordination of health services provided for
27 children with special health care needs under the program with
28 services provided by other publicly funded programs.

29 *k.* Develop options and recommendations to allow children
30 eligible for the Hawki program to participate in qualified
31 employer-sponsored health plans through a premium assistance
32 program. The options and recommendations shall ensure
33 reasonable alignment between the benefits and costs of
34 the Hawki program and the employer-sponsored health plans
35 consistent with federal law. In addition, the ~~board~~ advisory

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1 council shall implement the premium assistance program options
2 described under the federal Children's Health Insurance Program
3 Reauthorization Act of 2009, Pub. L. No. 111-3, for the Hawki
4 program.

5 ~~7.~~ 4. The ~~Hawki-board~~ medical assistance advisory council,
6 in consultation with the department, shall adopt rules
7 which address, but are not limited to addressing, all of the
8 following:

9 a. Implementation and administration of the program.

10 b. Qualifying standards for selecting participating insurers
11 for the program.

12 c. The benefits to be included in a qualified child health
13 plan which are those included in a benchmark or benchmark
14 equivalent plan and which comply with Tit. XXI of the federal
15 Social Security Act. Benefits covered shall include but are
16 not limited to all of the following:

17 (1) Inpatient hospital services including medical,
18 surgical, intensive care unit, mental health, and substance use
19 disorder services.

20 (2) Nursing care services including skilled nursing
21 facility services.

22 (3) Outpatient hospital services including emergency room,
23 surgery, lab, and x-ray services and other services.

24 (4) Physician services, including surgical and medical, and
25 including office visits, newborn care, well-baby and well-child
26 care, immunizations, urgent care, specialist care, allergy
27 testing and treatment, mental health visits, and substance use
28 disorder visits.

29 (5) Ambulance services.

30 (6) Physical therapy.

31 (7) Speech therapy.

32 (8) Durable medical equipment.

33 (9) Home health care.

34 (10) Hospice services.

35 (11) Prescription drugs.

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1 (12) Dental services including preventive services.
2 (13) Medically necessary hearing services.
3 (14) Vision services including corrective lenses.
4 (15) Translation and interpreter services as specified
5 pursuant to the federal Children's Health Insurance Program
6 Reauthorization Act of 2009, Pub. L. No. 111-3.
7 (16) Chiropractic services.
8 (17) Occupational therapy.
9 d. Presumptive eligibility criteria for the program.
10 ~~Beginning January 1, 2010, presumptive~~ Presumptive eligibility
11 shall be provided for eligible children.
12 e. The amount of any cost sharing under the program which
13 shall be assessed based on family income and which complies
14 with federal law.
15 f. The reasons for disenrollment including, but not limited
16 to, nonpayment of premiums, eligibility for medical assistance
17 or other insurance coverage, admission to a public institution,
18 relocation from the area, and change in income.
19 g. Conflict of interest provisions applicable to
20 participating insurers and between ~~public~~ members of the ~~board~~
21 advisory council and participating insurers.
22 h. Penalties for breach of contract or other violations of
23 requirements or provisions under the program.
24 i. A mechanism for participating insurers to report any
25 rebates received to the department.
26 j. The data to be maintained by the department including
27 data to be collected for the purposes of quality assurance
28 reports.
29 k. The use of provider guidelines in assessing the
30 well-being of children, which may include the use of the bright
31 futures for infants, children, and adolescents program as
32 developed by the federal maternal and child health bureau and
33 the American academy of pediatrics guidelines for well-child
34 care.
35 ~~8.~~ 5. a. The Hawki-board medical assistance advisory

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1 council may provide approval to the director to contract with
2 participating insurers to provide dental-only services. In
3 determining whether to provide such approval to the director,
4 the ~~board~~ advisory council shall take into consideration the
5 impact on the overall program of single source contracting for
6 dental services.

7 **b.** The ~~Hawki-board~~ medical assistance advisory council may
8 provide approval to the director to contract with participating
9 insurers to provide the supplemental dental-only coverage
10 to otherwise eligible children who have private health
11 care coverage as specified in the federal Children's Health
12 Insurance Program Reauthorization Act of 2009, Pub. L. No.
13 111-3.

14 ~~9.~~ 6. The ~~Hawki-board~~ medical assistance advisory
15 council shall monitor the capacity of Medicaid managed
16 care organizations acting pursuant to a contract with the
17 department to administer the Hawki program to specifically
18 and appropriately address the unique needs of children and
19 children's health delivery.

20 Sec. 615. Section 514I.6, subsection 4, paragraph d, Code
21 2024, is amended to read as follows:

22 **d.** Other information as directed by the ~~board~~ advisory
23 council.

24 Sec. 616. Section 514I.6, subsection 5, Code 2024, is
25 amended to read as follows:

26 **5.** Submit a plan for a health improvement program to the
27 department, for approval by the ~~board~~ advisory council.

28 Sec. 617. Section 514I.8, subsection 2, paragraph e, Code
29 2024, is amended to read as follows:

30 **e.** Is not currently covered under a group health plan as
31 defined in 42 U.S.C. §300gg-91(a)(1) unless allowed by rule of
32 the ~~board~~ advisory council.

33 Sec. 618. Section 514I.8, subsection 3, Code 2024, is
34 amended to read as follows:

35 **3.** In accordance with the rules adopted by the ~~board~~

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1 advisory council, a child may be determined to be presumptively
2 eligible for the program pending a final eligibility
3 determination. Following final determination of eligibility,
4 a child shall be eligible for a twelve-month period. At the
5 end of the twelve-month period, a review of the circumstances
6 of the child's family shall be conducted to establish
7 eligibility and cost sharing for the subsequent twelve-month
8 period. Pending such review of the circumstances of the
9 child's family, the child shall continue to be eligible for
10 and remain enrolled in the same plan if the family complies
11 with requirements to provide information and verification of
12 income, otherwise cooperates in the annual review process,
13 and submits the completed review form and any information
14 necessary to establish continued eligibility in a timely manner
15 in accordance with administrative rules.

16 Sec. 619. Section 514I.9, subsection 1, Code 2024, is
17 amended to read as follows:

18 1. The ~~Hawki-board~~ advisory council shall review the
19 benefits package annually and shall determine additions to
20 or deletions from the benefits package offered. The ~~Hawki-~~
21 ~~board~~ advisory council shall submit the recommendations to the
22 general assembly for any amendment to the benefits package.

23 DIVISION XXIII

24 AUTISM COUNCIL ELIMINATION AND CREATION OF IOWA SPECIAL
25 EDUCATION COUNCIL

26 Sec. 620. NEW SECTION. 256.35B Iowa special education
27 council.

28 1. An Iowa special education council is created to act in an
29 advisory capacity to the department in promoting, directing,
30 and supervising education for children requiring special
31 education in the schools under the supervision and control of
32 the department.

33 2. The council shall consist of seven voting members
34 appointed by the governor and confirmed by the senate. Each of
35 the following shall be represented among the voting members:

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1 *a.* One member who is a parent or guardian of a student who
2 has a disability in obtaining an education because of autism.

3 *b.* One member who is a parent or guardian of a student
4 who has a disability in obtaining an education because of a
5 behavioral disorder.

6 *c.* One member who is a parent or guardian of a student who
7 has a disability in obtaining an education because of physical
8 disability.

9 *d.* One member who is a parent or guardian of a student who
10 has a disability in obtaining an education because of mental
11 learning disability or head injury.

12 *e.* One member who is a parent or guardian of a student
13 who has a disability in obtaining an education because of a
14 communication learning disability.

15 *f.* One member who is a parent or guardian of a student who
16 has a disability in obtaining an education because of dyslexia.

17 *g.* One member who is a special education teacher.

18 3. Voting members shall serve three-year terms beginning
19 and ending as provided in section 69.19, and appointments shall
20 comply with section 69.16. Vacancies on the council shall
21 be filled in the same manner as the original appointment. A
22 person appointed to fill a vacancy shall serve only for the
23 unexpired portion of the term. Public members shall receive
24 reimbursement for actual expenses incurred while serving in
25 their official capacity and may also be eligible to receive
26 compensation as provided in section 7E.6.

27 4. The council shall elect a chairperson from its voting
28 members annually. A majority of the voting members of the
29 council shall constitute a quorum.

30 5. The department shall convene and provide administrative
31 support to the council.

32 Sec. 621. REPEAL. Section 256.35A, Code 2024, is repealed.

33 Sec. 622. EFFECTIVE DATE. This division of this Act takes
34 effect July 1, 2025.

35

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TRANSITION PROVISIONS

Sec. 623. TRANSITION PROVISIONS.

1. A rule adopted by a government body eliminated in this Act that is in force and effect immediately prior to the effective date of this division of this Act shall continue in full force and effect until the earlier of the following:

a. The rule is amended, rescinded, or supplemented by the affirmative action of the board of behavioral health professionals, board of building and construction occupations, architectural examining board, board of pharmacy, state historical society board of trustees, board of education, employment appeal board, economic development authority board, human rights board, or the government body under which the former government body was organized.

b. The rule expires by its own terms.

2. Any license or permit issued by a government body eliminated in this Act in effect on the effective date of this division of this Act shall continue in full force and effect until expiration or renewal.

3. a. Any moneys in any account or fund of, and all client and organizational files in the possession of, the boards of behavioral science, psychology, or social work shall be transferred to the control of the board of behavioral health professionals.

b. Any moneys in any account or fund of, and all client and organizational files in the possession of, the state building code board of review, electrical examining board, or plumbing and mechanical systems board shall be transferred to the control of the board of building and construction occupations.

c. Any moneys in any account or fund of, and all client and organizational files in the possession of, the landscape architectural examining board shall be transferred to the control of the architectural examining board.

d. Any moneys in any account or fund of, and all client and organizational files in the possession of, the prescription

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1 monitoring program advisory council shall be transferred to the
2 control of the board of pharmacy.

3 e. Any moneys in any account or fund of, and all client and
4 organizational files in the possession of, the secondary road
5 fund distribution committee shall be transferred to the control
6 of the state transportation commission.

7 f. Any moneys in any account or fund of, and all client and
8 organizational files in the possession of, the state historical
9 records advisory board shall be transferred to the control of
10 the board of trustees of the state historical society.

11 g. Any moneys in any account or fund of, and all client and
12 organizational files in the possession of, the state board of
13 preserves or farmer advisory committee shall be transferred to
14 the control of the natural resource commission.

15 h. Any moneys in any account or fund of, and all client
16 and organizational files in the possession of, the community
17 college council or nonpublic school advisory committee shall be
18 transferred to the control of the board of education.

19 i. Any moneys in any account or fund of, and all client
20 and organizational files in the possession of, the public
21 employment relations board shall be transferred to the control
22 of the employment appeal board.

23 j. Any moneys in any account or fund of, and all client
24 and organizational files in the possession of, the enhance
25 Iowa board shall be transferred to the control of the economic
26 development authority board.

27 k. Any moneys in any account or fund of, and all client
28 and organizational files in the possession of, the commission
29 on aging, advisory council on brain injuries, children's
30 behavioral health system state board, congenital and inherited
31 disorders advisory committee, emergency medical services
32 advisory council, family development and self-sufficiency
33 council, justice advisory board, mental health and disabilities
34 services commission, tobacco use prevention and control
35 advisory council, commission on tobacco use prevention and

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1 control, trauma system advisory council, or Iowa collaboration
2 for youth development council shall be transferred to the
3 control of the council on health and human services.

4 1. Any moneys in any account or fund of, and all client
5 and organizational files in the possession of, the commissions
6 on the status of African Americans or the status of women,
7 the commissions of Asian and Pacific Islanders, persons with
8 disabilities, or Native Americans, or the Latino affairs
9 commission shall be transferred to the control of the human
10 rights board.

11 m. Any moneys in any account or fund of, and all client and
12 organizational files in the possession of, the healthy and well
13 kids in Iowa board or advisory committee shall be transferred
14 to the control of the medical assistance advisory council.

15 n. Any moneys in any account or fund of, and all client and
16 organizational files in the possession of, the dual party relay
17 council shall be transferred to the control of the commission
18 of deaf services.

19 o. Any moneys in any account or fund of, and all client and
20 organizational files in the possession of, any other board,
21 council, committee, or commission eliminated in this Act shall
22 be transferred to the control of the state agency or department
23 under which the board, council, committee, or commission was
24 organized.

25 4. a. Any cause of action, statute of limitation, or
26 administrative action relating to or initiated by the boards
27 of behavioral science, psychology, or social work shall not be
28 affected as a result of this Act and shall apply to the board of
29 behavioral health professionals.

30 b. Any cause of action, statute of limitation, or
31 administrative action relating to or initiated by the state
32 building code board of review, electrical examining board, or
33 plumbing and mechanical systems board shall not be affected as
34 a result of this Act and shall apply to the board of building
35 and construction occupations.

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1 c. Any cause of action, statute of limitation, or
2 administrative action relating to or initiated by the landscape
3 architectural examining board shall not be affected as a result
4 of this Act and shall apply to the architectural examining
5 board.

6 d. Any cause of action, statute of limitation, or
7 administrative action relating to or initiated by the
8 prescription monitoring program advisory council shall not be
9 affected as a result of this Act and shall apply to the board
10 of pharmacy.

11 e. Any cause of action, statute of limitation, or
12 administrative action relating to or initiated by the secondary
13 road fund distribution committee shall not be affected as a
14 result of this Act and shall apply to the state transportation
15 commission.

16 f. Any cause of action, statute of limitation, or
17 administrative action relating to or initiated by the state
18 historical records advisory board shall not be affected as a
19 result of this Act and shall apply to the board of trustees of
20 the state historical society.

21 g. Any cause of action, statute of limitation, or
22 administrative action relating to or initiated by the state
23 board of preserves or farmer advisory committee shall not be
24 affected as a result of this Act and shall apply to the natural
25 resource commission.

26 h. Any cause of action, statute of limitation, or
27 administrative action relating to or initiated by the community
28 college council or nonpublic school advisory committee shall
29 not be affected as a result of this Act and shall apply to the
30 board of education.

31 i. Any cause of action, statute of limitation, or
32 administrative action relating to or initiated by the public
33 employment relations board shall not be affected as a result of
34 this Act and shall apply to the employment appeal board.

35 j. Any cause of action, statute of limitation, or

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1 administrative action relating to or initiated by the enhance
2 Iowa board shall not be affected as a result of this Act and
3 shall apply to the economic development authority board.

4 k. Any cause of action, statute of limitation, or
5 administrative action relating to or initiated by the
6 commission on aging, advisory council on brain injuries,
7 children's behavioral health system state board, congenital
8 and inherited disorders advisory committee, emergency
9 medical services advisory council, family development and
10 self-sufficiency council, justice advisory board, mental health
11 and disabilities services commission, tobacco use prevention
12 and control advisory council, commission on tobacco use
13 prevention and control, trauma system advisory council, or
14 Iowa collaboration for youth development council shall not be
15 affected as a result of this Act and shall apply to the council
16 on health and human services.

17 l. Any cause of action, statute of limitation, or
18 administrative action relating to or initiated by the
19 commissions on the status of African Americans or the status of
20 women, the commissions of Asian and Pacific Islanders, persons
21 with disabilities, or Native Americans, or the Latino affairs
22 commission shall not be affected as a result of this Act and
23 shall apply to the human rights board.

24 m. Any cause of action, statute of limitation, or
25 administrative action relating to or initiated by the healthy
26 and well kids in Iowa board or advisory committee shall not be
27 affected as a result of this Act and shall apply to the medical
28 assistance advisory council.

29 n. Any cause of action, statute of limitation, or
30 administrative action relating to or initiated by the dual
31 party relay council shall not be affected as a result of this
32 Act and shall apply to the commission of deaf services.

33 o. Any cause of action, statute of limitation, or
34 administrative action relating to or initiated by any other
35 board, council, committee, or commission eliminated in this Act

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1 organized in divisions.

2 ESTABLISHMENT AND REVIEW OF BOARDS, COMMISSIONS, COMMITTEES,
3 AND COUNCILS. The bill repeals and reestablishes the state
4 government efficiency review committee. The bill requires the
5 committee to review approximately one-fourth of all boards,
6 commissions, committees, councils, panels, review teams, and
7 foundations each year to evaluate the necessity and efficacy
8 of the entity. The bill provides specific criteria that the
9 committee shall use in conducting the review. Upon completing
10 a review of an entity, the bill requires the committee to
11 submit a report of its findings and recommendations to the
12 general assembly in the form of a bill by December 21 of each
13 year. The bill does not reestablish other duties of the
14 committee under current law.

15 The bill requires that legislation establishing an entity
16 include a dissolution date for the entity not more than four
17 years after the establishment of the entity, except that
18 legislation establishing an exclusively advisory entity shall
19 include a dissolution date of not more than two years after
20 establishment.

21 The bill also requires that legislation to establish an
22 entity to regulate an unregulated profession be evaluated
23 by the legislative standing committee considering the
24 legislation and the general assembly to determine whether the
25 legislation meets certain conditions set forth in the bill.
26 The legislative standing committee considering the legislation
27 shall submit its findings and recommendations to the general
28 assembly. The bill requires a member of the general assembly
29 introducing legislation to create an entity to regulate an
30 unregulated profession to submit a report prepared by the
31 legislative services agency regarding the costs and benefits
32 of the legislation.

33 The bill requires the committee to establish a dissolution
34 date for each existing board not sooner than four years
35 after July 1, 2024. The committee shall submit the staggered

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1 schedule for the dissolution of boards to the governor and
2 general assembly by December 31, 2024.

3 The bill requires legislation to create a new such entity
4 to be approved by three-fifths of the members of the general
5 assembly in order to become law.

6 PROFESSIONAL BOARDS. The bill alters the authority of
7 the director of the department of inspections, appeals,
8 and licensing (DIAL) to appoint executive directors for the
9 board of medicine, the board of nursing, the dental board,
10 and the board of pharmacy, and authorizes DIAL to provide
11 staff support and inspections for those entities. DIAL is
12 authorized to administratively close certain complaints before
13 boards established under Code chapter 147 (health-related
14 professions).

15 The bill strikes the director of DIAL's authority to appoint
16 an executive secretary for the electrical examining board.

17 The bill makes the director of DIAL or the director's
18 designee the compact administrator of the interstate nurse
19 licensure compacts.

20 SALARIES — CERTAIN BOARDS AND COUNCILS. The bill
21 establishes salaries of \$10,000 per year for members of the
22 board of education, the voting members of the council on health
23 and human services, and the at-large members of the state board
24 of regents.

25 LICENSURE STUDIES. The bill requires DIAL to review
26 all current licensure renewal cycles for professional and
27 occupational licenses issued in this state. DIAL must submit a
28 report, including recommendations for a uniform renewal cycle,
29 to the governor and general assembly by September 30, 2024.

30 The bill also requires DIAL to review fees imposed by
31 governmental entities for the issuance or renewal of a
32 professional or occupational license. DIAL must evaluate the
33 fees based on the fees imposed in surrounding states and the
34 operational costs of the licensing functions of the entity.
35 DIAL must submit a report, including proposed fees, to the

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1 governor and general assembly by September 30, 2024.

2 ADVISORY BODIES. The bill allows the head of a department
3 or independent agency to establish and utilize such ad hoc
4 advisory committees as deemed necessary. The department or
5 independent agency shall establish rules for the operation
6 of ad hoc advisory committees, and members of ad hoc
7 advisory committees shall serve without compensation but
8 may be reimbursed for actual expenses. The bill grants
9 specific authority regarding ad hoc advisory committees to
10 the environmental protection commission, natural resource
11 commission, board of corrections, state board of education,
12 state transportation commission, economic development authority
13 board, and board of dentistry.

14 ELECTRONIC MEETINGS. The bill requires governmental bodies
15 to provide for hybrid meetings, teleconference participation,
16 virtual meetings, remote participation, and other hybrid
17 meeting options, defined in the bill, for members of the
18 governmental body to participate in official meetings.

19 MEETINGS — GENERAL. The bill strikes requirements that
20 state boards, commissions, committees, and councils meet
21 annually, quarterly, or on a regular schedule. The bill
22 allows state boards, commissions, committees, and councils to
23 call meetings as necessary, including the revenue estimating
24 conference.

25 REORGANIZATION. The bill eliminates, modifies the
26 membership of, and changes the duties of state boards,
27 councils, committees, commissions, advisory groups, review
28 teams, foundations, and other entities.

29 The bill merges the boards of behavioral science,
30 psychology, and social work into the board of behavioral
31 health professionals. The bill includes specific membership
32 provisions for the board.

33 The bill merges the state building code board of review,
34 electrical examining board, and plumbing and mechanical systems
35 board into the board of building and construction occupations.

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1 The bill includes specific membership provisions for the board.

2 The bill merges the Iowa child death review team, child
3 fatality review committee, and Iowa domestic abuse death review
4 team into the state mortality review committee. The bill
5 includes specific membership provisions for the committee.

6 The bill transfers the authority of the landscape
7 architectural examining board to the architectural examining
8 board and eliminates the landscape architectural examining
9 board. The bill decreases the membership of the architectural
10 examining board from seven members to five members.

11 The bill reduces the membership of the board of medicine from
12 10 members to 7 members. The bill allows a person licensed as
13 an audiologist to dispense hearing aids without being licensed
14 as a hearing aid specialist.

15 The bill reduces the membership of the board of pharmacy
16 from seven members to five members. The bill converts the
17 prescription monitoring program advisory council to a standing
18 advisory committee of the board of pharmacy.

19 The bill eliminates the secondary road fund distribution
20 committee and transfers the authority of the committee to the
21 state transportation commission.

22 The bill reduces the membership of the state historical
23 society board of trustees from 12 members to 7 members. The
24 bill eliminates the state historical records advisory board and
25 transfers the authority of the board to the state historical
26 society board of trustees.

27 The bill changes the term of new members of the natural
28 resource commission from six years to four years. The bill
29 allows the commission and the environmental protection
30 commission to advise the department of natural resources
31 regarding the department's budget but removes the authority of
32 the commissions to approve the budget. The bill eliminates
33 the state advisory board of preserves and the farmer advisory
34 committee.

35 The bill reduces the membership of the board of education

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1 from nine voting members to seven voting members and adds the
2 director of workforce development as a nonvoting member. The
3 bill eliminates the community college council and nonpublic
4 school advisory committee and transfers the authority of those
5 entities to the board of education.

6 The bill eliminates the public employment relations board
7 and transfers its functions to the employment appeal board.

8 The bill requires all members of the economic development
9 authority board to be appointed from the state at large. The
10 bill eliminates the enhance Iowa board and transfers the
11 functions and authorities of the enhance Iowa board to the
12 economic development authority board.

13 The bill reduces the membership of or changes membership
14 requirements for the accountancy examining board, civil
15 rights commission, engineering and land surveying examining
16 board, board of mortuary science, board of nursing, board
17 of dentistry, board of optometry, real estate appraiser
18 examining board, real estate commission, board of sign language
19 interpreters and transliterators, statewide interoperable
20 communications system board, fire service and emergency
21 response council, Iowa board of veterinary medicine, advisory
22 council for agricultural education, college student aid
23 commission, Iowa public broadcasting board, Iowa workforce
24 development board, higher education loan authority, city
25 finance committee, county finance committee, Iowa innovation
26 council, benefits advisory committee, commission of veterans
27 affairs, human rights board, and the Iowa commission on
28 volunteer service.

29 The bill transfers authority for scoring examinations for
30 licensure to practice engineering or land surveying to DIAL.

31 The bill transfers certain authorities of the board of
32 corrections to the department of corrections. The bill allows
33 the board of corrections to act in an advisory capacity for the
34 department of corrections.

35 The bill transfers rulemaking authority from the commission

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1 of libraries to the department of administrative services. The
2 commission may advise the department on the adoption of rules.

3 The bill transfers rulemaking authority from the Iowa
4 telecommunications and technology commission to the executive
5 director appointed by the commission.

6 The bill strikes the authorization for the alcoholic
7 beverages commission to act as a policymaking body and requires
8 the commission to provide advice and recommendations to the
9 director of revenue.

10 The bill reorganizes the Iowa civil rights commission into
11 the office of civil rights, the civil rights commission, and
12 the administrative agency of the office.

13 The bill transfers rulemaking authority from the crime
14 victim assistance board to the department of justice.

15 The bill transfers rulemaking and budget approval
16 authority from the state soil conservation and water quality
17 committee to the secretary of agriculture and department of
18 natural resources, with the committee providing advice and
19 recommendations.

20 The bill eliminates the chief technology officer. The bill
21 alters the responsibilities of the Iowa innovation council to
22 provide advice and recommendations on relevant activities of
23 the economic development authority. The bill allows members
24 of the technology commercialization committee to receive a per
25 diem and reimbursement for mileage to and from meetings.

26 The bill directs the code editor to change all references to
27 the "Iowa utilities board" to the "Iowa utilities commission"
28 and all references to the "Iowa lottery authority board of
29 directors" to the "Iowa lottery commission" in the Code and to
30 make conforming changes in any Code sections enacted or amended
31 in another bill.

32 The bill eliminates several boards, councils, committees,
33 commissions, and other entities, and transfers any duties
34 beyond providing advice or recommendations to the department or
35 other entity under which the eliminated entity was organized.

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1 Eliminated entities include the boiler and pressure vessel
2 board, state building code advisory council, dental hygiene
3 committee, elevator safety board, fire extinguishing system
4 contractors and alarm systems advisory board, midwifery
5 advisory council, board of pharmacy alternates, capitol
6 planning commission, prison industries advisory board,
7 commercial air service retention and expansion committee,
8 integrated roadside vegetation management technical advisory
9 committee, Mississippi parkway planning commission, tourist
10 signing committee, Iowa drug policy advisory council, propane
11 education and research council, 911 communications council,
12 consumer advisory panel, public policy research foundation,
13 street construction fund distribution advisory committee,
14 interstate cooperation commission, conservation education
15 program board, federal Clean Air Act compliance advisory panel,
16 advisory council for public outdoor recreation and resources,
17 commercial pesticide applicator peer review panel, farm deer
18 council, grain industry peer review panel, local food and farm
19 program council, organic advisory council, private pesticide
20 applicator peer review panel, watershed planning advisory
21 council, well contractors' council, community college faculty
22 advisory committee, commission on educator leadership and
23 compensation, postsecondary course audit committee, ongoing
24 quality faculty plan professional development committee,
25 telecommunications advisory committee, Leopold center for
26 sustainable agriculture advisory board, area education
27 agency advisory group, interstate midwest energy commission,
28 streamlined sales tax advisory council, Iowa cultural trust
29 board of trustees, Iowa great places board, Iowa council on
30 homelessness, advisory committee for perinatal guidelines,
31 child care advisory committee, leadership council for child
32 care training and development, child support services task
33 force on liens and motor vehicle registrations, commission on
34 community action agencies, dependent adult protective advisory
35 council, early childhood stakeholders alliance, interagency

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1 coordinating council, community mental health centers mental
2 health and disability services standards advisory committee,
3 and county care facilities mental health and disability
4 services standards advisory committee. The bill repeals the
5 Code section establishing membership provisions for the adult
6 offender supervision state council.

7 The bill eliminates the board of dietetics and transfers
8 authority to regulate dietitians to DIAL. The bill strikes
9 the licensure requirement for the practice of dietetics
10 and requires the department to register dietitians who are
11 credentialed by the academy of nutrition and dietetics.

12 The bill eliminates the board of hearing aid specialists and
13 the interior design examining board and transfers the authority
14 to regulate hearing aid specialists and interior designers
15 to DIAL. The bill requires interior designers to receive
16 certification from the national council for interior design
17 qualification in order to stamp and seal interior design plans.

18 The bill eliminates the horizontal and vertical
19 infrastructure bid threshold subcommittees and transfers the
20 authority to set bid threshold levels to the director of
21 transportation in consultation with industry and subject matter
22 experts.

23 The bill eliminates the public funds interest rates
24 committee and transfers the functions of the committee to the
25 treasurer of state in consultation with subject matter experts,
26 as needed.

27 The bill eliminates the board of examiners of shorthand
28 reporters and transfers authority for the regulation of
29 shorthand reporters to DIAL.

30 The bill eliminates the Iowa comprehensive petroleum
31 underground storage tank fund board effective December 31,
32 2028, and requires the department of natural resources, in
33 consultation with the board, to submit conforming legislation.

34 The bill directs the department of health and human
35 services (HHS), in consultation with DIAL, and with the

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1 assistance of other interested parties, to conduct a study
2 on the effectiveness of the current certificate of need
3 process. HHS shall submit a report, including its findings
4 and recommendations, to the governor and general assembly by
5 December 31, 2025.

6 PUBLIC OFFICERS AND EMPLOYEES. The bill provides that a
7 person appointed by the governor to a board shall be deemed to
8 have submitted a resignation from such office if sufficient
9 grounds exist that would subject the person to removal by the
10 executive council pursuant to Code section 66.26 (appointive
11 state officers).

12 COUNCIL ON HEALTH AND HUMAN SERVICES. This division relates
13 to the council on health and human services (council) of HHS.
14 The bill strikes the authority of the council to approve the
15 budget and rules of HHS and allows the council to provide
16 advice and recommendations to HHS on those matters. The bill
17 also allows the council to create ad hoc advisory committees
18 related to subject matters under the purview of HHS.

19 COMMISSION ON AGING ELIMINATION. This division eliminates
20 the commission on aging and transfers the commission's duties
21 to the council.

22 ELIMINATION OF ADVISORY COUNCIL ON BRAIN INJURIES. This
23 division eliminates the advisory council on brain injuries and
24 transfers its duties to the council.

25 MENTAL HEALTH AND DISABILITY SERVICES COMMISSION
26 ELIMINATION. This division eliminates the mental health and
27 disability services commission and transfers its duties to the
28 council.

29 ELIMINATION OF CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE
30 BOARD. This division eliminates the children's behavioral
31 health system state board and transfers its duties to the
32 council.

33 ELIMINATION OF CONGENITAL AND INHERITED DISORDERS ADVISORY
34 COMMITTEE. This division eliminates the congenital and
35 inherited disorders advisory committee and transfers its duties

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1 to the council.

2 ELIMINATION OF EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL.

3 This division eliminates the emergency medical services

4 advisory council and transfers its duties to the council.

5 ELIMINATION OF TRAUMA SYSTEM ADVISORY COUNCIL. This

6 division eliminates the trauma system advisory council and

7 transfers its duties to the council.

8 ELIMINATION OF JUSTICE ADVISORY BOARD. This division

9 eliminates the justice advisory board and transfers its duties
10 to the council.

11 ELIMINATION OF IOWA COLLABORATION FOR YOUTH DEVELOPMENT

12 COUNCIL. This division eliminates the Iowa collaboration for

13 youth development council and transfers its duties to the

14 council.

15 ELIMINATION OF COMMISSIONS UNDER HUMAN RIGHTS BOARD. This

16 division relates to the human rights board. The bill reduces

17 the voting membership of the human rights board from 11 to 7,

18 who shall represent a cross section of the citizens of this

19 state. The bill eliminates the commissions on the status

20 of African Americans, Asian and Pacific Islanders, persons

21 with disabilities, and the status of women, the commission of

22 Native American affairs, and the Latino affairs commission and

23 transfer the duties of the commissions to the human rights

24 board. The bill also eliminates the offices on the status of

25 women and African Americans and the offices of Latino affairs,

26 persons with disabilities, deaf services, Asian and Pacific

27 Islanders, and Native Americans. The bill combines the deaf

28 services commission and the dual party relay council.

29 ELIMINATION OF TOBACCO USE PREVENTION AND CONTROL ADVISORY

30 COUNCIL AND COMMISSION ON TOBACCO USE PREVENTION AND CONTROL.

31 This division eliminates the tobacco use prevention and control

32 advisory council and commission on tobacco use prevention and

33 control and transfers their duties to the council.

34 HAWKI BOARD AND ADVISORY COMMITTEE FOR CHILDREN WITH SPECIAL

35 HEALTH CARE NEEDS ELIMINATION. This division eliminates the

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1 Hawki board and advisory committee for children with special
2 health care needs and transfers their duties to the medical
3 assistance advisory council.

4 AUTISM COUNCIL ELIMINATION AND CREATION OF IOWA SPECIAL
5 EDUCATION COUNCIL. This division eliminates the autism council
6 and creates the Iowa special education council. The Iowa
7 special education council shall act as an advisory council to
8 assist the department of education in promoting, directing, and
9 supervising education for children requiring special education
10 in schools. The bill provides membership provisions for the
11 Iowa special education council and requires the department of
12 education to provide administrative support.

13 This division of the bill takes effect July 1, 2025.

14 TRANSITION PROVISIONS. The bill provides that a rule
15 adopted by a government body eliminated by the bill that
16 is in force and effect immediately prior to July 1, 2024,
17 shall continue in full force and effect until it expires by
18 its own terms or is repealed by the relevant board or other
19 government body. A license or permit issued by a government
20 body eliminated by the bill that is in effect on July 1,
21 2024, continues in full force and effect until expiration or
22 renewal. The bill transfers control of moneys and client and
23 organizational files in the possession of an entity eliminated
24 by the bill to the control of the government body assuming
25 control of the duties of the former government body. The
26 bill applies causes of action, statutes of limitation, and
27 administrative actions relating to or initiated by a government
28 body eliminated by the bill to the government body assuming
29 control of the duties of the former government body.

30 The bill provides that personnel in the state merit system of
31 employment who are mandatorily transferred due to the effect of
32 the bill shall be so transferred without any loss in salary,
33 benefits, or accrued years of service.

34 With respect to persons serving on government bodies merged,
35 consolidated, or eliminated by the bill, or any government body

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1 with fewer members or reduced term lengths for current members
2 resulting from the provisions of the bill, the bill immediately
3 terminates the terms of office of all such persons. For such
4 a government body that is not eliminated by the bill, the
5 bill requires the governor or other appointing or designating
6 authority to designate new members on or before July 1, 2024.
7 The governor or other appointing or designating authority shall
8 determine the length of the initial terms of office for each
9 position, but in any event shall stagger such terms, beginning
10 and ending as otherwise provided by law.

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Senate File 2386 - Introduced

SENATE FILE 2386
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3073)

A BILL FOR

1 An Act relating to education, including modifying provisions
2 related to the duties and powers of area education
3 agencies, the department of education, the department of
4 administrative services, area education agency funding,
5 the calculation of the teacher salary supplement district
6 cost per pupil and the minimum teacher starting salary, and
7 including transition, effective date, and applicability
8 provisions.
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I

2 DIVISION OF SPECIAL EDUCATION OF THE DEPARTMENT OF EDUCATION

3 Section 1. Section 256.9, subsection 54, Code 2024, is
4 amended by striking the subsection.

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

7 NEW SUBSECTION. 15A. Beginning July 1, 2025, oversee the
8 operation of each area education agency to ensure the area
9 education agency complies with all applicable federal and state
10 laws related to special education.

11 NEW SUBSECTION. 15B. Beginning July 1, 2025, provide
12 guidance and standards to area education agencies for federal
13 and state education initiatives which the area education
14 agencies must implement statewide.

15 Sec. 3. DEPARTMENT OF EDUCATION AND AREA EDUCATION AGENCIES
16 — STAFFING AND TRANSITION PLAN.

17 1. The department of education shall coordinate with
18 each area education agency, and with the division of special
19 education of the department, to develop a plan to transfer
20 employees of the area education agency whose primary job duties
21 involve providing oversight and compliance services to the area
22 education agency to ensure the area education agency complies
23 with all applicable federal and state laws related to special
24 education from employment under the area education agency to
25 employment under the division of special education of the
26 department, as needed. The plan shall include a description of
27 how the area education agency will accommodate any space needed
28 in the area education agency's facilities for employees of the
29 division of special education.

30 2. The department of education will compile all of the plans
31 created pursuant to subsection 1 and submit the compilation to
32 the general assembly on or before January 1, 2025.

33 DIVISION II

34 AREA EDUCATION AGENCIES — GENERAL PROVISIONS

35 Sec. 4. Section 273.1, Code 2024, is amended to read as

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1 follows:

2 **273.1 Intent.**

3 It is the intent of the general assembly to provide an
4 effective, efficient, and economical means of identifying and
5 serving children from under five years of age through grade
6 twelve who require special education and any other children
7 requiring special education as defined in [section 256B.2](#); to
8 provide for media services and other programs and services
9 for pupils in grades kindergarten through twelve and children
10 requiring special education as defined in [section 256B.2](#); to
11 provide a method of financing the programs and services; ~~and~~
12 ~~to avoid a duplication of programs and services provided by~~
13 ~~any other school corporation in the state; and to provide~~
14 services to school districts under a contract with those school
15 districts; to improve student achievement; and to close student
16 achievement gaps.

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

19 1. There are established throughout the state fifteen
20 area education agencies, each of which is governed by an area
21 education agency board of directors and, beginning July 1,
22 2025, by the division of special education of the department of
23 education to the extent described in section 256B.3, subsection
24 15A. The boundaries of an area education agency shall not
25 divide a school district. The director of the department of
26 education shall change boundaries of area education agencies
27 to take into account mergers of local school districts and
28 changes in boundaries of local school districts, when necessary
29 to maintain the policy of [this chapter](#) that a local school
30 district shall not be a part of more than one area education
31 agency.

32 3. a. The area education agency board shall furnish
33 educational services and programs as provided in [section 273.1](#),
34 this section, [sections 273.3 through 273.8](#), and [chapter 256B](#)
35 to the pupils enrolled in public or nonpublic schools located

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1 within its boundaries which are on the list of accredited
2 schools pursuant to [section 256.11](#). The programs and services
3 provided shall be at least commensurate with programs and
4 services existing on July 1, 1974. The programs and services
5 provided to pupils enrolled in nonpublic schools shall be
6 comparable to programs and services provided to pupils enrolled
7 in public schools within constitutional guidelines.

8 b. The area education agencies may furnish evidence-based
9 professional development services to public or nonpublic
10 schools located within its boundaries which are on the list of
11 accredited schools pursuant to section 256.11, subject to the
12 approval of the director of the department of education.

13 4. The area education agency board shall ~~provide~~ do all of
14 the following:

15 a. Provide for special education services and ~~media services~~
16 for the local school districts in the area and ~~shall encourage~~
17 that request to receive such services by February 1 of the
18 preceding school year, including by providing for a method of
19 payment for such services and entering into agreements with the
20 area education agency. An area education agency may provide
21 special education services for local school districts in the
22 area that request to receive such services after February 1 of
23 the preceding school year.

24 b. Encourage and assist school districts in the area to
25 establish programs for gifted and talented children. ~~The board~~
26 ~~shall assist~~

27 c. Assist in facilitating interlibrary loans of materials
28 between school districts and other libraries.

29 d. Provide for media services for local school districts in
30 the area.

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

33 NEW SUBSECTION. 12. The area education agency board shall
34 charge reasonable costs that are consistent with current
35 market rates for the educational services, special education

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1 services, professional development services, and media services
2 established by the area education agency board.

3 NEW SUBSECTION. 13. The area education agency board
4 shall provide an annual report by October 1 of each year to
5 the general assembly and the department of education that
6 includes a description of the progress the area education
7 agency has made to improve the outcomes achieved by students
8 receiving special education services and a description of how
9 the area education agency is focusing the moneys it receives on
10 providing services in the classroom.

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

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

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

35 NEW SUBSECTION. 26. Annually, on or before January 1 of

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1 each year, prepare and submit to each school district within
2 the boundaries of the area education agency a report that
3 includes all of the following:

4 a. A monetary accounting of payments the area education
5 agency received from the school district, including payments
6 under section 257.35, during the previous fiscal year.

7 b. A description of the services the area education agency
8 provided to the school district during the previous fiscal
9 year, including a calculation of the cost per pupil for each
10 category of service the area education agency provided to the
11 school district.

12 Sec. 9. Section 273.4, unnumbered paragraph 1, Code 2024,
13 is amended to read as follows:

14 Under direction of the board of directors of the area
15 education agency, and, beginning July 1, 2025, the division of
16 special education of the department of education, to the extent
17 described in section 256B.3, subsection 15A, the administrator
18 of the area education agency shall, in addition to other
19 duties:

20 Sec. 10. Section 273.10, Code 2024, is amended to read as
21 follows:

22 **273.10 Accreditation of area education programs.**

23 1. The division of special education of the department
24 of education shall develop, in consultation with the area
25 education agencies, and establish an accreditation process for
26 area education agencies ~~by July 1, 1997~~. At a minimum, the
27 accreditation process shall consist of the following:

28 a. The timely submission by an area education agency of
29 information required by the division of special education of
30 the department on forms provided by the ~~department~~ division of
31 special education.

32 b. The use of an accreditation team appointed by the
33 ~~director~~ division of special education of the department of
34 education to conduct an evaluation, including an on-site visit
35 of each area education agency. The team shall include, but

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1 is not limited to, department staff members, representatives
2 from the school districts served by the area education agency
3 being evaluated, area education agency staff members from area
4 education agencies other than the area education agency that
5 conducts the programs being evaluated for accreditation, and
6 other team members with expertise as deemed appropriate by the
7 ~~director~~ division of special education.

8 2. Prior to a visit to an area education agency, the
9 accreditation team shall have access to that area education
10 agency's program audit report filed with the ~~department~~
11 division of special education of the department of education.
12 After a visit to an area education agency, the accreditation
13 team shall determine whether the accreditation standards for
14 a program, including but not limited to standards established
15 pursuant to ~~section 256.9, subsection 54~~ section 256B.3,
16 subsection 15B, have been met and shall make a report to the
17 ~~director and the state board~~ division of special education,
18 together with a recommendation as to whether the programs of
19 the area education agency should receive initial accreditation
20 or remain accredited. The accreditation team shall report
21 strengths and weaknesses, if any, for each accreditation
22 standard and shall advise the area education agency of
23 available resources and technical assistance to further enhance
24 the strengths and improve areas of weakness. An area education
25 agency may respond to the accreditation team's report.

26 3. ~~The state board of education~~ division of special
27 education of the department of education shall determine
28 whether a program of an area education agency shall receive
29 initial accreditation or shall remain accredited.

30 a. Approval of area education agency programs by the ~~state~~
31 ~~board~~ division of special education shall be based upon the
32 ~~recommendation of the director of the department of education~~
33 ~~after~~ a study of the factual and evaluative evidence on record
34 about each area education agency program in terms of the
35 accreditation standards adopted by the state board.

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1 *b.* Approval, if granted, shall be for a term of five years.
2 However, the ~~state board~~ division of special education may
3 grant conditional approval for a term of less than five years
4 if conditions warrant.

5 4. If the ~~state board of education~~ division of special
6 education of the department of education determines that an
7 area education agency's program does not meet accreditation
8 standards, the ~~director of the department of education~~
9 division of special education, in cooperation with the board
10 of directors of the area education agency, shall establish a
11 remediation plan prescribing the procedures that must be taken
12 to correct deficiencies in meeting the program standards,
13 and shall establish a deadline date for correction of the
14 deficiencies. ~~The remediation plan is subject to the approval~~
15 ~~of the state board.~~

16 5. The division of special education of the department
17 of education may suspend the accreditation of the area
18 education agency program ~~shall remain accredited~~ during the
19 implementation of the remediation plan. The accreditation
20 team shall visit the area education agency and shall determine
21 whether the deficiencies in the standards for the program have
22 been corrected and shall make a report and recommendation
23 to the ~~director and the state board of education~~ division
24 of special education. The ~~state board~~ division of special
25 education shall review the report and recommendation and shall
26 determine whether the deficiencies in the program have been
27 corrected. If the division of special education determines
28 that the deficiencies in the program have been corrected, the
29 division of special education shall reinstate the accreditation
30 of the area education agency program if such accreditation was
31 suspended pursuant to this subsection.

32 6. *a.* If the deficiencies in an area education program
33 have not been corrected, the ~~agency board~~ division of special
34 education of the department of education shall take one
35 of the following actions within sixty days from removal of

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1 accreditation:

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

4 (2) Contract with another area education agency or other
5 public educational institution for purposes of program
6 delivery.

7 b. The rules developed by the state board of education for
8 the accreditation process shall include provisions for removal
9 of accreditation, including provisions for proper notice to the
10 administrator of the area education agency, each member of the
11 board of directors of the area education agency, the department
12 of education, and the superintendents and administrators of the
13 schools of the districts served by the area education agency.

14 Sec. 11. Section 273.11, Code 2024, is amended to read as
15 follows:

16 **273.11 Standards for accrediting area education programs.**

17 1. The state board of education, in consultation with the
18 division of special education of the department of education,
19 shall develop standards and rules for the accreditation of area
20 education agencies. Standards shall be general in nature,
21 but at a minimum shall identify requirements addressing the
22 services provided by each division, as well as identifying
23 indicators of quality that will permit area education agencies,
24 school districts, the division of special education of the
25 department of education, and the general public to judge
26 accurately the effectiveness of area education agency services.

27 2. Standards developed shall include, but are not limited
28 to, the following:

29 a. Support for school-community planning, including a means
30 of assessing needs, developing collaborative relationships
31 among community agencies, establishing shared direction, and
32 implementing program plans and reporting progress toward goals
33 for students with disabilities.

34 b. ~~Professional~~ Evidence-based professional development
35 programs that respond to current needs.

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- 1 *c.* Support for curriculum development, instruction, and
2 assessment ~~for~~ services that address the areas of reading,
3 language arts, math, and science, using research-based
4 methodologies, for students with disabilities.
- 5 *d.* Special education ~~compliance and~~ support.
- 6 *e.* Management services, including financial reporting and
7 purchasing as requested and funded by local districts.
- 8 *f.* Support for instructional media services that supplement
9 and support local district media centers and services.
- 10 *g.* Support for school technology planning and staff
11 development for implementing instructional technologies.
- 12 *h.* A program and services evaluation and reporting system
13 related to special education.
- 14 *i.* Support for school district libraries in accordance with
15 section 273.2, subsection 4.
- 16 *j.* Support for early childhood service coordination for
17 families and children, age birth through three years, to
18 meet health, safety, and learning needs, including service
19 coordination.
- 20 *k.* Timely submission of required reports and documents to
21 the state board of education, the department of education,
22 and the division of special education of the department of
23 education.
- 24 *l.* Support for schools and school districts in analyzing
25 student achievement data related to the learning environment,
26 comparing data to the external knowledge base, and using that
27 information to guide schools and school districts in setting
28 goals and implementing actions to improve student learning for
29 students with disabilities.
- 30 *m.* Support for addressing the diverse learning needs of
31 all children and youths with disabilities who are eligible for
32 special education, including through services that include
33 direct services to students with disabilities.
- 34 *n.* Support for schools and school districts to ensure
35 compliance with rules adopted by the state board of education

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1 related to special education.

2 o. Support necessary to implement effective instruction
3 for all students with disabilities through school technology
4 services.

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

8 q. Support for staff development and adult learners
9 utilizing evidence-based professional development in a manner
10 that meets the professional needs of staff and adult learners
11 consistent with standards adopted by the state board of
12 education.

13 r. Compliance with all relevant federal and state laws
14 in the provision of services and supports to students with
15 disabilities.

16 Sec. 12. TRANSITION PROVISIONS. An area education agency
17 that was accredited pursuant to section 273.10 on or before
18 the effective date of the section of this division of this Act
19 amending section 273.10 shall remain accredited unless and
20 until the division of special education of the department of
21 education takes action to remove accreditation from the area
22 education agency pursuant to section 273.10, as amended in this
23 division of this Act.

24 Sec. 13. EFFECTIVE DATE. The following take effect July 1,
25 2025:

26 1. The section of this division of this Act amending section
27 273.2, subsection 4.

28 2. The section of this division of this Act amending section
29 273.10.

30 3. The section of this division of this Act amending section
31 273.11.

32 Sec. 14. APPLICABILITY. The following applies to
33 employment agreements entered into or renewed between an area
34 education agency and an area education agency administrator on
35 or after July 1, 2024:

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1 The section of this division of this Act amending section
2 273.3, subsection 11.

3 DIVISION III

4 AREA EDUCATION AGENCIES — FUNDING

5 Sec. 15. Section 257.1, subsection 3, Code 2024, is amended
6 to read as follows:

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

16 Sec. 16. Section 257.10, subsection 7, Code 2024, is amended
17 to read as follows:

18 7. *Special education support services district cost.* Special
19 education support services district cost for a school district
20 for a budget year is equal to the special education support
21 services district cost per pupil for the budget year multiplied
22 by the special education support services weighted enrollment
23 for the district for the budget year. If the special education
24 support services district cost for a school district for
25 a budget year is less than the special education support
26 services district cost for that district for the base year, the
27 department of management shall adjust the special education
28 support services district cost for that district for the budget
29 year to equal the special education support services district
30 cost for the base year. Funds calculated under this subsection
31 and received by a school district or an area education agency,
32 as applicable, shall be used for special education support
33 services.

34 Sec. 17. Section 257.10, subsection 8, paragraph a, Code
35 2024, is amended to read as follows:

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1 a. Combined district cost is the sum of the regular program
2 district cost per pupil multiplied by the weighted enrollment,
3 the special education support services district cost, the
4 total teacher salary supplement district cost, the total
5 professional development supplement district cost, the total
6 early intervention supplement district cost, and the total
7 teacher leadership supplement district cost, plus the sum of
8 the additional district cost allocated to the district to fund
9 media services and educational services ~~provided through the~~
10 ~~area education agency~~ under section 257.37, the area education
11 agency total teacher salary supplement district cost and the
12 area education agency total professional development supplement
13 district cost.

14 Sec. 18. Section 257.35, subsection 1, Code 2024, is amended
15 to read as follows:

16 1. a. (1) The For fiscal years beginning before July 1,
17 2024, the department of management shall deduct the amounts
18 calculated for special education support services, media
19 services, area education agency teacher salary supplement
20 district cost, area education agency professional development
21 supplement district cost, and educational services for each
22 school district from the state aid due to the district pursuant
23 to this chapter and shall pay the amounts to the respective
24 area education agencies on a monthly basis from September 15
25 through June 15 during each school year.

26 (2) (a) For the fiscal year beginning July 1, 2024, the
27 department of management shall deduct the following amounts
28 from the state aid due to each school district pursuant to
29 this chapter and shall pay the amounts to the respective area
30 education agencies on a monthly basis from September 15 through
31 June 15 during each school year:

32 (b) The amount calculated for special education support
33 services for the school district.

34 (c) Forty percent of the amount calculated for media
35 services for the school district.

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1 (d) The area education agency teacher salary supplement
2 district cost.

3 (e) The area education agency professional development
4 supplement district cost.

5 (f) Forty percent of the amount calculated in section 257.37
6 for educational services for the school district.

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

13 (a) Ten percent of the amount calculated for special
14 education support services for the school district.

15 (b) Forty percent of the amount calculated for media
16 services for the school district.

17 (c) The area education agency teacher salary supplement
18 district cost.

19 (d) The area education agency professional development
20 supplement district cost.

21 (e) Forty percent of the amount calculated in section 257.37
22 for educational services for the school district.

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

32 Sec. 19. Section 257.37, Code 2024, is amended to read as
33 follows:

34 **257.37 Funding media and educational services.**

35 Media services and educational services provided by a school

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1 district or through the area education agencies agency shall be
2 funded, to the extent provided, by an addition to the combined
3 district cost of each school district, determined as follows:
4 1. For the budget year beginning July 1, 1991, and
5 succeeding budget years, the total amount funded in each area
6 for media services shall be computed as provided in this
7 subsection. For the budget year beginning July 1, 1991, the
8 total amount funded in each area for media services in the
9 base year shall be divided by the enrollment served in the
10 base year to provide an area media services cost per pupil in
11 the base year, and the department of management shall compute
12 the state media services cost per pupil in the base year which
13 is equal to the average of the area media services costs per
14 pupil in the base year. For the budget year beginning July 1,
15 1991, and succeeding budget years, the department of management
16 shall compute the supplemental state aid for media services
17 in the budget year by multiplying the state media services
18 cost per pupil in the base year times the state percent of
19 growth for the budget year, and the total amount funded in each
20 area for media services cost in the budget year equals the
21 area media services cost per pupil in the base year plus the
22 supplemental state aid for media services in the budget year
23 times the enrollment served in the budget year. Funds shall be
24 paid to area education agencies as provided in [section 257.35](#).
25 Funds not required to be paid to the area education agency as
26 provided in section 257.35 may be used by the school district
27 for media services provided by the district or by contract
28 through the area education agency. A school district may use
29 unreserved fund balances for media services in a manner which
30 the school district determines is appropriate to best maintain
31 the level of special education services.
32 2. Up to thirty percent of the budget of an area for media
33 services may be expended for media resource material including
34 the purchase or replacement of material required in section
35 273.6, subsection 1. ~~Funds shall be paid to area education~~

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1 ~~agencies as provided in section 257.35.~~

2 3. For the budget year beginning July 1, 1991, and
3 succeeding budget years, the total amount funded in each area
4 for educational services shall be computed as provided in this
5 subsection. For the budget year beginning July 1, 1991, the
6 total amount funded in each area for educational services
7 in the base year shall be divided by the enrollment served
8 in the area in the base year to provide an area educational
9 services cost per pupil in the base year, and the department of
10 management shall compute the state educational services cost
11 per pupil in the base year, which is equal to the average of
12 the area educational services costs per pupil in the base year.
13 For the budget year beginning July 1, 1991, and succeeding
14 budget years, the department of management shall compute the
15 supplemental state aid for educational services by multiplying
16 the state educational services cost per pupil in the base year
17 times the state percent of growth for the budget year, and the
18 total amount funded in each area for educational services for
19 the budget year equals the area educational services cost per
20 pupil for the base year plus the supplemental state aid for
21 educational services in the budget year times the enrollment
22 served in the area in the budget year. Funds shall be paid
23 to area education agencies as provided in section 257.35.
24 Funds not required to be paid to the area education agency as
25 provided in section 257.35 may be used by the school district
26 for educational services provided by the district or by
27 contract through the area education agency. A school district
28 may use unreserved fund balances for educational services in a
29 manner which the school district determines is appropriate to
30 best maintain the level of special education services.

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

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

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

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

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

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1 as determined by the director of the department of education.
2 6. For the budget year beginning July 1, 2002, and each
3 succeeding budget year, notwithstanding the requirements of
4 this section for determining the budgets and funding of media
5 services and education services, an area education agency or
6 school district may, ~~within the limits of the total of the~~
7 ~~funds provided for the budget years pursuant to [section 257.35](#),~~
8 expend for special education support services an amount that
9 exceeds the payment for special education support services
10 ~~pursuant to [section 257.35](#)~~ in order to maintain the level
11 of required special education support services in the area
12 education agency or the school district, as applicable.
13 Sec. 20. APPLICABILITY. This division of this Act applies
14 July 1, 2024, for school budget years beginning on or after
15 that date.

16 DIVISION IV

17 INITIAL TEACHER COMPENSATION

18 Sec. 21. Section 257.10, subsection 12, paragraph d, Code
19 2024, is amended to read as follows:
20 d. Except as otherwise allowed under this paragraph, for
21 the budget year beginning July 1, 2014, and succeeding budget
22 years, the use of the funds calculated under [this subsection](#)
23 shall comply with the requirements of [chapter 284](#) and shall
24 be distributed to teachers pursuant to [section 284.15](#). The
25 funds shall be used only to increase the payment for a teacher
26 assigned to a leadership role pursuant to a framework or
27 comparable system approved pursuant to [section 284.15](#); to
28 increase the percentages of teachers assigned to leadership
29 roles; to increase the minimum teacher starting salary to
30 ~~thirty-three thousand five hundred dollars~~ the amount provided
31 in section 284.15, subsection 2, paragraph "a", subparagraph
32 (1); to cover the costs for the time mentor and lead teachers
33 are not providing instruction to students in a classroom;
34 for coverage of a classroom when an initial or career
35 teacher is observing or co-teaching with a teacher assigned

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

22 Sec. 22. Section 284.15, subsection 2, paragraph a,
23 subparagraph (1), Code 2024, is amended to read as follows:

24 (1) The salary for an initial teacher who has successfully
25 completed an approved practitioner preparation program as
26 defined in [section 256.145](#) or holds an initial or intern
27 teacher license issued under chapter 256, subchapter VII,
28 part 3, shall be at least ~~thirty-three thousand five hundred~~
29 forty-six thousand two hundred fifty-one dollars, which shall
30 also constitute the minimum salary for an Iowa teacher.

31 Sec. 23. Section 284.16, subsection 1, paragraph a,
32 unnumbered paragraph 1, Code 2024, is amended to read as
33 follows:

34 The beginning teacher shall be paid not less than
35 ~~thirty-three thousand five hundred~~ forty-six thousand two

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5 1. A minimum salary of ~~thirty-three thousand five hundred~~
6 forty-six thousand two hundred fifty-one dollars for a
7 full-time teacher.

DIVISION V

9 AREA EDUCATION AGENCIES — REQUIRED EVALUATIONS AND REPORTS

10 Sec. 25. AREA EDUCATION AGENCIES — CONTINUOUS
11 IMPROVEMENT. On or before January 1, 2025, each area education
12 agency shall submit a report to the director of the department
13 of education and the general assembly that contains all of the
14 following information:

15 1. Progress the area education agency has made in reducing
16 expenses associated with executive administration by at least
17 thirty percent by July 1, 2026.

18 2. A proposal for the reorganization of services provided by
19 area education agencies to centralize some services provided by
20 the area education agencies, including media services, and to
21 create centers of excellence for other services.

22 Sec. 26. AREA EDUCATION AGENCY FACILITIES AND PROPERTY. On
23 or before January 1, 2025, the department of administrative
24 services, in coordination with the department of education
25 and each area education agency, shall submit a report to
26 the general assembly that contains all of the following
27 information:

28 1. An inventory of all real property and facilities owned
29 by the area education agencies.

30 2. An evaluation of the value of all real property and
31 facilities owned by the area education agencies.

32 3. An evaluation of how the real property and facilities
33 owned by the area education agencies are used.

DIVISION VI

35 TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL

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1 Sec. 27. Section 257.10, subsection 9, paragraph a, Code
2 2024, is amended to read as follows:

3 a. (1) For the budget year beginning July 1, 2009, the
4 department of management shall add together the teacher
5 compensation allocation made to each district for the fiscal
6 year beginning July 1, 2008, pursuant to section 284.13,
7 subsection 1, paragraph "h", Code 2009, and the phase II
8 allocation made to each district for the fiscal year beginning
9 July 1, 2008, pursuant to [section 294A.9, Code 2009](#), and divide
10 that sum by the district's budget enrollment in the fiscal
11 year beginning July 1, 2009, to determine the teacher salary
12 supplement district cost per pupil. For the budget year
13 beginning July 1, 2010, and succeeding budget years beginning
14 before July 1, 2024, the teacher salary supplement district
15 cost per pupil for each school district for a budget year
16 is the teacher salary supplement program district cost per
17 pupil for the base year plus the teacher salary supplement
18 supplemental state aid amount for the budget year.

19 (2) For the budget year beginning July 1, 2024, the teacher
20 salary supplement district cost per pupil for a school district
21 shall be the greater of the following:

22 (a) The teacher salary supplement district cost per pupil
23 for the school district for the base year plus the teacher
24 salary supplement supplemental state aid amount for the budget
25 year.

26 (b) The per pupil amount necessary, as calculated by
27 the department of management, to allow the school district
28 to provide a minimum teacher starting salary of forty-six
29 thousand two hundred fifty-one dollars in accordance with
30 the requirements of chapter 284, including costs associated
31 with the employer's share of contributions to the Iowa public
32 employees' retirement system and the employer's share of the
33 tax imposed by the federal Insurance Contributions Act.

34 (3) For the budget year beginning July 1, 2025, and
35 succeeding budget years, the teacher salary supplement district

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1 cost per pupil for each school district for a budget year
2 is the teacher salary supplement program district cost per
3 pupil for the base year plus the teacher salary supplement
4 supplemental state aid amount for the budget year.

5 DIVISION VII

6 STATE MANDATE

7 Sec. 28. IMPLEMENTATION OF ACT. Section 25B.2, subsection
8 3, shall not apply to this Act.

9 EXPLANATION

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

12 This bill relates to education, including modifying
13 provisions related to the duties and powers of area education
14 agencies, the department of education (DE), the department of
15 administrative services, area education agency funding, and the
16 calculation of the teacher salary supplement district cost per
17 pupil and the minimum teacher starting salary.

18 DIVISION I — DIVISION OF SPECIAL EDUCATION OF THE
19 DEPARTMENT OF EDUCATION. Current law requires the director
20 of DE to provide guidance and standards to area education
21 agencies for federal and state education initiatives which
22 the area education agencies must implement statewide. The
23 bill transfers this responsibility to the division of special
24 education of DE, beginning July 1, 2025. The bill also
25 requires the division of special education to oversee the
26 operation of each area education agency beginning July 1, 2025.

27 The bill requires DE to coordinate with each area education
28 agency, and with the division of special education, to develop
29 a plan to transfer certain specified employees of the area
30 education agency from employment under the area education
31 agency to employment under the division of special education.
32 The bill establishes that DE is to compile the plans and submit
33 the compilation to the general assembly on or before January
34 1, 2025.

35 DIVISION II — AREA EDUCATION AGENCIES — GENERAL

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1 PROVISIONS. The bill authorizes the area education agencies
2 to furnish evidence-based professional development services to
3 public or nonpublic schools located within the area education
4 agency's boundaries, subject to the approval of the director
5 of DE.

6 The bill requires area education agencies to provide special
7 education services to local school districts that request to
8 receive such services by February 1 of the preceding school
9 year. The bill authorizes an area education agency to provide
10 such services to local school districts that request to receive
11 such services after February 1 of the preceding school year.
12 The bill also authorizes area education agencies to provide for
13 media services for local school districts in the area. The
14 bill establishes that these provisions are effective July 1,
15 2025.

16 The bill requires area education agency boards to charge
17 reasonable costs that are consistent with market rates for the
18 educational services, special education services, professional
19 development services, and media services provided by the area
20 education agency.

21 The bill requires area education agency boards to provide an
22 annual report to the general assembly and DE related to student
23 outcomes and use of moneys.

24 The bill provides that the salary for an area education
25 agency administrator shall not exceed 125 percent of the
26 average salary of all superintendents of school districts that
27 are located within the boundaries of the area education agency.
28 The bill establishes that this provision applies to employment
29 agreements entered into or renewed on or after July 1, 2024.

30 The bill requires area education agencies to prepare and
31 submit to each school district within the area education
32 agency's boundaries an annual report containing information
33 related to an accounting of payments and a description of
34 services provided.

35 The bill modifies several provisions related to the

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1 accreditation of area education agency programs to incorporate
2 the division of special education of DE into the accreditation
3 process and to incorporate additional standards related to
4 accreditation. The bill provides that an area education agency
5 that was accredited on or before July 1, 2025, will remain
6 accredited unless and until the division of special education
7 takes action to remove accreditation. The bill establishes
8 that these provisions are effective July 1, 2025.

9 DIVISION III — AREA EDUCATION AGENCIES — FUNDING. The bill
10 provides that the funds calculated under Code section 257.10(7)
11 (special education support services district cost) and received
12 by a school district or an area education agency shall be used
13 for special education support services.

14 Under current law, amounts calculated for special education
15 support services, media services, area education agency
16 teacher salary supplement district cost, area education
17 agency professional development supplement district cost,
18 and educational services are deducted by the department of
19 management from state aid for each school district and instead
20 paid to the school district's area education agency.

21 The bill provides that, for the fiscal year beginning July
22 1, 2024, the department of management shall instead deduct
23 the following amounts from the state aid due to each school
24 district and pay the amounts to the respective area education
25 agencies: the amount calculated for special education support
26 services for the school district, 40 percent of the amount
27 calculated for media services for the school district, the
28 area education agency teacher salary supplement district cost,
29 the area education agency professional development supplement
30 district cost, and 40 percent of the amount calculated for
31 educational services for the school district.

32 The bill provides that, for the fiscal year beginning July
33 1, 2025, and each fiscal year thereafter, the department of
34 management shall deduct the following amounts from the state
35 aid due to each school district and pay the amounts to the

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1 respective area education agencies: 10 percent of the amount
2 calculated for special education support services for the
3 school district, 40 percent of the amount calculated for media
4 services for the school district, the area education agency
5 teacher salary supplement district cost, the area education
6 agency professional development supplement district cost, and
7 40 percent of the amount calculated for educational services
8 for the school district.

9 The bill modifies provisions related to the funding of media
10 services and educational services provided by a school district
11 or through an area education agency. The bill provides that
12 funds not required to be paid to the area education agency
13 pursuant to Code section 257.35 (area education agency
14 payments) may be used by the school district for media services
15 provided by the district or by contract through the area
16 education agency. The bill authorizes a school district to use
17 unreserved fund balances for media services in a manner which
18 the school district determines is appropriate to best maintain
19 the level of special education services.

20 The bill provides that, for purposes of Code section 257.37
21 (funding media and educational services), "enrollment served"
22 means the basic enrollment of all school districts within the
23 boundaries of the area education agency plus the number of
24 nonpublic school pupils served by the area education agency.

25 The bill authorizes area education agencies and school
26 districts to expend for special education support services an
27 amount that exceeds the payment for special education support
28 services in order to maintain the level of required special
29 education support services in the area education agency or the
30 school district.

31 DIVISION IV — INITIAL TEACHER COMPENSATION. Current Code
32 chapter 284 (teacher compensation) provides that the minimum
33 annual salary for an initial teacher who has successfully
34 completed an approved practitioner preparation program or holds
35 an initial or intern teacher license issued by the board of

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1 educational examiners shall be at least \$33,500. The bill
2 increases this minimum annual salary to \$46,251. The bill
3 makes conforming changes to Code chapter 257 (financial school
4 programs).

5 DIVISION V — AREA EDUCATION AGENCIES — REQUIRED
6 EVALUATIONS AND REPORTS. The bill requires each area education
7 agency, on or before January 1, 2025, to submit a report to
8 DE and the general assembly that contains information related
9 to progress the area education agency has made in reducing
10 executive administration expenses and a proposal for the
11 reorganization of services provided by area education agencies.
12 The bill requires the department of administrative services,
13 in coordination with DE and each area education agency, on
14 or before January 1, 2025, to submit a report to the general
15 assembly that contains an inventory of all real property and
16 facilities owned by the area education agencies, an evaluation
17 of the value of all real property and facilities owned by the
18 area education agencies, and an evaluation of how the real
19 property and facilities owned by the area education agencies
20 are used.

21 DIVISION VI — TEACHER SALARY SUPPLEMENT DISTRICT COST PER
22 PUPIL. The bill provides that, for the budget year beginning
23 July 1, 2024, the teacher salary supplement district cost per
24 pupil for a school district shall be the greater of the teacher
25 salary supplement district cost per pupil for the school
26 district for the base year plus the teacher salary supplement
27 supplemental state aid amount for the budget year or the per
28 pupil amount necessary to allow the school district to provide
29 a minimum teacher starting salary of \$46,251. Additionally,
30 the bill provides that for the budget year beginning July
31 1, 2025, and succeeding budget years, the teacher salary
32 supplement district cost per pupil for each school district for
33 a budget year is the teacher salary supplement program district
34 cost per pupil for the base year plus the teacher salary
35 supplement supplemental state aid amount for the budget year.

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1 DIVISION VII — STATE MANDATE. The bill provides that Code
2 section 25B.2(3) (effect of unfunded state mandate) shall not
3 apply to the bill.

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Senate File 2387 - Introduced

SENATE FILE 2387

BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 3118)

(COMPANION TO HF 2536 BY
COMMITTEE ON STATE GOVERNMENT)

A BILL FOR

1 An Act relating to the duties of the Iowa finance authority.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 16.5E Application or award —
2 prohibition.

3 1. The authority may prohibit a person from receiving an
4 award of financial assistance, or from being selected as a
5 vendor to provide goods or services to the authority in any of
6 the following circumstances:

7 a. An act or omission by the person seriously affects or
8 threatens public health, public safety, or the environment.

9 b. The person is charged with or convicted of a crime
10 involving dishonesty.

11 c. An act or omission by the person indicates a lack of
12 integrity or honesty.

13 d. The person violates the terms of an agreement or
14 transaction that detrimentally impacts the integrity of a
15 program administered by the authority, or other governmental
16 entity as defined in section 8A.101.

17 e. A compelling cause exists that is relevant to and affects
18 the person's obligations under the programs administered by the
19 authority, or is relevant to and affects the provision of goods
20 and services to the authority by a vendor.

21 2. Upon a determination by the authority, a person shall
22 be prohibited from receiving an award of financial assistance,
23 or from being selected as a vendor pursuant to subsection 1.
24 The authority shall provide written notice to the prohibited
25 person stating the reason for the prohibition. The authority
26 may immediately disqualify a prohibited person from receiving
27 financial assistance, or from being selected as a vendor.

28 3. The authority shall adopt rules as necessary pursuant to
29 chapter 17A to administer this section.

30 Sec. 2. Section 16.35, subsection 2, Code 2024, is amended
31 by striking the subsection and inserting in lieu thereof the
32 following:

33 2. The authority shall adopt a qualified allocation
34 plan that satisfies the requirements of section 42 of
35 the Internal Revenue Code. The authority may revise the

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1 qualified allocation plan provided the revision satisfies the
2 requirements of section 42 of the Internal Revenue Code. When
3 adopting the qualified allocation plan, the authority shall
4 specify the selection criteria, the application procedure, and
5 the allocation of low-income housing credits under the state
6 housing credit ceiling. The selection criteria described
7 in the qualified allocation plan shall include all of the
8 following:

9 a. The selection criteria described in section 42 of the
10 Internal Revenue Code.

11 b. The statutory preferences described in section 42 of the
12 Internal Revenue Code.

13 c. The economic feasibility of the proposed project.

14 d. The ability of the applicant to complete the project in a
15 timely manner.

16 Sec. 3. Section 16.35, subsection 3, Code 2024, is amended
17 by striking the subsection.

18 Sec. 4. Section 16.154, subsection 1, Code 2024, is amended
19 to read as follows:

20 1. An eligible entity may apply to the authority for
21 financial assistance under the program by submitting a plan
22 ~~that meets~~ on an application form as required by the authority.
23 To be approved for an award of financial assistance, the plan
24 must meet all of the following requirements:

25 a. The plan ~~includes~~ proposes one or more projects that
26 improve water quality in the local area or watershed. Projects
27 shall use practices identified in the Iowa nutrient reduction
28 strategy.

29 b. The plan ~~describes in detail~~ describes the manner in
30 which the projects will be financed and undertaken, including,
31 as applicable, the sources of revenue directed to financing
32 the improvements as well as the eligible entities that will be
33 receiving the revenues and how such revenues will be spent on
34 the projects.

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 the duties of the Iowa finance authority
4 (authority).

5 The bill specifies the circumstances in which the authority
6 may prohibit a person from receiving an award or financial
7 assistance, or from being selected as a vendor to provide goods
8 or services to the authority. The circumstances include:
9 an act or omission by the person that seriously affects or
10 threatens public health, public safety, or the environment;
11 the person is charged with or convicted of a crime involving
12 dishonesty; an act or omission by the person that indicates a
13 lack of integrity or honesty; the person violates the terms
14 of an agreement or transaction; or a compelling cause exists
15 that is relevant to and affects the obligations of the person
16 or vendor under programs administered by the authority. The
17 authority is required to provide written notification to the
18 person of the reason for the prohibition, and may immediately
19 disqualify such a person from receiving financial assistance
20 or being selected as a vendor.

21 The authority is the designated housing credit agency
22 for the allowance of low-income housing credits under
23 the state housing credit ceiling. The bill requires the
24 authority to adopt a qualified allocation plan that satisfies
25 the requirements of section 42 of the Internal Revenue
26 Code (IRC). The bill allows the authority to revise the
27 qualified allocation plan provided the revision satisfies the
28 requirements of section 42 of the IRC. When adopting the
29 qualified allocation plan under the bill, the authority is
30 required to specify the selection criteria, the application
31 procedure, and the allocation of low-income housing credits
32 under the state housing credit ceiling.

33 Under the bill, the selection criteria shall include all of
34 the following: the selection criteria described in section 42
35 of the IRC, the statutory preferences described in section 42

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1 of the IRC, the economic feasibility of the proposed project,
2 and the ability of the applicant to complete the project in a
3 timely manner.

4 The bill strikes a provision allowing the authority to adopt
5 rules specifying the application procedure and the allowance
6 of low-income housing credits under the state housing credit
7 ceiling.

8 The bill amends Code section 16.154 relating to entities
9 applying for financial assistance under the water quality
10 financing program. The bill requires an applicant to submit
11 the plan project to the authority on a form required by
12 the authority. The bill provides the plan project describe
13 the manner in which the plan project will be financed and
14 undertaken, and strikes the requirement the description be
15 detailed.

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Senate File 2388 - Introduced

SENATE FILE 2388
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2041)

A BILL FOR

1 An Act relating to severance payments provided for in
2 school administrator employment contracts and including
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 279.23, subsection 1, Code 2024, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *0e.* If the contract provides for one or
4 more severance payments, a statement that the administrator
5 shall not receive such payments if the contract is terminated
6 as a result of the administrator being found guilty in a
7 criminal proceeding on a charge relating to the administrator's
8 official duties or a dereliction thereof for which the period
9 for appeal has passed, other than a proceeding regarding a
10 simple misdemeanor or a parking violation as defined in section
11 321.210.

12 Sec. 2. APPLICABILITY. This Act applies to contracts
13 entered into pursuant to section 279.23, or continued pursuant
14 to section 279.24, on or after the effective date of this Act.

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 provides that if an employment contract between
19 a school board and an administrator provides for one or more
20 severance payments, the contract shall contain a statement
21 that the administrator shall not receive such payments if the
22 contract is terminated as a result of the administrator being
23 found guilty in a criminal proceeding on a charge relating
24 to the administrator's official duties or a dereliction
25 thereof for which the period for appeal has passed, other
26 than a proceeding regarding a simple misdemeanor or a parking
27 violation.

28 The bill applies to contracts entered into or continued on or
29 after the effective date of the bill.

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Senate File 2389 - Introduced

SENATE FILE 2389
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 540)
(SUCCESSOR TO SSB 1177)

(COMPANION TO HF 2519 BY
COMMITTEE ON JUDICIARY)

A BILL FOR

1 An Act relating to commercial transactions, including control
2 and transmission of electronic records and digital assets.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
UNIFORM COMMERCIAL CODE
PART A
ARTICLE 14

CONTROLLABLE ELECTRONIC RECORDS

Section 1. Section 554.14101, Code 2024, is amended to read as follows:

554.14101 Short title.

This Article may be cited as the Uniform Commercial Code —
Controllable Electronic Records.

Sec. 2. Section 554.14102, Code 2024, is amended to read as follows:

554.14102 Definitions.

1. ~~Article 14 definitions.~~ Article 14 definitions. In this Article:

a. "Controllable electronic record" means a record stored in an electronic medium that can be subjected to control under section 554.14105. The term does not include a controllable account, a controllable payment intangible, a deposit account, electronic chattel paper, an electronic copy of a record evidencing chattel paper, an electronic document of title, electronic money, investment property, or a transferable record.

b. "Qualifying purchaser" means a purchaser of a controllable electronic record or an interest in ~~the~~ a controllable electronic record that obtains control of the controllable electronic record for value, in good faith, and without notice of a claim of a property right in the controllable electronic record.

c. "Transferable record" ~~means~~ has the meaning provided for that term in:

(1) ~~"Transferable record", as defined in the federal Section 201(a)(1) of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §7021(a)(1), as amended;~~ or

(2) ~~"Transferable record" as defined in the uniform~~

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1 ~~electronic transactions~~ Uniform Electronic Transactions Act,
2 section 554D.118, subsection 1.

3 *d.* “*Value*” has the meaning provided in section 554.3303,
4 subsection 1, as if references in that subsection to an
5 “*instrument*” were references to a controllable account,
6 controllable electronic record, or controllable payment
7 intangible.

8 2. ~~Definitions in Article 9.~~ Definitions in Article 9. The
9 definitions in Article 9 of “*account debtor*”, “*authenticate*”,
10 “*controllable account*”, “*controllable payment intangible*”,
11 “*chattel paper*”, “*deposit account*”, ~~“*electronic chattel paper*”~~,
12 “*electronic money*”, and “*investment property*” apply to this
13 Article.

14 3. Article 1 definitions and principles. Article 1 contains
15 general definitions and principles of construction and
16 interpretation applicable throughout this Article.

17 Sec. 3. Section 554.14103, Code 2024, is amended to read as
18 follows:

19 554.14103 Scope Relation to Article 9 and consumer laws.

20 1. *Article 9 governs in case of conflict.* If there is
21 conflict between this Article and Article 9, Article 9 governs.

22 2. *Applicable consumer law and other laws.* A transaction
23 subject to this Article is subject to:

24 *a.* any applicable rule of law that establishes a different
25 rule for consumers, including as provided in chapter 537 and
26 any other consumer protection statute or regulation of this
27 state; and

28 *b.* any other statute or regulation of this state that
29 regulates the rates, charges, agreements, and practices for
30 loans, credit sales, or other extensions of credit or credit
31 transactions, including as provided in chapter 535.

32 2A. National digital currency not supported, endorsed,
33 created, or implemented. This Article shall not be construed
34 to support, endorse, create, or implement a national digital
35 currency.

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1 Sec. 4. Section 554.14104, Code 2024, is amended to read as
2 follows:

3 **554.14104 Rights in controllable account, controllable**
4 **electronic record, and controllable payment intangible.**

5 1. *Applicability of section to controllable account and*
6 *controllable payment intangible. This section* applies to the
7 acquisition and purchase of rights in a controllable account
8 or controllable payment intangible, including the rights and
9 benefits under subsections 3, 4, 5, 7, and 8 of a purchaser
10 and a qualifying purchaser, and under subsections 3, 4, and 6,
11 and in the same manner this section applies to a controllable
12 electronic record.

13 2. *Control of controllable account and controllable payment*
14 *intangible. To determine whether a purchaser of a controllable*
15 *account or a controllable payment intangible is a qualifying*
16 *purchaser, the purchaser obtains control of the account or*
17 *payment intangible if it obtains control of the controllable*
18 *electronic record that evidences the account or payment*
19 *intangible.*

20 ~~2.~~ 3. *Applicability of other law to acquisition of*
21 *rights. Except as provided in this section, law other than*
22 *this Article determines whether a person acquires a right in*
23 *a controllable electronic record and the right the person*
24 *acquires.*

25 ~~3.~~ 4. *Shelter principle and purchase of limited interest. A*
26 *purchaser of a controllable electronic record acquires*
27 *all rights in the controllable electronic record that the*
28 *transferor had or had power to transfer, except that a*
29 *purchaser of a limited interest in a controllable electronic*
30 *record acquires rights only to the extent of the interest*
31 *purchased.*

32 ~~4.~~ 5. *Rights of qualifying purchaser. A qualifying*
33 *purchaser acquires its rights in the controllable electronic*
34 *record free of a claim of a property right in the controllable*
35 *electronic record.*

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1 ~~5.~~ 6. *Limitation of rights of qualifying purchaser in*
2 *other property.* Except as provided in subsections 1 and 4
3 5 for a controllable ~~accounts~~ account and a controllable
4 payment ~~intangibles~~ intangible or law other than this Article,
5 a qualifying purchaser takes a right to payment, right to
6 performance, or other interest in property evidenced by the
7 controllable electronic record subject to a claim of a property
8 right in the right to payment, right to performance, or other
9 interest in property.

10 ~~6.~~ 7. *No-action protection for qualifying purchaser.* An
11 action shall not be asserted against a qualifying purchaser
12 based on both a purchase by the qualifying purchaser of a
13 controllable electronic record and a claim of a property
14 right in another controllable electronic record, whether the
15 action is framed in conversion, replevin, constructive trust,
16 equitable lien, or other theory.

17 ~~7.~~ 8. *Filing not notice.* Filing of a financing statement
18 under Article 9 is not notice of a claim of a property right in
19 a controllable electronic record.

20 Sec. 5. Section 554.14105, Code 2024, is amended to read as
21 follows:

22 **554.14105 Control of controllable electronic record.**

23 1. *General rule:* — *control of controllable electronic*
24 *record.* A person has control of a controllable electronic
25 record if the electronic record, a record attached to or
26 logically associated with the electronic record, or a system in
27 which the electronic record is recorded:

28 ~~a. the electronic record, a record attached to or logically~~
29 ~~associated with the electronic record, or a system in which the~~
30 ~~electronic record is recorded~~ gives the person:

31 (1) ~~the~~ power to avail itself of substantially all the
32 benefit from the electronic record; and

33 (2) exclusive power, subject to subsection 2, to:

34 (a) prevent others from availing themselves of
35 substantially all the benefit from the electronic record; and

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1 (b) transfer control of the electronic record to another
2 person or cause another person to obtain control of another
3 controllable electronic record as a result of the transfer of
4 the electronic record; and

5 ~~b. the electronic record, a record attached to or logically~~
6 ~~associated with the electronic record, or a system in which~~
7 ~~the electronic record is recorded~~ enables the person readily
8 to identify itself in any way, including by name, identifying
9 number, cryptographic key, office, or account number, as having
10 the powers specified in paragraph "a".

11 ~~2. Control through another person. A person has control of~~
12 ~~a controllable electronic record if another person, other than~~
13 ~~the transferor of an interest in the electronic record:~~

14 ~~a. has control of the electronic record and acknowledges~~
15 ~~that it has control on behalf of the person, or~~

16 ~~b. obtains control of the electronic record after having~~
17 ~~acknowledged that it will obtain control of the electronic~~
18 ~~record on behalf of the person.~~

19 ~~3. 2. Meaning of exclusive. A power specified in Subject~~
20 ~~to subsection 1 3, paragraph "a", subparagraph (2), a power is~~
21 ~~exclusive, under subsection 1, paragraph "a", subparagraph (2),~~
22 ~~subparagraph divisions (a) and (b) even if:~~

23 ~~a. the controllable electronic record, a record attached~~
24 ~~to or logically associated with the electronic record, or a~~
25 ~~system in which the electronic record is recorded limits the~~
26 ~~use of the electronic record or has a protocol programmed to~~
27 ~~cause a change, including a transfer or loss of control or a~~
28 ~~modification of benefits afforded by the electronic record; or~~

29 ~~b. the person has agreed to share the power is shared with~~
30 ~~another person.~~

31 ~~3. When power not shared with another person. A power of a~~
32 ~~person is not shared with another person under subsection 2,~~
33 ~~paragraph "b" and the person's power is not exclusive if:~~

34 ~~a. the person can exercise the power only if the power also~~
35 ~~is exercised by the other person; and~~

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1 b. the other person:

2 (1) can exercise the power without exercise of the power by
3 the person; or

4 (2) is the transferor to the person of an interest in the
5 controllable electronic record or a controllable account or
6 controllable payment intangible evidenced by the controllable
7 electronic record.

8 4. Presumption of exclusivity of certain powers. If a
9 person has the powers specified in subsection 1, paragraph "a",
10 subparagraph (2), subparagraph divisions (a) and (b) the powers
11 are presumed to be exclusive.

12 5. Control through another person. A person has control of
13 a controllable electronic record if another person, other than
14 the transferor to the person of an interest in the controllable
15 electronic record or a controllable account or controllable
16 payment intangible evidenced by the controllable electronic
17 record:

18 a. has control of the electronic record and acknowledges
19 that it has control on behalf of the person; or

20 b. obtains control of the electronic record after having
21 acknowledged that it will obtain control of the electronic
22 record on behalf of the person.

23 6. No requirement to acknowledge. A person that has control
24 under this section is not required to acknowledge that it has
25 control on behalf of another person.

26 7. No duties or confirmation. If a person acknowledges that
27 it has or will obtain control on behalf of another person,
28 unless the person otherwise agrees or law other than this
29 Article or Article 9 otherwise provides, the person does not
30 owe any duty to the other person and is not required to confirm
31 the acknowledgment to any other person.

32 Sec. 6. Section 554.14106, Code 2024, is amended to read as
33 follows:

34 **554.14106 Discharge of account debtor on controllable account**
35 **or controllable payment intangible.**

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1 1. *Discharge of account debtor.* An account debtor on a
2 controllable account or controllable payment intangible may
3 discharge its obligation by paying:
4 a. the person having control of the controllable electronic
5 record that evidences the controllable account or controllable
6 payment intangible; or
7 b. except as provided in [subsection 2](#), a person that
8 formerly had control of the controllable electronic record.
9 2. ~~Effect~~ Content and effect of notification. Subject to
10 subsection 4, ~~an~~ the account debtor shall not discharge its
11 obligation by paying a person that formerly had control of the
12 controllable electronic record if the account debtor receives a
13 notification that:
14 a. ~~is authenticated~~ signed by a person that formerly had
15 control or the person to which control was transferred;
16 b. reasonably identifies the controllable account or
17 controllable payment intangible;
18 c. notifies the account debtor that control of the
19 controllable electronic record that evidences the controllable
20 account or controllable payment intangible was transferred;
21 d. identifies the transferee, in any reasonable way,
22 including by name, identifying number, cryptographic key,
23 office, or account number; and
24 e. provides a commercially reasonable method by which the
25 account debtor is to pay the transferee.
26 3. *Discharge following effective notification.* After
27 receipt of a notification that complies with [subsection 2](#), the
28 account debtor may discharge its obligation ~~only~~ by paying in
29 accordance with the notification and shall not discharge the
30 obligation by paying a person that formerly had control.
31 4. *When notification ineffective.* ~~Notification~~ Subject to
32 subsection 8, notification is ineffective under [subsection 2](#):
33 a. unless, before the notification is sent, ~~an~~ the account
34 debtor and the person that, at that time, had control of the
35 controllable electronic record that evidences the controllable

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1 account or controllable payment intangible agree in an
2 ~~authenticated~~ a signed record to a commercially reasonable
3 method by which a person must furnish reasonable proof that
4 control has been transferred;

5 **b.** to the extent an agreement between ~~an~~ the account debtor
6 and seller of a payment intangible limits the account debtor's
7 duty to pay a person other than the seller and the limitation
8 is effective under law other than this Article; or

9 **c.** at the option of ~~an~~ the account debtor, if the
10 notification notifies the account debtor to:

11 (1) divide a payment;

12 (2) make less than the full amount of ~~any~~ an installment or
13 other periodic payment; or

14 (3) pay any part of a payment by more than one method or to
15 more than one person.

16 **5. Proof of transfer of control.** ~~If~~ Subject to subsection
17 8, if requested by the account debtor, the person giving the
18 notification under subsection 2 seasonably shall furnish
19 reasonable proof, using the ~~agreed~~ method in the agreement
20 referred to in subsection 4, paragraph "a", that control of the
21 controllable electronic record has been transferred. Unless
22 the person complies with the request, the account debtor may
23 discharge its obligation by paying a person that formerly had
24 control, even if the account debtor has received a notification
25 under subsection 2.

26 **6. What constitutes reasonable proof.** A person furnishes
27 reasonable proof under subsection 5 that control has been
28 transferred if the person demonstrates, using the ~~agreed~~ method
29 in the agreement referred to in subsection 4, paragraph "a",
30 that the transferee has the power to:

31 **a.** avail itself of substantially all the benefit from the
32 controllable electronic record;

33 **b.** prevent others from availing themselves of substantially
34 all the benefit from the controllable electronic record; and

35 **c.** transfer the powers ~~mentioned~~ specified in paragraphs "a"

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1 and "b" to another person.

2 7. *Rights not waivable.* ~~An~~ Subject to subsection 8,
3 an account debtor shall not waive or vary its rights under
4 subsection 4, paragraph "a", and subsection 5 or its option
5 under subsection 4, paragraph "c".

6 8. *Rule for individual under other law.* This section is
7 subject to law other than this Article which establishes a
8 different rule for an account debtor who is an individual and
9 who incurred the obligation primarily for personal, family, or
10 household purposes.

11 Sec. 7. Section 554.14107, Code 2024, is amended by striking
12 the section and inserting in lieu thereof the following:

13 554.14107 Governing law.

14 1. *Governing law: general rule.* Except as provided in
15 subsection 2, the local law of a controllable electronic
16 record's jurisdiction governs a matter covered by this Article.

17 2. *Governing law: section 554.14106.* For a controllable
18 electronic record that evidences a controllable account
19 or controllable payment intangible, the local law of the
20 controllable electronic record's jurisdiction governs a matter
21 covered by section 554.14106 unless an effective agreement
22 determines that the local law of another jurisdiction governs.

23 3. *Controllable electronic record's jurisdiction.* The
24 following rules determine a controllable electronic record's
25 jurisdiction under this section:

26 a. if the controllable electronic record, or a record
27 attached to or logically associated with the controllable
28 electronic record and readily available for review, expressly
29 provides that a particular jurisdiction is the controllable
30 electronic record's jurisdiction for purposes of this section,
31 Article, or chapter, that jurisdiction is the controllable
32 electronic record's jurisdiction.

33 b. if paragraph "a" does not apply and the rules of the
34 system in which the controllable electronic record is recorded
35 are readily available for review and expressly provide that a

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1 particular jurisdiction is the controllable electronic record's
2 jurisdiction for purposes of this section, Article, or chapter,
3 that jurisdiction is the controllable electronic record's
4 jurisdiction.

5 *c.* if paragraphs "a" and "b" do not apply and the
6 controllable electronic record, or a record attached to or
7 logically associated with the controllable electronic record
8 and readily available for review, expressly provides that the
9 controllable electronic record is governed by the law of a
10 particular jurisdiction, that jurisdiction is the controllable
11 electronic record's jurisdiction.

12 *d.* if paragraphs "a", "b", and "c" do not apply and the
13 rules of the system in which the controllable electronic
14 record is recorded are readily available for review and
15 expressly provide that the controllable electronic record or
16 the system is governed by the law of a particular jurisdiction,
17 that jurisdiction is the controllable electronic record's
18 jurisdiction.

19 *e.* if paragraphs "a" through "d" do not apply, the
20 controllable electronic record's jurisdiction is the District
21 of Columbia.

22 4. *Applicability of Article 12.* If subsection 3, paragraph
23 "e", applies and Article 12 is not in effect in the District of
24 Columbia without material modification, the governing law for
25 a matter covered by this Article is the law of the District of
26 Columbia as though Article 12 were in effect in the District of
27 Columbia without material modification. In this subsection,
28 "Article 12" means Article 12 of Uniform Commercial Code
29 Amendments (2022) approved by the uniform law commission at its
30 annual meeting in July 2022.

31 5. *Relation of matter or transaction to controllable*
32 *electronic record's jurisdiction not necessary.* To the
33 extent subsections 1 and 2 provide that the local law of the
34 controllable electronic record's jurisdiction governs a matter
35 covered by this Article, that law governs even if the matter

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1 or a transaction to which the matter relates does not bear any
2 relation to the controllable electronic record's jurisdiction.

3 6. *Rights of purchasers determined at time of purchase.* The
4 rights acquired under section 554.14104 by a purchaser or
5 qualifying purchaser are governed by the law applicable under
6 this section at the time of purchase.

7 Sec. 8. Section 554.14108, Code 2024, is amended to read as
8 follows:

9 **554.14108 Applicability.**

10 1. [This Article](#) applies to any transaction involving a
11 controllable electronic record that arises on or after July 1,
12 2022. [This Article](#) does not apply to any transaction involving
13 a controllable electronic record that arises before July 1,
14 2022, even if the transaction would be subject to [this Article](#)
15 if the transaction had arisen on or after July 1, 2022. This
16 Article does not apply to a right of action with regard to any
17 transaction involving a controllable electronic record that has
18 accrued before July 1, 2022.

19 2. This section is repealed on July 1, 2025.

20 Sec. 9. Section 554.14109, Code 2024, is amended to read as
21 follows:

22 **554.14109 Savings clause.**

23 1. Any transaction involving a controllable electronic
24 record that arose before July 1, 2022, and the rights,
25 obligations, and interests flowing from that transaction are
26 governed by any statute or other rule amended or repealed by
27 this Article as if such amendment or repeal had not occurred
28 and may be terminated, completed, consummated, or enforced
29 under that statute or other rule.

30 2. This section is repealed on July 1, 2025.

31 PART B

32 ARTICLE 1

33 GENERAL PROVISIONS

34 Sec. 10. Section 554.1201, subsection 2, paragraphs j, o, v,
35 y, ab, ak, and al, Code 2024, are amended to read as follows:

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1 *j. "Conspicuous"*, with reference to a term, means so
2 written, displayed, or presented that, based on the totality
3 of the circumstances, a reasonable person against which it
4 is to operate ought to have noticed it. Whether a term is
5 "*conspicuous*" or not is a decision for the court. ~~Conspicuous~~
6 ~~terms include the following:~~

7 ~~(1) a heading in capitals equal to or greater in size than~~
8 ~~the surrounding text, or in contrasting type, font, or color to~~
9 ~~the surrounding text of the same or lesser size; and~~

10 ~~(2) language in the body of a record or display in larger~~
11 ~~type than the surrounding text, or in contrasting type, font,~~
12 ~~or color to the surrounding text of the same size, or set off~~
13 ~~from surrounding text of the same size by symbols or other~~
14 ~~marks that call attention to the language.~~

15 *o. "Delivery"*, with respect to an electronic document
16 of title, means voluntary transfer of control and, with
17 respect to an instrument, a tangible document of title, or an
18 authoritative tangible copy of a record evidencing chattel
19 paper, means voluntary transfer of possession.

20 *v. "Holder"* means:

21 (1) the person in possession of a negotiable instrument that
22 is payable either to bearer or to an identified person that is
23 the person in possession;

24 (2) the person in possession of a negotiable tangible
25 document of title if the goods are deliverable either to bearer
26 or to the order of the person in possession; or

27 (3) the person in control, other than pursuant to section
28 554.7106, subsection 7, of a negotiable electronic document of
29 title.

30 *y. "Money"* means a medium of exchange that ~~is currently~~
31 authorized or adopted by a domestic or foreign government. The
32 term includes a monetary unit of account established by an
33 intergovernmental organization, or pursuant to an agreement
34 between two or more countries. The term does not include an
35 electronic record that is a medium of exchange recorded and

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1 transferable in a system that existed and operated for the
2 medium of exchange before the medium of exchange was authorized
3 or adopted by the government.

4 ~~{1} is currently authorized or adopted by a domestic or~~
5 ~~foreign government, by an intergovernmental organization, or~~
6 ~~pursuant to an agreement between two or more governments; and~~

7 ~~{2} was initially issued, created, or distributed by~~
8 ~~a domestic or foreign government, by an intergovernmental~~
9 ~~organization, or pursuant to an agreement between two or more~~
10 ~~governments.~~

11 *ab.* "Person" means an individual, corporation, business
12 trust, estate, trust, partnership, limited liability company,
13 association, joint venture, government, governmental
14 subdivision, agency, or instrumentality, ~~public corporation,~~
15 or any other legal or commercial entity. The term includes
16 a protected series, however denominated, of an entity if the
17 protected series is established under law other than this
18 chapter that limits, or limits if conditions specified under
19 the law are satisfied, the ability of a creditor of the entity
20 or of any other protected series of the entity to satisfy a
21 claim from assets of the protected series.

22 *ak.* "Send" in connection with a ~~writing,~~ record, or notice
23 notification means:

24 (1) to deposit in the mail, or deliver for transmission,
25 or transmit by any other usual means of communication, with
26 postage or cost of transmission provided for, and properly
27 addressed and, in the case of an instrument, to an address
28 ~~specified thereon or otherwise agreed, or if there be none to~~
29 any address reasonable under the circumstances; or

30 (2) ~~in any other way to cause to be received any the record~~
31 ~~or notice notification to be received~~ within the time it would
32 ~~have arrived~~ been received if properly sent under subparagraph
33 (1).

34 *al.* (1) ~~"Signed" includes using any symbol executed~~
35 ~~or adopted~~ "Sign" means, with present intention intent to

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1 authenticate or adopt or accept a writing. record:

2 (a) to execute or adopt a tangible symbol; or

3 (b) to attach to or logically associate with the record an
4 electronic symbol, sound, or process.

5 (2) "Signed", "signing", and "signature" have corresponding
6 meanings.

7 Sec. 11. Section 554.1301, subsection 3, paragraph g, Code
8 2024, is amended to read as follows:

9 g. Sections 554.13105 and 554.13106;

10 Sec. 12. Section 554.1301, subsection 3, Code 2024, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. h. Section 554.14107.

13 Sec. 13. Section 554.1306, Code 2024, is amended to read as
14 follows:

15 **554.1306 Waiver or renunciation of claim or right after**
16 **breach.**

17 A claim or right arising out of an alleged breach may
18 be discharged in whole or in part without consideration by
19 agreement of the aggrieved party in ~~an authenticated~~ a signed
20 record.

21 PART C

22 ARTICLE 2

23 SALES

24 Sec. 14. Section 554.2102, Code 2024, is amended to read as
25 follows:

26 **554.2102 Scope — certain security and other transactions**
27 **excluded from this Article.**

28 1. Unless the context otherwise requires, this Article
29 applies to transactions in goods; it does not apply to any
30 transaction which although in the form of an unconditional
31 contract to sell or present sale is intended to operate only
32 as a security transaction nor does this Article impair or
33 repeal any statute regulating sales to consumers, farmers or
34 other specified classes of buyers and except as provided in
35 subsection 3, this Article applies to transactions in goods

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1 and, in the case of a hybrid transaction, it applies to the
2 extent provided in subsection 2.

3 2. In a hybrid transaction:

4 a. if the sale-of-goods aspects do not predominate, only
5 the provisions of this Article which relate primarily to
6 the sale-of-goods aspects of the transaction apply, and the
7 provisions that relate primarily to the transaction as a whole
8 do not apply.

9 b. if the sale-of-goods aspects predominate, this Article
10 applies to the transaction but does not preclude application
11 in appropriate circumstances of other law to aspects of the
12 transaction which do not relate to the sale of goods.

13 3. This Article does not:

14 a. apply to a transaction that, even though in the form of
15 an unconditional contract to sell or present sale, operates
16 only to create a security interest; or

17 b. impair or repeal a statute regulating sales to consumers,
18 farmers, or other specified classes of buyers.

19 Sec. 15. Section 554.2106, Code 2024, is amended to read as
20 follows:

21 554.2106 Definitions: "contract" — "agreement" — "contract
22 for sale" — "sale" — "present sale" — "conforming" to contract
23 — "termination" — "cancellation" — "hybrid transaction".

24 1. In [this Article](#) unless the context otherwise requires
25 "contract" and "agreement" are limited to those relating to the
26 present or future sale of goods. "Contract for sale" includes
27 both a present sale of goods and a contract to sell goods at a
28 future time. A "sale" consists in the passing of title from the
29 seller to the buyer for a price ([section 554.2401](#)). A "present
30 sale" means a sale which is accomplished by the making of the
31 contract.

32 2. Goods or conduct including any part of a performance
33 are "conforming" or conform to the contract when they are in
34 accordance with the obligations under the contract.

35 3. "Termination" occurs when either party pursuant to

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1 a power created by agreement or law puts an end to the
2 contract otherwise than for its breach. On "termination"
3 all obligations which are still executory on both sides are
4 discharged but any right based on prior breach or performance
5 survives.

6 4. "Cancellation" occurs when either party puts an end to
7 the contract for breach by the other and its effect is the same
8 as that of "termination" except that the canceling party also
9 retains any remedy for breach of the whole contract or any
10 unperformed balance.

11 5. "Hybrid transaction" means a single transaction involving
12 a sale of goods and:

13 a. the provision of services;

14 b. a lease of other goods; or

15 c. a sale, lease, or license of property other than goods.

16 Sec. 16. Section 554.2201, subsections 1 and 2, Code 2024,
17 are amended to read as follows:

18 1. Except as otherwise provided in **this section** a contract
19 for the sale of goods for the price of five hundred dollars
20 or more is not enforceable by way of action or defense unless
21 there is ~~some writing~~ a record sufficient to indicate that a
22 contract for sale has been made between the parties and signed
23 by the party against whom enforcement is sought or by ~~that the~~
24 party's authorized agent or broker. A ~~writing~~ record is not
25 insufficient because it omits or incorrectly states a term
26 agreed upon but the contract is not enforceable under this
27 ~~paragraph~~ subsection beyond the quantity of goods shown in ~~such~~
28 ~~writing~~ the record.

29 2. Between merchants if within a reasonable time a ~~writing~~
30 record in confirmation of the contract and sufficient against
31 the sender is received and the party receiving it has reason to
32 know its contents, it satisfies the requirements of subsection
33 1 against ~~such the~~ the party unless ~~written~~ notice in a record of
34 objection to its contents is given within ten days after it is
35 received.

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1 Sec. 17. Section 554.2202, Code 2024, is amended to read as
2 follows:

3 **554.2202 Final ~~written~~ expression — ~~parol~~ or extrinsic**
4 **evidence.**

5 Terms with respect to which the confirmatory memoranda of
6 the parties agree or which are otherwise set forth in a ~~writing~~
7 record intended by the parties as a final expression of their
8 agreement with respect to such terms as are included therein
9 may not be contradicted by evidence of any prior agreement or
10 of a contemporaneous oral agreement but may be explained or
11 supplemented:

12 1. by course of performance, course of dealing, or usage of
13 trade ([section 554.1303](#)); and

14 2. by evidence of consistent additional terms unless the
15 court finds the ~~writing~~ record to have been intended also as a
16 complete and exclusive statement of the terms of the agreement.

17 Sec. 18. Section 554.2203, Code 2024, is amended to read as
18 follows:

19 **554.2203 Seals inoperative.**

20 The affixing of a seal to a ~~writing~~ record evidencing a
21 contract for sale or an offer to buy or sell goods does not
22 constitute the ~~writing~~ record a sealed instrument and the law
23 with respect to sealed instruments does not apply to such a
24 contract or offer.

25 Sec. 19. Section 554.2205, Code 2024, is amended to read as
26 follows:

27 **554.2205 Firm offers.**

28 An offer by a merchant to buy or sell goods in a signed
29 ~~writing~~ record which by its terms gives assurance that it will
30 be held open is not revocable, for lack of consideration,
31 during the time stated or if no time is stated for a reasonable
32 time, but in no event may such period of irrevocability exceed
33 three months; but any such term of assurance on a form supplied
34 by the offeree must be separately signed by the offeror.

35 Sec. 20. Section 554.2209, subsection 2, Code 2024, is

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1 amended to read as follows:

2 2. A signed agreement which excludes modification or
3 rescission except by a signed writing or other signed record
4 cannot be otherwise modified or rescinded, but except as
5 between merchants such a requirement on a form supplied by the
6 merchant must be separately signed by the other party.

7 PART D

8 ARTICLE 3

9 NEGOTIABLE INSTRUMENTS

10 Sec. 21. Section 554.3104, subsection 1, paragraph c, Code
11 2024, is amended to read as follows:

12 c. does not state any other undertaking or instruction
13 by the person promising or ordering payment to do any act in
14 addition to the payment of money, but the promise or order
15 may contain an undertaking or power to give, maintain, or
16 protect collateral to secure payment, an authorization or
17 power to the holder to confess judgment or realize on or
18 dispose of collateral, ~~or~~ a waiver of the benefit of any law
19 intended for the advantage or protection of an obligor, a term
20 that specifies the law that governs the promise or order,
21 or an undertaking to resolve in a specified forum a dispute
22 concerning the promise or order.

23 Sec. 22. Section 554.3105, subsection 1, Code 2024, is
24 amended to read as follows:

25 1. "Issue" means:

26 a. the first delivery of an instrument by the maker or
27 drawer, whether to a holder or nonholder, for the purpose of
28 giving rights on the instrument to any person; or

29 b. if agreed by the payee, the first transmission by the
30 drawer to the payee of an image of an item and information
31 derived from the item that enables the depository bank to
32 collect the item by transferring or presenting under federal
33 law an electronic check.

34 Sec. 23. Section 554.3401, Code 2024, is amended to read as
35 follows:

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1 **554.3401 Signature necessary for liability on instrument.**

2 ~~1. A person is not liable on an instrument unless the person~~
3 ~~signed the instrument, or the person is represented by an agent~~
4 ~~or representative who signed the instrument and the signature~~
5 ~~is binding on the represented person under section 554.3402.~~

6 ~~2. A signature may be made manually or by means of a device~~
7 ~~or machine, and by the use of any name, including a trade or~~
8 ~~assumed name, or by a word, mark, or symbol executed or adopted~~
9 ~~by a person with present intention to authenticate a writing.~~

10 Sec. 24. Section 554.3604, subsection 1, Code 2024, is
11 amended to read as follows:

12 1. A person entitled to enforce an instrument, with or
13 without consideration, may discharge the obligation of a party
14 to pay the instrument by an intentional voluntary act, such
15 as surrender of the instrument to the party, destruction,
16 mutilation, or cancellation of the instrument, cancellation
17 or striking out of the party's signature, or the addition of
18 words to the instrument indicating discharge; or by agreeing
19 not to sue or otherwise renouncing rights against the party
20 by a signed writing record. The obligation of a party to
21 pay a check is not discharged solely by destruction of the
22 check in connection with a process in which information is
23 extracted from the check and an image of the check is made and,
24 subsequently, the information and image are transmitted for
25 payment.

26 PART E

27 ARTICLE 5

28 LETTERS OF CREDIT

29 Sec. 25. Section 554.5104, Code 2024, is amended to read as
30 follows:

31 **554.5104 Formal requirements.**

32 A letter of credit, confirmation, advice, transfer,
33 amendment, or cancellation may be issued in any form that is
34 a signed record and ~~is authenticated by a signature or in~~
35 ~~accordance with the agreement of the parties or the standard~~

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1 ~~practice referred to in section 554.5108, subsection 5.~~

2 Sec. 26. Section 554.5116, Code 2024, is amended to read as
3 follows:

4 **554.5116 Choice of law and forum.**

5 1. The liability of an issuer, nominated person, or
6 adviser for action or omission is governed by the law of the
7 jurisdiction chosen by an agreement in the form of a record
8 signed ~~or otherwise authenticated~~ by the affected parties in
9 ~~the manner provided in section 554.5104~~ or by a provision
10 in the person's letter of credit, confirmation, or other
11 undertaking. The jurisdiction whose law is chosen need not
12 bear any relation to the transaction.

13 2. Unless subsection 1 applies, the liability of an issuer,
14 nominated person, or adviser for action or omission is governed
15 by the law of the jurisdiction in which the person is located.
16 The person is considered to be located at the address indicated
17 in the person's undertaking. If more than one address is
18 indicated, the person is considered to be located at the
19 address from which the person's undertaking was issued. ~~For~~
20 ~~the purpose of jurisdiction, choice of law, and recognition~~
21 ~~of interbranch letters of credit, but not enforcement of a~~
22 ~~judgment, all branches of a bank are considered separate~~
23 ~~juridical entities and a bank is considered to be located at~~
24 ~~the place where its relevant branch is considered to be located~~
25 ~~under this subsection.~~

26 3. For the purpose of jurisdiction, choice of law,
27 and recognition of interbranch letters of credit, but
28 not enforcement of a judgment, all branches of a bank are
29 considered separate juridical entities and a bank is considered
30 to be located at the place where its relevant branch is
31 considered to be located under subsection 4.

32 4. A branch of a bank is considered to be located at the
33 address indicated in the branch's undertaking. If more than
34 one address is indicated, the branch is considered to be
35 located at the address from which the undertaking was issued.

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1 5. Except as otherwise provided in this subsection, the
2 liability of an issuer, nominated person, or adviser is
3 governed by any rules of custom or practice, such as the
4 uniform customs and practice for documentary credits, to which
5 the letter of credit, confirmation, or other undertaking is
6 expressly made subject. If this Article would govern the
7 liability of an issuer, nominated person, or adviser under
8 subsection 1 or 2, the relevant undertaking incorporates
9 rules of custom or practice, and there is conflict between
10 this Article and those rules as applied to that undertaking,
11 those rules govern except to the extent of any conflict with
12 the nonvariable provisions specified in section 554.5103,
13 subsection 3.

14 4. 6. If there is conflict between this Article and Article
15 3, 4, 9, or 12, this Article governs.

16 5. 7. The forum for settling disputes arising out of an
17 undertaking within this Article may be chosen in the manner and
18 with the binding effect that governing law may be chosen in
19 accordance with subsection 1.

20 PART F

21 ARTICLE 7

22 DOCUMENTS OF TITLE

23 Sec. 27. Section 554.7102, subsection 1, paragraphs j and k,
24 Code 2024, are amended by striking the paragraphs.

25 Sec. 28. Section 554.7106, Code 2024, is amended to read as
26 follows:

27 **554.7106 Control of electronic document of title.**

28 1. A person has control of an electronic document of title
29 if a system employed for evidencing the transfer of interests
30 in the electronic document reliably establishes that person
31 as the person to which the electronic document was issued or
32 transferred.

33 2. A system satisfies subsection 1, and a person ~~is deemed~~
34 ~~to have~~ has control of an electronic document of title, if the
35 document is created, stored, and ~~assigned~~ transferred in ~~such~~

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1 a manner that:

2 a. a single authoritative copy of the document exists which
3 is unique, identifiable, and, except as otherwise provided in
4 paragraphs "d", "e", and "f", unalterable;

5 b. the authoritative copy identifies the person asserting
6 control as:

7 (1) the person to which the document was issued; or

8 (2) if the authoritative copy indicates that the document
9 has been transferred, the person to which the document was most
10 recently transferred;

11 c. the authoritative copy is communicated to and maintained
12 by the person asserting control or its designated custodian;

13 d. copies or amendments that add or change an identified
14 assignee transferee of the authoritative copy can be made only
15 with the consent of the person asserting control;

16 e. each copy of the authoritative copy and any copy of
17 a copy is readily identifiable as a copy that is not the
18 authoritative copy; and

19 f. any amendment of the authoritative copy is readily
20 identifiable as authorized or unauthorized.

21 3. A system satisfies subsection 1, and a person has
22 control of an electronic document of title, if an authoritative
23 electronic copy of the document, a record attached to or
24 logically associated with the electronic copy, or a system in
25 which the electronic copy is recorded:

26 a. enables the person readily to identify each electronic
27 copy as either an authoritative copy or a nonauthoritative
28 copy;

29 b. enables the person readily to identify itself in any
30 way, including by name, identifying number, cryptographic
31 key, office, or account number, as the person to which each
32 authoritative electronic copy was issued or transferred; and

33 c. gives the person exclusive power, subject to subsection
34 4, to:

35 (1) prevent others from adding or changing the person to

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1 which each authoritative electronic copy has been issued or
2 transferred; and
3 (2) transfer control of each authoritative electronic copy.
4 4. Subject to subsection 5, a power is exclusive under
5 subsection 3, paragraph "c", subparagraphs (1) and (2), even if:
6 a. the authoritative electronic copy, a record attached
7 to or logically associated with the authoritative electronic
8 copy, or a system in which the authoritative electronic copy
9 is recorded limits the use of the document of title or has
10 a protocol that is programmed to cause a change, including a
11 transfer or loss of control; or
12 b. the power is shared with another person.
13 5. A power of a person is not shared with another person
14 under subsection 4, paragraph "b", and the person's power is not
15 exclusive if:
16 a. the person can exercise the power only if the power also
17 is exercised by the other person; and
18 b. the other person:
19 (1) can exercise the power without exercise of the power by
20 the person; or
21 (2) is the transferor to the person of an interest in the
22 document of title.
23 6. If a person has the powers specified in subsection
24 3, paragraph "c", subparagraphs (1) and (2), the powers are
25 presumed to be exclusive.
26 7. A person has control of an electronic document of title
27 if another person, other than the transferor to the person of
28 an interest in the document:
29 a. has control of the document and acknowledges that it has
30 control on behalf of the person; or
31 b. obtains control of the document after having acknowledged
32 that it will obtain control of the document on behalf of the
33 person.
34 8. A person that has control under this section is not
35 required to acknowledge that it has control on behalf of

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1 another person.

2 9. If a person acknowledges that it has or will obtain
3 control on behalf of another person, unless the person
4 otherwise agrees or law other than this Article or Article 9
5 otherwise provides, the person does not owe any duty to the
6 other person and is not required to confirm the acknowledgment
7 to any other person.

8 Sec. 29. DIRECTIONS TO CODE EDITOR — ARTICLE 7

9 RENAMED. The Code editor is directed to change the title of
10 chapter 554, Article 7, from "Warehouse Receipts, Bills of
11 Lading, and Other Documents of Title" to "Documents of Title".

12 PART G

13 ARTICLE 8

14 INVESTMENT SECURITIES

15 Sec. 30. Section 554.8102, subsection 1, paragraph f,
16 subparagraph (1), Code 2024, is amended to read as follows:

17 (1) send a signed writing record; or

18 Sec. 31. Section 554.8102, subsection 2, Code 2024, is
19 amended to read as follows:

20 ~~2. Other~~ The following definitions applying to in this
21 Article and the sections in which they appear are other
22 Articles apply to this Article:

23 a. "Appropriate person"..... Section 554.8107

24 b. "Control"..... Section 554.8106

25 c. "Controllable account"..... Section 554.9102

26 d. "Controllable electronic record". Section 554.14102

27 e. "Controllable payment intangible". Section 554.9102

28 f. "Delivery"..... Section 554.8301

29 ~~d.~~ g. "Investment company security". Section 554.8103

30 ~~e.~~ h. "Issuer"..... Section 554.8201

31 ~~f.~~ i. "Overissue"..... Section 554.8210

32 ~~g.~~ j. "Protected purchaser"..... Section 554.8303

33 ~~h.~~ k. "Securities account"..... Section 554.8501

34 Sec. 32. Section 554.8103, Code 2024, is amended by adding
35 the following new subsection:

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1 NEW SUBSECTION. 8. A controllable account, controllable
2 electronic record, or controllable payment intangible is not
3 a financial asset unless section 554.8102, subsection 1,
4 paragraph "i", subparagraph (1), subparagraph division (c),
5 applies.

6 Sec. 33. Section 554.8106, subsection 4, paragraph c, Code
7 2024, is amended to read as follows:

8 ~~c. another person has control of the security entitlement on~~
9 ~~behalf of the purchaser or, having previously acquired control~~
10 ~~of the security entitlement, acknowledges that it has control~~
11 ~~on behalf of the purchaser, other than the transferor to the~~
12 purchaser of an interest in the security entitlement:

13 (1) has control of the security entitlement and
14 acknowledges that it has control on behalf of the purchaser; or

15 (2) obtains control of the security entitlement after
16 having acknowledged that it will obtain control of the security
17 entitlement on behalf of the purchaser.

18 Sec. 34. Section 554.8106, Code 2024, is amended by adding
19 the following new subsections:

20 NEW SUBSECTION. 8. A person that has control under this
21 section is not required to acknowledge that it has control on
22 behalf of a purchaser.

23 NEW SUBSECTION. 9. If a person acknowledges that it has or
24 will obtain control on behalf of a purchaser, unless the person
25 otherwise agrees or law other than this Article or Article 9
26 otherwise provides, the person does not owe any duty to the
27 purchaser and is not required to confirm the acknowledgment to
28 any other person.

29 Sec. 35. Section 554.8110, Code 2024, is amended by adding
30 the following new subsection:

31 NEW SUBSECTION. 7. The local law of the issuer's
32 jurisdiction or the securities intermediary's jurisdiction
33 governs a matter or transaction specified in subsection 1 or 2
34 even if the matter or transaction does not bear any relation to
35 the jurisdiction.

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PART H

ARTICLE 9

SECURED TRANSACTIONS

1
2
3
4 Sec. 36. Section 554.9102, subsection 1, paragraphs b, c,
5 d, ab, ac, as, ax, bf, and br, Code 2024, are amended to read
6 as follows:

7 *b. "Account", except as used in "account for", "account*
8 *statement", "account to", "commodity account" in paragraph "n",*
9 *"customer's account", "deposit account" in paragraph "ae", "on*
10 *account of", and paragraph "ae" "statement of account", means*
11 *a right to payment of a monetary obligation, whether or not*
12 *earned by performance, (i) for property that has been or is*
13 *to be sold, leased, licensed, assigned, or otherwise disposed*
14 *of; (ii) for services rendered or to be rendered; (iii) for*
15 *a policy of insurance issued or to be issued; (iv) for a*
16 *secondary obligation incurred or to be incurred; (v) for energy*
17 *provided or to be provided; (vi) for the use or hire of a vessel*
18 *under a charter or other contract; (vii) arising out of the use*
19 *of a credit or charge card or information contained on or for*
20 *use with the card; or (viii) as winnings in a lottery or other*
21 *game of chance operated or sponsored by a state, governmental*
22 *unit of a state, or person licensed or authorized to operate*
23 *the game by a state or governmental unit of a state. The*
24 *term includes controllable accounts and health care insurance*
25 *receivables. The term does not include (i) chattel paper, (ii)*
26 *commercial tort claims, (iii) deposit accounts, (iv) investment*
27 *property, (v) letter-of-credit rights or letters of credit,*
28 *(vi) rights to payment for money or funds advanced or sold,*
29 *other than rights arising out of the use of a credit or charge*
30 *card or information contained on or for use with the card, or*
31 *(vii) rights to payment evidenced by an instrument.*
32 *c. "Account debtor" means a person obligated on an account,*
33 *chattel paper, or general intangible. The term does not*
34 *include persons obligated to pay a negotiable instrument, even*
35 *if the negotiable instrument ~~constitutes part of~~ evidences*

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1 chattel paper.

2 *d. "Accounting"*, except as used in *"accounting for"*, means a
3 record:

4 (1) ~~authenticated~~ signed by a secured party;

5 (2) indicating the aggregate unpaid secured obligations as
6 of a date not more than thirty-five days earlier or thirty-five
7 days later than the date of the record; and

8 (3) identifying the components of the obligations in
9 reasonable detail.

10 *ab. "Controllable account"* means an account evidenced by a
11 controllable electronic record that provides that the account
12 debtor undertakes to pay the person that has control under
13 section 554.14105 ~~has control~~ of the controllable electronic
14 record.

15 *ac. "Controllable payment intangible"* means a payment
16 intangible evidenced by a controllable electronic record that
17 provides that the account debtor undertakes to pay the person
18 that has control under section 554.14105 ~~has control~~ of the
19 controllable electronic record.

20 *as. "General intangible"* means any personal property,
21 including things in action, other than accounts, chattel paper,
22 commercial tort claims, deposit accounts, documents, goods,
23 instruments, investment property, letter-of-credit rights,
24 letters of credit, money, and oil, gas, or other minerals
25 before extraction. The term includes controllable electronic
26 records, payment intangibles, and software.

27 *ax. "Instrument"* means a negotiable instrument or any
28 other writing that evidences a right to the payment of a
29 monetary obligation, is not itself a security agreement or
30 lease, and is of a type that in ordinary course of business
31 is transferred by delivery with any necessary indorsement or
32 assignment. The term does not include (i) investment property,
33 (ii) letters of credit, ~~or~~ (iii) writings that evidence a right
34 to payment arising out of the use of a credit or charge card
35 or information contained on or for use with the card, or (iv)

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1 writings that evidence chattel paper.

2 *bf.* *"Money"* has the meaning provided in section 554.1201,
3 subsection 2, paragraph *"y"*, but does not include (i) a deposit
4 account or (ii) money in an electronic form that cannot be
5 subjected to control under section 554.9105A.

6 *br.* *"Proposal"* means a record authenticated signed by a
7 secured party which includes the terms on which the secured
8 party is willing to accept collateral in full or partial
9 satisfaction of the obligation it secures pursuant to sections
10 554.9620, [554.9621](#), and [554.9622](#).

11 Sec. 37. Section 554.9102, subsection 1, Code 2024, is
12 amended by adding the following new paragraphs:

13 NEW PARAGRAPH. *0g.* *"Assignee"*, except as used in *"assignee*
14 *for benefit of creditors"*, means a person (i) in whose favor
15 a security interest that secures an obligation is created or
16 provided for under a security agreement, whether or not the
17 obligation is outstanding or (ii) to which an account, chattel
18 paper, payment intangible, or promissory note has been sold.
19 The term includes a person to which a security interest has
20 been transferred by a secured party.

21 NEW PARAGRAPH. *00g.* *"Assignor"* means a person that (i)
22 under a security agreement creates or provides for a security
23 interest that secures an obligation or (ii) sells an account,
24 chattel paper, payment intangible, or promissory note. The
25 term includes a secured party that has transferred a security
26 interest to another person.

27 Sec. 38. Section 554.9102, subsection 1, paragraphs g, ag,
28 ca, and ce, Code 2024, are amended by striking the paragraphs.

29 Sec. 39. Section 554.9102, subsection 1, paragraph k, Code
30 2024, is amended by striking the paragraph and inserting in
31 lieu thereof the following:

32 *k.* (1) *"Chattel paper"* means:

33 (a) a right to payment of a monetary obligation secured by
34 specific goods, if the right to payment and security agreement
35 are evidenced by a record; or

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1 (b) a right to payment of a monetary obligation owed by a
2 lessee under a lease agreement with respect to specific goods
3 and a monetary obligation owed by the lessee in connection with
4 the transaction giving rise to the lease, if:

5 (i) the right to payment and lease agreement are evidenced
6 by a record; and

7 (ii) the predominant purpose of the transaction giving rise
8 to the lease was to give the lessee the right to possession and
9 use of the goods.

10 (2) "*Chattel paper*" does not include a right to payment
11 arising out of a charter or other contract involving the use or
12 hire of a vessel or a right to payment arising out of the use of
13 a credit or charge card or information contained on or for use
14 with the card.

15 Sec. 40. Section 554.9102, subsection 2, Code 2024, is
16 amended by adding the following new paragraph:

17 NEW PARAGRAPH. *Oae.* "*Protected purchaser*" ... Section
18 554.8303.

19 Sec. 41. Section 554.9104, subsection 1, Code 2024, is
20 amended to read as follows:

21 1. *Requirements for control.* A secured party has control
22 of a deposit account if:

23 a. the secured party is the bank with which the deposit
24 account is maintained;

25 b. the debtor, secured party, and bank have agreed in
26 ~~an authenticated~~ a signed record that the bank will comply
27 with instructions originated by the secured party directing
28 disposition of the funds in the deposit account without further
29 consent by the debtor; ~~or~~

30 c. the secured party becomes the bank's customer with
31 respect to the deposit account; ~~or~~

32 d. another person, other than the debtor:

33 (1) has control of the deposit account and acknowledges that
34 it has control on behalf of the secured party; or

35 (2) obtains control of the deposit account after having

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1 acknowledged that it will obtain control of the deposit account
2 on behalf of the secured party.

3 Sec. 42. Section 554.9105, Code 2024, is amended by striking
4 the section and inserting in lieu thereof the following:

5 **554.9105 Control of electronic copy of record evidencing**
6 **chattel paper.**

7 1. *General rule: control of electronic copy of record*
8 *evidencing chattel paper.* A purchaser has control of an
9 authoritative electronic copy of a record evidencing chattel
10 paper if a system employed for evidencing the assignment
11 of interests in the chattel paper reliably establishes the
12 purchaser as the person to which the authoritative electronic
13 copy was assigned.

14 2. *Single authoritative copy.* A system satisfies subsection
15 1 if the record or records evidencing the chattel paper are
16 created, stored, and assigned in a manner that:

17 a. a single authoritative copy of the record or records
18 exists which is unique, identifiable, and, except as otherwise
19 provided in paragraphs “d”, “e”, and “f”, unalterable;

20 b. the authoritative copy identifies the purchaser as the
21 assignee of the record or records;

22 c. the authoritative copy is communicated to and maintained
23 by the purchaser or its designated custodian;

24 d. copies or amendments that add or change an identified
25 assignee of the authoritative copy can be made only with the
26 consent of the purchaser;

27 e. each copy of the authoritative copy and any copy of
28 a copy is readily identifiable as a copy that is not the
29 authoritative copy; and

30 f. any amendment of the authoritative copy is readily
31 identifiable as authorized or unauthorized.

32 3. *One or more authoritative copies.* A system satisfies
33 subsection 1, and a purchaser has control of an authoritative
34 electronic copy of a record evidencing chattel paper, if the
35 electronic copy, a record attached to or logically associated

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1 with the electronic copy, or a system in which the electronic
2 copy is recorded:

3 *a.* enables the purchaser readily to identify each electronic
4 copy as either an authoritative copy or a nonauthoritative
5 copy;

6 *b.* enables the purchaser readily to identify itself in any
7 way, including by name, identifying number, cryptographic key,
8 office, or account number, as the assignee of the authoritative
9 electronic copy; and

10 *c.* gives the purchaser exclusive power, subject to
11 subsection 4, to:

12 (1) prevent others from adding or changing an identified
13 assignee of the authoritative electronic copy; and

14 (2) transfer control of the authoritative electronic copy.

15 4. *Meaning of exclusive.* Subject to subsection 5, a power
16 is exclusive under subsection 3, paragraph "c", subparagraphs
17 (1) and (2), even if:

18 *a.* the authoritative electronic copy, a record attached
19 to or logically associated with the authoritative electronic
20 copy, or a system in which the authoritative electronic copy is
21 recorded limits the use of the authoritative electronic copy
22 or has a protocol programmed to cause a change, including a
23 transfer or loss of control; or

24 *b.* the power is shared with another person.

25 5. *When power not shared with another person.* A power of a
26 purchaser is not shared with another person under subsection 4,
27 paragraph "b", and the purchaser's power is not exclusive if:

28 *a.* the purchaser can exercise the power only if the power
29 also is exercised by the other person; and

30 *b.* the other person:

31 (1) can exercise the power without exercise of the power by
32 the purchaser; or

33 (2) is the transferor to the purchaser of an interest in the
34 chattel paper.

35 6. *Presumption of exclusivity of certain powers.* If a

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1 purchaser has the powers specified in subsection 3, paragraph
2 "c", subparagraphs (1) and (2), the powers are presumed to be
3 exclusive.

4 7. *Obtaining control through another person.* A purchaser
5 has control of an authoritative electronic copy of a record
6 evidencing chattel paper if another person, other than the
7 transferor to the purchaser of an interest in the chattel
8 paper:

9 a. has control of the authoritative electronic copy and
10 acknowledges that it has control on behalf of the purchaser; or

11 b. obtains control of the authoritative electronic copy
12 after having acknowledged that it will obtain control of the
13 electronic copy on behalf of the purchaser.

14 Sec. 43. Section 554.9105A, Code 2024, is amended to read
15 as follows:

16 554.9105A **Control of electronic money.**

17 1. *General rule:* — *control of electronic money.* A person
18 has control of electronic money if:

19 a. the electronic money, a record attached to or logically
20 associated with the electronic money, or a system in which the
21 electronic money is recorded gives the person:

22 (1) ~~the~~ power to avail itself of substantially all the
23 benefit from the electronic money; and

24 (2) exclusive power, subject to subsection 2, to:

25 (a) prevent others from availing themselves of
26 substantially all the benefit from the electronic money; and

27 (b) transfer control of the electronic money to another
28 person or cause another person to obtain control of other
29 electronic money as a result of the transfer of the electronic
30 money; and

31 b. the electronic money, a record attached to or logically
32 associated with the electronic money, or a system in which
33 the electronic money is recorded enables the person readily
34 to identify itself in any way, including by name, identifying
35 number, cryptographic key, office, or account number, as having

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1 the powers under paragraph "a".

2 2. *Meaning of exclusive.* Subject to subsection 3, a power
3 is exclusive under subsection 1, paragraph "a", subparagraph
4 (2), subparagraph divisions (a) and (b) even if:

5 a. the electronic money, a record attached to or logically
6 associated with the electronic money, or a system in which the
7 electronic money is recorded limits the use of the electronic
8 money or has a protocol programmed to cause a change, including
9 a transfer or loss of control; or

10 b. the power is shared with another person.

11 3. *When power not shared with another person.* A power of a
12 person is not shared with another person under subsection 2,
13 paragraph "b" and the person's power is not exclusive if:

14 a. the person can exercise the power only if the power also
15 is exercised by the other person; and

16 b. the other person:

17 (1) can exercise the power without exercise of the power by
18 the person; or

19 (2) is the transferor to the person of an interest in the
20 electronic money.

21 4. *Presumption of exclusivity of certain powers.* If a
22 person has the powers specified in subsection 1, paragraph "a",
23 subparagraph (2), subparagraph divisions (a) and (b) the powers
24 are presumed to be exclusive.

25 ~~2.~~ 5. *Control through another person.* A person has
26 control of electronic money if another person, other than the
27 transferor of an interest in the electronic money:

28 a. has control of the electronic money and acknowledges that
29 it has control on behalf of the person, or

30 b. obtains control of the electronic money after having
31 acknowledged that it will obtain control of the electronic
32 money on behalf of the person.

33 ~~3. *Meaning of exclusive.* A power is exclusive under~~
34 ~~subsection 1, paragraph "a", subparagraph (2), even if:~~

35 ~~a. the electronic money or a system in which the electronic~~

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~~1 money is recorded limits the use of the electronic money or has
2 a protocol programmed to transfer control; or
3 b. the person has agreed to share the power with another
4 person.~~

5 Sec. 44. NEW SECTION. 554.9107B No requirement to
6 acknowledge or confirm; no duties.

7 1. *No requirement to acknowledge.* A person that has control
8 under section 554.9104, 554.9105, or 554.9105A is not required
9 to acknowledge that it has control on behalf of another person.

10 2. *No duties or confirmation.* If a person acknowledges
11 that it has or will obtain control on behalf of another
12 person, unless the person otherwise agrees or law other than
13 this Article otherwise provides, the person does not owe any
14 duty to the other person and is not required to confirm the
15 acknowledgment to any other person.

16 Sec. 45. Section 554.9203, subsection 2, Code 2024, is
17 amended to read as follows:

18 2. *Enforceability.* Except as otherwise provided in
19 subsections 3 through ~~10~~ 9, a security interest is enforceable
20 against the debtor and third parties with respect to the
21 collateral only if:

22 a. value has been given;

23 b. the debtor has rights in the collateral or the power to
24 transfer rights in the collateral to a secured party; and

25 c. one of the following conditions is met:

26 (1) the debtor has ~~authenticated~~ signed a security
27 agreement that provides a description of the collateral and, if
28 the security interest covers timber to be cut, a description
29 of the land concerned;

30 (2) the collateral is not a certificated security and is
31 in the possession of the secured party under [section 554.9313](#)
32 pursuant to the debtor's security agreement;

33 (3) the collateral is a certificated security in registered
34 form and the security certificate has been delivered to the
35 secured party under [section 554.8301](#) pursuant to the debtor's

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1 security agreement; ~~or~~

2 (4) the collateral is controllable accounts, controllable
3 electronic records, controllable payment intangibles, deposit
4 accounts, ~~electronic chattel paper~~, electronic documents,
5 electronic money, investment property, or letter-of-credit
6 rights, and the secured party has control under section
7 554.7106, **554.9104**, ~~554.9105~~, **554.9105A**, **554.9106**, **554.9107**, or
8 554.9107A pursuant to the debtor's security agreement; or

9 (5) the collateral is chattel paper and the secured party
10 has possession and control under section 554.9314A pursuant to
11 the debtor's security agreement.

12 Sec. 46. Section 554.9203, subsection 10, Code 2024, is
13 amended by striking the subsection.

14 Sec. 47. Section 554.9204, subsection 2, Code 2024, is
15 amended to read as follows:

16 2. *When after-acquired property clause not effective.* A
17 Subject to subsection 4, a security interest does not attach
18 under a term constituting an after-acquired property clause to:

19 a. consumer goods, other than an accession when given as
20 additional security, unless the debtor acquires rights in them
21 within ten days after the secured party gives value; or

22 b. a commercial tort claim.

23 Sec. 48. Section 554.9204, Code 2024, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 4. *Limitation on subsection 2.* Subsection
26 2 does not prevent a security interest from attaching:

27 a. to consumer goods as proceeds under section 554.9315,
28 subsection 1, or commingled goods under section 554.9336,
29 subsection 3;

30 b. to a commercial tort claim as proceeds under section
31 554.9315, subsection 1; or

32 c. under an after-acquired property clause to property that
33 is proceeds of consumer goods or a commercial tort claim.

34 Sec. 49. Section 554.9208, subsection 2, Code 2024, is
35 amended to read as follows:

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1 2. *Duties of secured party after receiving demand from*
2 *debtor.* Within ten days after receiving ~~an authenticated a~~
3 signed demand by the debtor:

4 a. a secured party having control of a deposit account
5 under section 554.9104, subsection 1, paragraph "b", shall
6 send to the bank with which the deposit account is maintained
7 ~~an authenticated statement~~ a signed record that releases the
8 bank from any further obligation to comply with instructions
9 originated by the secured party;

10 b. a secured party having control of a deposit account under
11 section 554.9104, subsection 1, paragraph "c", shall:

12 (1) pay the debtor the balance on deposit in the deposit
13 account; or

14 (2) transfer the balance on deposit into a deposit account
15 in the debtor's name;

16 c. a secured party, other than a buyer, having control of
17 ~~electronic chattel paper~~ under section 554.9105 ~~shall:~~ of an
18 authoritative electronic copy of a record evidencing chattel
19 paper shall transfer control of the electronic copy to the
20 debtor or a person designated by the debtor;

21 ~~(1) communicate the authoritative copy of the electronic~~
22 ~~chattel paper to the debtor or its designated custodian;~~

23 ~~(2) if the debtor designates a custodian that is the~~
24 ~~designated custodian with which the authoritative copy of~~
25 ~~the electronic chattel paper is maintained for the secured~~
26 ~~party, communicate to the custodian an authenticated record~~
27 ~~releasing the designated custodian from any further obligation~~
28 ~~to comply with instructions originated by the secured party~~
29 ~~and instructing the custodian to comply with instructions~~
30 ~~originated by the debtor; and~~

31 ~~(3) take appropriate action to enable the debtor or its~~
32 ~~designated custodian to make copies of or revisions to the~~
33 ~~authoritative copy which add or change an identified assignee~~
34 ~~of the authoritative copy without the consent of the secured~~
35 ~~party;~~

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1 d. a secured party having control of investment property
2 under [section 554.8106, subsection 4](#), paragraph "b", or
3 section 554.9106, subsection 2, shall send to the securities
4 intermediary or commodity intermediary with which the
5 security entitlement or commodity contract is maintained an
6 ~~authenticated~~ a signed record that releases the securities
7 intermediary or commodity intermediary from any further
8 obligation to comply with entitlement orders or directions
9 originated by the secured party;

10 e. a secured party having control of a letter-of-credit
11 right under [section 554.9107](#) shall send to each person having
12 an unfulfilled obligation to pay or deliver proceeds of the
13 letter of credit to the secured party an ~~authenticated~~ a signed
14 release from any further obligation to pay or deliver proceeds
15 of the letter of credit to the secured party;

16 f. a secured party having control under section 554.7106
17 of an authoritative electronic copy of an electronic document
18 shall ~~transfer control of the electronic copy to the debtor or~~
19 a person designated by the debtor;

20 ~~(1) give control of the electronic document to the debtor or~~
21 ~~its designated custodian;~~

22 ~~(2) if the debtor designates a custodian that is the~~
23 ~~designated custodian with which the authoritative copy of~~
24 ~~the electronic document is maintained for the secured party,~~
25 ~~communicate to the custodian an authenticated record releasing~~
26 ~~the designated custodian from any further obligation to~~
27 ~~comply with instructions originated by the secured party~~
28 ~~and instructing the custodian to comply with instructions~~
29 ~~originated by the debtor; and~~

30 ~~(3) take appropriate action to enable the debtor or its~~
31 ~~designated custodian to make copies of or revisions to the~~
32 ~~authoritative copy which add or change an identified assignee~~
33 ~~of the authoritative copy without the consent of the secured~~
34 ~~party;~~

35 g. a secured party having control under [section 554.9105A](#) of

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1 electronic money shall transfer control of the electronic money
2 to the debtor or a person designated by the debtor; and
3 *h.* a secured party having control under [section 554.14105](#)
4 of a controllable electronic record, other than a buyer of
5 a controllable account or controllable payment intangible
6 evidenced by the controllable electronic record, shall transfer
7 control of the controllable electronic record to the debtor or
8 a person designated by the debtor.

9 Sec. 50. Section 554.9209, subsection 2, Code 2024, is
10 amended to read as follows:

11 2. *Duties of secured party after receiving demand from*
12 *debtor.* Within ten days after receiving an ~~authenticated a~~
13 signed demand by the debtor, a secured party shall send to an
14 account debtor that has received notification under section
15 554.9406, subsection 1, or section 554.14106, subsection 2, of
16 an assignment to the secured party as assignee ~~under section~~
17 ~~554.9406, subsection 1, an authenticated a signed~~ record that
18 releases the account debtor from any further obligation to the
19 secured party.

20 Sec. 51. Section 554.9210, subsections 1, 2, 3, 4, and 5,
21 Code 2024, are amended to read as follows:

22 1. *Definitions.* In [this section](#):

23 *a.* “Request” means a record of a type described in paragraph
24 “b”, “c”, or “d”.

25 *b.* “Request for an accounting” means a record ~~authenticated~~
26 signed by a debtor requesting that the recipient provide an
27 accounting of the unpaid obligations secured by collateral and
28 reasonably identifying the transaction or relationship that is
29 the subject of the request.

30 *c.* “Request regarding a list of collateral” means a record
31 ~~authenticated~~ signed by a debtor requesting that the recipient
32 approve or correct a list of what the debtor believes to be the
33 collateral securing an obligation and reasonably identifying
34 the transaction or relationship that is the subject of the
35 request.

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1 *d. "Request regarding a statement of account"* means a record
2 ~~authenticated~~ signed by a debtor requesting that the recipient
3 approve or correct a statement indicating what the debtor
4 believes to be the aggregate amount of unpaid obligations
5 secured by collateral as of a specified date and reasonably
6 identifying the transaction or relationship that is the subject
7 of the request.

8 2. *Duty to respond to requests.* Subject to subsections 3,
9 4, 5, and 6, a secured party, other than a buyer of accounts,
10 chattel paper, payment intangibles, or promissory notes or a
11 consignor, shall comply with a request within fourteen days
12 after receipt:

13 *a.* in the case of a request for an accounting, by
14 ~~authenticating~~ signing and sending to the debtor an accounting;
15 and

16 *b.* in the case of a request regarding a list of
17 collateral or a request regarding a statement of account, by
18 ~~authenticating~~ signing and sending to the debtor an approval
19 or correction.

20 3. *Request regarding list of collateral — statement*
21 *concerning type of collateral.* A secured party that claims a
22 security interest in all of a particular type of collateral
23 owned by the debtor may comply with a request regarding a
24 list of collateral by sending to the debtor ~~an authenticated~~
25 a signed record including a statement to that effect within
26 fourteen days after receipt.

27 4. *Request regarding list of collateral — no interest*
28 *claimed.* A person that receives a request regarding a list
29 of collateral, claims no interest in the collateral when
30 it receives the request, and claimed an interest in the
31 collateral at an earlier time shall comply with the request
32 within fourteen days after receipt by sending to the debtor ~~an~~
33 ~~authenticated~~ a signed record:

34 *a.* disclaiming any interest in the collateral; and

35 *b.* if known to the recipient, providing the name and mailing

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1 address of any assignee of or successor to the recipient's
2 interest in the collateral.

3 5. *Request for accounting or regarding statement of account*
4 *— no interest in obligation claimed.* A person that receives a
5 request for an accounting or a request regarding a statement of
6 account, claims no interest in the obligations when it receives
7 the request, and claimed an interest in the obligations at an
8 earlier time shall comply with the request within fourteen
9 days after receipt by sending to the debtor ~~an authenticated a~~
10 signed record:

11 a. disclaiming any interest in the obligations; and
12 b. if known to the recipient, providing the name and mailing
13 address of any assignee of or successor to the recipient's
14 interest in the obligations.

15 Sec. 52. Section 554.9301, unnumbered paragraph 1, Code
16 2024, is amended to read as follows:

17 Except as otherwise provided in sections 554.9303, 554.9304,
18 554.9305, and 554.9306 through 554.9306B, the following
19 rules determine the law governing perfection, the effect of
20 perfection or nonperfection, and the priority of a security
21 interest in collateral:

22 Sec. 53. Section 554.9301, subsection 3, unnumbered
23 paragraph 1, Code 2024, is amended to read as follows:

24 Except as otherwise provided in subsection 4, while ~~tangible~~
25 negotiable tangible documents, goods, instruments, or tangible
26 money, ~~or tangible chattel paper~~ is located in a jurisdiction,
27 the local law of that jurisdiction governs:

28 Sec. 54. Section 554.9304, subsection 1, Code 2024, is
29 amended to read as follows:

30 1. *Law of bank's jurisdiction governs.* The local law
31 of a bank's jurisdiction governs perfection, the effect of
32 perfection or nonperfection, and the priority of a security
33 interest in a deposit account maintained with that bank even
34 if the transaction does not bear any relation to the bank's
35 jurisdiction.

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1 Sec. 55. Section 554.9305, subsection 1, Code 2024, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *e.* Paragraphs “b”, “c”, and “d” apply
4 even if the transaction does not bear any relation to the
5 jurisdiction.

6 Sec. 56. Section 554.9306A, Code 2024, is amended by
7 striking the section and inserting in lieu thereof the
8 following:

9 **554.9306A Law governing perfection and priority of security**
10 **interests in chattel paper.**

11 1. *Chattel paper evidenced by authoritative electronic*
12 *copy.* Except as provided in subsection 4, if chattel paper
13 is evidenced only by an authoritative electronic copy of the
14 chattel paper or is evidenced by an authoritative electronic
15 copy and an authoritative tangible copy, the local law of the
16 chattel paper’s jurisdiction governs perfection, the effect of
17 perfection or nonperfection, and the priority of a security
18 interest in the chattel paper, even if the transaction does not
19 bear any relation to the chattel paper’s jurisdiction.

20 2. *Chattel paper’s jurisdiction.* The following rules
21 determine the chattel paper’s jurisdiction under this section:

22 *a.* If the authoritative electronic copy of the record
23 evidencing chattel paper, or a record attached to or logically
24 associated with the electronic copy and readily available for
25 review, expressly provides that a particular jurisdiction is
26 the chattel paper’s jurisdiction for purposes of this section,
27 this part, this Article, or this chapter, that jurisdiction is
28 the chattel paper’s jurisdiction.

29 *b.* If paragraph “a” does not apply and the rules of the
30 system in which the authoritative electronic copy is recorded
31 are readily available for review and expressly provide that a
32 particular jurisdiction is the chattel paper’s jurisdiction
33 for purposes of this section, this part, this Article, or this
34 chapter that jurisdiction is the chattel paper’s jurisdiction.

35 *c.* If paragraphs “a” and “b” do not apply and the

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1 authoritative electronic copy, or a record attached to or
2 logically associated with the electronic copy and readily
3 available for review, expressly provides that the chattel paper
4 is governed by the law of a particular jurisdiction, that
5 jurisdiction is the chattel paper's jurisdiction.

6 *d.* If paragraphs "a", "b", and "c" do not apply and the
7 rules of the system in which the authoritative electronic copy
8 is recorded are readily available for review and expressly
9 provide that the chattel paper or the system is governed by
10 the law of a particular jurisdiction, that jurisdiction is the
11 chattel paper's jurisdiction.

12 *e.* If paragraphs "a" through "d" do not apply, the chattel
13 paper's jurisdiction is the jurisdiction in which the debtor
14 is located.

15 3. *Chattel paper evidenced by authoritative tangible*
16 *copy.* If an authoritative tangible copy of a record evidences
17 chattel paper and the chattel paper is not evidenced by an
18 authoritative electronic copy, while the authoritative tangible
19 copy of the record evidencing chattel paper is located in a
20 jurisdiction, the local law of that jurisdiction governs:

21 *a.* perfection of a security interest in the chattel paper by
22 possession under section 554.9314A; and

23 *b.* the effect of perfection or nonperfection and the
24 priority of a security interest in the chattel paper.

25 4. *When perfection governed by law of jurisdiction where*
26 *debtor located.* The local law of the jurisdiction in which the
27 debtor is located governs perfection of a security interest in
28 chattel paper by filing.

29 Sec. 57. NEW SECTION. **554.9306B Law governing perfection**
30 **and priority of security interests in controllable accounts,**
31 **controllable electronic records, and controllable payment**
32 **intangibles.**

33 1. *Governing law: general rules.* Except as provided in
34 subsection 2, the local law of the controllable electronic
35 record's jurisdiction specified in section 554.14107,

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1 subsections 3 and 4 governs perfection, the effect of
2 perfection or nonperfection, and the priority of a security
3 interest in a controllable electronic record and a security
4 interest in a controllable account or controllable payment
5 intangible evidenced by the controllable electronic record.

6 2. *When perfection governed by law of jurisdiction where*
7 *debtor located.* The local law of the jurisdiction in which the
8 debtor is located governs:

9 a. perfection of a security interest in a controllable
10 account, controllable electronic record, or controllable
11 payment intangible by filing; and

12 b. automatic perfection of a security interest in a
13 controllable payment intangible created by a sale of the
14 controllable payment intangible.

15 Sec. 58. Section 554.9308, subsection 8, Code 2024, is
16 amended by striking the subsection.

17 Sec. 59. Section 554.9310, subsection 2, paragraph h, Code
18 2024, is amended to read as follows:

19 h. in controllable accounts, controllable electronic
20 records, controllable payment intangibles, deposit accounts,
21 ~~electronic chattel paper~~, electronic documents, investment
22 property, or letter-of-credit rights which ~~is~~ are perfected by
23 control under [section 554.9314](#);

24 Sec. 60. Section 554.9310, subsection 2, Code 2024, is
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. *oi.* in chattel paper which is perfected by
27 possession and control under section 554.9314A;

28 Sec. 61. Section 554.9312, Code 2024, is amended to read as
29 follows:

30 554.9312 Perfection of security interests in chattel
31 paper, controllable accounts, controllable electronic records,
32 controllable payment intangibles, ~~chattel paper~~, deposit
33 accounts, negotiable documents, goods covered by documents,
34 instruments, investment property, letter-of-credit rights, and
35 money — perfection by permissive filing — temporary perfection

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1 without filing or transfer of possession.

2 1. *Perfection by filing permitted.* A security interest in
3 chattel paper, controllable accounts, controllable electronic
4 records, controllable payment intangibles, ~~chattel paper~~,
5 ~~negotiable documents~~, instruments, ~~or investment property~~, or
6 negotiable documents may be perfected by filing.

7 2. *Control or possession of certain collateral.* Except as
8 otherwise provided in [section 554.9315](#), [subsections 3 and 4](#),
9 for proceeds:

10 a. a security interest in a deposit account may be perfected
11 only by control under [section 554.9314](#);

12 b. ~~and~~ except as otherwise provided in section 554.9308,
13 subsection 4, a security interest in a letter-of-credit right
14 may be perfected only by control under [section 554.9314](#);

15 c. a security interest in tangible money may be perfected
16 only by the secured party's taking possession under section
17 554.9313; and

18 d. a security interest in electronic money may be perfected
19 only by control under [section 554.9314](#).

20 3. *Goods covered by negotiable document.* While goods are
21 in the possession of a bailee that has issued a negotiable
22 document covering the goods:

23 a. a security interest in the goods may be perfected by
24 perfecting a security interest in the document; and

25 b. a security interest perfected in the document has
26 priority over any security interest that becomes perfected in
27 the goods by another method during that time.

28 4. *Goods covered by nonnegotiable document.* While goods are
29 in the possession of a bailee that has issued a nonnegotiable
30 document covering the goods, a security interest in the goods
31 may be perfected by:

32 a. issuance of a document in the name of the secured party;

33 b. the bailee's receipt of notification of the secured
34 party's interest; or

35 c. filing as to the goods.

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1 5. *Temporary perfection — new value.* A security
2 interest in certificated securities, negotiable documents,
3 or instruments is perfected without filing or the taking of
4 possession or control for a period of twenty days from the time
5 it attaches to the extent that it arises for new value given
6 under ~~an authenticated~~ a signed security agreement.

7 6. *Temporary perfection — goods or documents made available*
8 *to debtor.* A perfected security interest in a negotiable
9 document or goods in possession of a bailee, other than one
10 that has issued a negotiable document for the goods, remains
11 perfected for twenty days without filing if the secured
12 party makes available to the debtor the goods or documents
13 representing the goods for the purpose of:

14 a. ultimate sale or exchange; or

15 b. loading, unloading, storing, shipping, transshipping,
16 manufacturing, processing, or otherwise dealing with them in a
17 manner preliminary to their sale or exchange.

18 7. *Temporary perfection — delivery of security certificate*
19 *or instrument to debtor.* A perfected security interest in
20 a certificated security or instrument remains perfected for
21 twenty days without filing if the secured party delivers the
22 security certificate or instrument to the debtor for the
23 purpose of:

24 a. ultimate sale or exchange; or

25 b. presentation, collection, enforcement, renewal, or
26 registration of transfer.

27 8. *Expiration of temporary perfection.* After the twenty-day
28 period specified in [subsection 5, 6, or 7](#) expires, perfection
29 depends upon compliance with [this Article](#).

30 Sec. 62. Section 554.9313, subsections 1, 3, and 4, Code
31 2024, are amended to read as follows:

32 1. *Perfection by possession or delivery.* Except as otherwise
33 provided in [subsection 2](#), a secured party may perfect a
34 security interest in ~~tangible negotiable documents~~, goods,
35 instruments, negotiable tangible documents, or tangible

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1 money, ~~or tangible chattel paper~~ by taking possession of the
2 collateral. A secured party may perfect a security interest in
3 certificated securities by taking delivery of the certificated
4 securities under [section 554.8301](#).

5 3. *Collateral in possession of person other than*
6 *debtor.* With respect to collateral other than certificated
7 securities and goods covered by a document, a secured party
8 takes possession of collateral in the possession of a person
9 other than the debtor, the secured party, or a lessee of
10 the collateral from the debtor in the ordinary course of the
11 debtor's business, when:

12 a. the person in possession ~~authenticates~~ signs a record
13 acknowledging that it holds possession of the collateral for
14 the secured party's benefit; or

15 b. the person takes possession of the collateral after
16 having ~~authenticated~~ signed a record acknowledging that it
17 will hold possession of the collateral for the secured party's
18 benefit.

19 4. *Time of perfection by possession — continuation of*
20 *perfection.* If perfection of a security interest depends upon
21 possession of the collateral by a secured party, perfection
22 occurs ~~no~~ not earlier than the time the secured party takes
23 possession and continues only while the secured party retains
24 possession.

25 Sec. 63. Section 554.9314, subsections 1, 2, and 3, Code
26 2024, are amended to read as follows:

27 1. *Perfection by control.* A security interest in
28 controllable accounts, controllable electronic records,
29 controllable payment intangibles, deposit accounts, ~~electronic~~
30 ~~chattel paper~~, electronic documents, electronic money,
31 investment property, or letter-of-credit rights may be
32 perfected by control of the collateral under [section 554.7106](#),
33 [554.9104](#), ~~[554.9105](#)~~, [554.9105A](#), [554.9106](#), [554.9107](#), or
34 [554.9107A](#).

35 2. *Specified collateral — time of perfection by control —*

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1 *continuation of perfection.* A security interest in controllable
2 accounts, controllable electronic records, controllable payment
3 intangibles, deposit accounts, ~~electronic chattel paper,~~
4 electronic documents, electronic money, or letter-of-credit
5 rights is perfected by control under [section 554.7106](#),
6 554.9104, ~~554.9105~~, [554.9105A](#), [554.9107](#), or [554.9107A](#) when
7 not earlier than the time the secured party obtains control
8 and remains perfected by control only while the secured party
9 retains control.

10 3. *Investment property — time of perfection by control —*
11 *continuation of perfection.* A security interest in investment
12 property is perfected by control under [section 554.9106](#) ~~from~~
13 not earlier than the time the secured party obtains control and
14 remains perfected by control until:

15 a. the secured party does not have control; and

16 b. one of the following occurs:

17 (1) if the collateral is a certificated security, the debtor
18 has or acquires possession of the security certificate;

19 (2) if the collateral is an uncertificated security, the
20 issuer has registered or registers the debtor as the registered
21 owner; or

22 (3) if the collateral is a security entitlement, the debtor
23 is or becomes the entitlement holder.

24 Sec. 64. NEW SECTION. [554.9314A](#) **Perfection by possession**
25 **and control of chattel paper.**

26 1. *Perfection by possession and control.* A secured party
27 may perfect a security interest in chattel paper by taking
28 possession of each authoritative tangible copy of the record
29 evidencing the chattel paper and obtaining control of each
30 authoritative electronic copy of the electronic record
31 evidencing the chattel paper.

32 2. *Time of perfection; continuation of perfection.* A
33 security interest is perfected under subsection 1 not earlier
34 than the time the secured party takes possession and obtains
35 control and remains perfected under subsection 1 only while the

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1 secured party retains possession and control.

2 3. *Application of section 554.9313 to perfection by*
3 *possession of chattel paper.* Section 554.9313, subsections
4 3 and 6 through 9, apply to perfection by possession of an
5 authoritative tangible copy of a record evidencing chattel
6 paper.

7 Sec. 65. Section 554.9316, subsections 1 and 6, Code 2024,
8 are amended to read as follows:

9 1. *General rule — effect on perfection of change in*
10 *governing law.* A security interest perfected pursuant to
11 the law of the jurisdiction designated in section 554.9301,
12 subsection 1, ~~or~~ section 554.9305, subsection 3, section
13 554.9306A, subsection 4, or section 554.9306B, subsection 2,
14 remains perfected until the earliest of:

15 a. the time perfection would have ceased under the law of
16 that jurisdiction;

17 b. the expiration of four months after a change of the
18 debtor's location to another jurisdiction; or

19 c. the expiration of one year after a transfer of collateral
20 to a person that thereby becomes a debtor and is located in
21 another jurisdiction.

22 6. *Change in jurisdiction of chattel paper, controllable*
23 *electronic record, bank, issuer, nominated person, securities*
24 *intermediary, or commodity intermediary.* A security interest in
25 chattel paper, controllable accounts, controllable electronic
26 records, controllable payment intangibles, deposit accounts,
27 letter-of-credit rights, or investment property which is
28 perfected under the law of the chattel paper's jurisdiction,
29 the controllable electronic record's jurisdiction, the bank's
30 jurisdiction, the issuer's jurisdiction, a nominated person's
31 jurisdiction, the securities intermediary's jurisdiction, or
32 the commodity intermediary's jurisdiction, as applicable,
33 remains perfected until the earlier of:

34 a. the time the security interest would have become
35 unperfected under the law of that jurisdiction; or

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1 *b.* the expiration of four months after a change of the
2 applicable jurisdiction to another jurisdiction.

3 Sec. 66. Section 554.9317, subsections 2 and 4, Code 2024,
4 are amended to read as follows:

5 2. *Buyers that receive delivery.* Except as otherwise
6 provided in subsection 5, a buyer, other than a secured
7 party, of ~~tangible chattel paper, tangible documents,~~ goods,
8 instruments, tangible documents, or a ~~certificated~~ security
9 certificate takes free of a security interest or agricultural
10 lien if the buyer gives value and receives delivery of the
11 collateral without knowledge of the security interest or
12 agricultural lien and before it is perfected.

13 4. *Licensees and buyers of certain collateral.* A Subject to
14 subsections 6 through 9, a licensee of a general intangible or
15 a buyer, other than a secured party, of collateral other than
16 ~~tangible chattel paper, tangible documents,~~ electronic money,
17 goods, instruments, tangible documents, or a certificated
18 security takes free of a security interest if the licensee or
19 buyer gives value without knowledge of the security interest
20 and before it is perfected.

21 Sec. 67. Section 554.9317, Code 2024, is amended by adding
22 the following new subsections:

23 NEW SUBSECTION. 6. *Buyers of chattel paper.* A buyer, other
24 than a secured party, of chattel paper takes free of a security
25 interest if, without knowledge of the security interest and
26 before it is perfected, the buyer gives value and:

27 *a.* receives delivery of each authoritative tangible copy of
28 the record evidencing the chattel paper; and

29 *b.* if each authoritative electronic copy of the record
30 evidencing the chattel paper can be subjected to control
31 under section 554.9105, obtains control of each authoritative
32 electronic copy.

33 NEW SUBSECTION. 7. *Buyers of electronic documents.* A buyer
34 of an electronic document takes free of a security interest
35 if, without knowledge of the security interest and before it

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1 is perfected, the buyer gives value and, if each authoritative
2 electronic copy of the document can be subjected to control
3 under section 554.7106, obtains control of each authoritative
4 electronic copy.

5 NEW SUBSECTION. 8. *Buyers of controllable electronic*
6 *records.* A buyer of a controllable electronic record takes free
7 of a security interest if, without knowledge of the security
8 interest and before it is perfected, the buyer gives value and
9 obtains control of the controllable electronic record.

10 NEW SUBSECTION. 9. *Buyers of controllable accounts and*
11 *controllable payment intangibles.* A buyer, other than a secured
12 party, of a controllable account or a controllable payment
13 intangible takes free of a security interest if, without
14 knowledge of the security interest and before it is perfected,
15 the buyer gives value and obtains control of the controllable
16 account or controllable payment intangible.

17 Sec. 68. Section 554.9323, subsections 4 and 6, Code 2024,
18 are amended to read as follows:

19 4. *Buyer of goods.* Except as otherwise provided in
20 subsection 5, a buyer of goods ~~other than a buyer in ordinary~~
21 ~~course of business~~ takes free of a security interest to the
22 extent that it secures advances made after the earlier of:

23 a. the time the secured party acquires knowledge of the
24 buyer's purchase; or

25 b. forty-five days after the purchase.

26 6. *Lessee of goods.* Except as otherwise provided in
27 subsection 7, a lessee of goods, ~~other than a lessee in~~
28 ~~ordinary course of business~~, takes the leasehold interest free
29 of a security interest to the extent that it secures advances
30 made after the earlier of:

31 a. the time the secured party acquires knowledge of the
32 lease; or

33 b. forty-five days after the lease contract becomes
34 enforceable.

35 Sec. 69. Section 554.9324, subsection 2, paragraph b, Code

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1 2024, is amended to read as follows:

2 ~~b. the purchase-money secured party sends an authenticated~~
3 signed notification to the holder of the conflicting security
4 interest;

5 Sec. 70. Section 554.9324, subsection 4, paragraph b, Code
6 2024, is amended to read as follows:

7 ~~b. the purchase-money secured party sends an authenticated~~
8 a signed notification to the holder of the conflicting security
9 interest;

10 Sec. 71. Section 554.9330, subsections 1, 2, and 6, Code
11 2024, are amended to read as follows:

12 1. *Purchaser's priority — security interest claimed merely*
13 *as proceeds.* A purchaser of chattel paper has priority over a
14 security interest in the chattel paper which is claimed merely
15 as proceeds of inventory subject to a security interest if:

16 a. in good faith and in the ordinary course of the
17 purchaser's business, the purchaser gives new value, and takes
18 possession of each authoritative tangible copy of the record
19 evidencing the chattel paper or, and obtains control of under
20 section 554.9105 of each authoritative electronic copy of the
21 record evidencing the chattel paper under ~~section 554.9105~~; and

22 b. ~~the chattel paper does~~ authoritative copies of the
23 record evidencing the chattel paper do not indicate that it the
24 chattel paper has been assigned to an identified assignee other
25 than the purchaser.

26 2. *Purchaser's priority — other security interests.* A
27 purchaser of chattel paper has priority over a security
28 interest in the chattel paper which is claimed other than
29 merely as proceeds of inventory subject to a security interest
30 if the purchaser gives new value, and takes possession of
31 each authoritative tangible copy of the record evidencing the
32 chattel paper or, and obtains control of under section 554.9105
33 of each authoritative electronic copy of the record evidencing
34 the chattel paper under ~~section 554.9105~~ in good faith, in
35 the ordinary course of the purchaser's business, and without

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1 knowledge that the purchase violates the rights of the secured
2 party.

3 6. *Indication of assignment gives knowledge.* For purposes of
4 subsections 2 and 4, if the authoritative copies of the record
5 evidencing chattel paper or an instrument ~~indicates~~ indicate
6 that ~~it~~ the chattel paper or instrument has been assigned to an
7 identified secured party other than the purchaser, a purchaser
8 of the chattel paper or instrument has knowledge that the
9 purchase violates the rights of the secured party.

10 Sec. 72. Section 554.9331, Code 2024, is amended to read as
11 follows:

12 554.9331 Priority of rights of purchasers of controllable
13 accounts, controllable electronic records, controllable payment
14 intangibles, documents, instruments, and securities under
15 other Articles — priority of interests in financial assets
16 and security entitlements and ~~protections~~ protection against
17 ~~assertions~~ assertion of claims under Articles 8 and 14.

18 1. *Rights under Articles 3, 7, 8, and 14 not limited.* This
19 Article does not limit the rights of a holder in due course of a
20 negotiable instrument, a holder to which a negotiable document
21 of title has been duly negotiated, a protected purchaser of a
22 security, or a qualifying purchaser of a controllable account,
23 controllable electronic record, or controllable payment
24 intangible. These holders or purchasers take priority over an
25 earlier security interest, even if perfected, to the extent
26 provided in Articles 3, 7, 8, and 14.

27 2. *Protection under Articles 8 and 14.* This Article does
28 not limit the rights of or impose liability on a person to the
29 extent that the person is protected against the assertion of
30 a claim under Article 8 or 14.

31 3. *Filing not notice.* Filing under this Article does
32 not constitute notice of a claim or defense to the holders,
33 purchasers, or persons described in subsections 1 and 2.

34 Sec. 73. Section 554.9332, Code 2024, is amended to read as
35 follows:

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1 554.9332 Transfer of money — transfer of funds from deposit
2 account.

3 1. *Transferee of tangible money.* A transferee of tangible
4 money takes the money free of a security interest ~~in the money~~
5 if the transferee ~~when receiving delivery~~ receives possession
6 of the money ~~does not act~~ without acting in collusion with the
7 debtor in violating the rights of the secured party.

8 ~~2. *Transferee of electronic money.* A transferee of~~
9 ~~electronic money takes the money free of a security interest~~
10 ~~in the money if the transferee when obtaining control of the~~
11 ~~money does not act in collusion with the debtor in violating~~
12 ~~the rights of the secured party.~~

13 ~~3.~~ 2. *Transferee of funds from deposit account.* A
14 transferee of funds from a deposit account takes the funds free
15 of a security interest in the deposit account if the transferee
16 ~~when receiving~~ receives the funds ~~does not act~~ without acting
17 in collusion with the debtor in violating the rights of the
18 secured party.

19 3. *Transferee of electronic money.* A transferee of
20 electronic money takes the money free of a security interest
21 if the transferee obtains control of the money without acting
22 in collusion with the debtor in violating the rights of the
23 secured party.

24 Sec. 74. Section 554.9334, subsection 6, paragraph a, Code
25 2024, is amended to read as follows:

26 a. the encumbrancer or owner has, in ~~an authenticated a~~
27 signed record, consented to the security interest or disclaimed
28 an interest in the goods as fixtures; or

29 Sec. 75. Section 554.9341, unnumbered paragraph 1, Code
30 2024, is amended to read as follows:

31 Except as otherwise provided in section 554.9340, subsection
32 3, and unless the bank otherwise agrees in ~~an authenticated a~~
33 signed record, a bank's rights and duties with respect to a
34 deposit account maintained with the bank are not terminated,
35 suspended, or modified by:

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1 Sec. 76. Section 554.9404, subsection 1, paragraph b, Code
2 2024, is amended to read as follows:

3 *b.* any other defense or claim of the account debtor against
4 the assignor which accrues before the account debtor receives
5 a notification of the assignment ~~authenticated~~ signed by the
6 assignor or the assignee.

7 Sec. 77. Section 554.9406, subsections 1, 4, 6, 7, and 11,
8 Code 2024, are amended to read as follows:

9 1. *Discharge of account debtor — effect of*
10 *notification.* Subject to subsections 2 through 9 and
11 11, an account debtor on an account, chattel paper, or a
12 payment intangible may discharge its obligation by paying the
13 assignor until, but not after, the account debtor receives
14 a notification, ~~authenticated~~ signed by the assignor or
15 the assignee, that the amount due or to become due has been
16 assigned and that payment is to be made to the assignee. After
17 receipt of the notification, the account debtor may discharge
18 its obligation by paying the assignee and may not discharge the
19 obligation by paying the assignor.

20 4. *Term restricting assignment generally ineffective.* In
21 this subsection, “promissory note” includes a negotiable
22 instrument that evidences chattel paper. Except as otherwise
23 provided in subsection subsections 5 and 10A and sections
24 554.9407 and 554.13303, and subject to subsection 8, a term in
25 an agreement between an account debtor and an assignor or in a
26 promissory note is ineffective to the extent that it:

27 *a.* prohibits, restricts, or requires the consent of the
28 account debtor or person obligated on the promissory note to
29 the assignment or transfer of, or the creation, attachment,
30 perfection, or enforcement of a security interest in, the
31 account, chattel paper, payment intangible, or promissory note;
32 or

33 *b.* provides that the assignment or transfer or the creation,
34 attachment, perfection, or enforcement of the security interest
35 may give rise to a default, breach, right of recoupment, claim,

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1 defense, termination, right of termination, or remedy under the
2 account, chattel paper, payment intangible, or promissory note.

3 6. Legal restrictions on assignment generally ineffective.
4 Except as otherwise provided in subsection 10A and sections
5 554.9407 and 554.13303 and subject to subsections 8 and 9, a
6 rule of law, statute, or regulation that prohibits, restricts,
7 or requires the consent of a government, governmental body or
8 official, or account debtor to the assignment or transfer of,
9 or creation of a security interest in, an account or chattel
10 paper is ineffective to the extent that the rule of law,
11 statute, or regulation:

12 a. prohibits, restricts, or requires the consent of the
13 government, governmental body or official, or account debtor
14 to the assignment or transfer of, or the creation, attachment,
15 perfection, or enforcement of a security interest in the
16 account or chattel paper; or

17 b. provides that the assignment or transfer or the creation,
18 attachment, perfection, or enforcement of the security interest
19 may give rise to a default, breach, right of recoupment, claim,
20 defense, termination, right of termination, or remedy under the
21 account or chattel paper.

22 7. *Subsection 2, paragraph "c", not waivable.* Subject to
23 subsection subsections 8 and 11, an account debtor ~~may~~ shall
24 not waive or vary its option under subsection 2, paragraph "c".

25 11. *Inapplicability of certain subsections.* Subsections 1
26 ~~through, 2, 3,~~ and 7 do not apply to a controllable account or
27 controllable payment intangible.

28 Sec. 78. Section 554.9406, Code 2024, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 10A. Inapplicability to interests in certain
31 *entities.* Subsections 4, 6, and 10 do not apply to a security
32 interest in an ownership interest in a general partnership,
33 limited partnership, or limited liability company.

34 Sec. 79. Section 554.9408, subsection 1, unnumbered
35 paragraph 1, Code 2024, is amended to read as follows:

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1 Except as otherwise provided in ~~subsection 2~~ subsections 2
2 and 6, a term in a promissory note or in an agreement between
3 an account debtor and a debtor which relates to a health
4 care insurance receivable or a general intangible, including
5 a contract, permit, license, or franchise, and which term
6 prohibits, restricts, or requires the consent of the person
7 obligated on the promissory note or the account debtor to,
8 the assignment or transfer of, or creation, attachment, or
9 perfection of a security interest in, the promissory note,
10 health care insurance receivable, or general intangible, is
11 ineffective to the extent that the term:

12 Sec. 80. Section 554.9408, subsection 3, unnumbered
13 paragraph 1, Code 2024, is amended to read as follows:

14 A Except as otherwise provided in subsection 6, a rule
15 of law, statute, or regulation that prohibits, restricts, or
16 requires the consent of a government, governmental body or
17 official, person obligated on a promissory note, or account
18 debtor to the assignment or transfer of, or creation of a
19 security interest in, a promissory note, health care insurance
20 receivable, or general intangible, including a contract,
21 permit, license, or franchise between an account debtor and
22 a debtor, is ineffective to the extent that the rule of law,
23 statute, or regulation:

24 Sec. 81. Section 554.9408, Code 2024, is amended by adding
25 the following new subsections:

26 NEW SUBSECTION. 6. *Inapplicability to interests in certain*
27 *entities.* This section does not apply to a security interest
28 in an ownership interest in a general partnership, limited
29 partnership, or limited liability company.

30 NEW SUBSECTION. 7. *Promissory note.* In this section,
31 "*promissory note*" includes a negotiable instrument that
32 evidences chattel paper.

33 Sec. 82. Section 554.9509, subsections 1 and 2, Code 2024,
34 are amended to read as follows:

35 1. *Person entitled to file record.* A person may file an

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1 initial financing statement, amendment that adds collateral
2 covered by a financing statement, or amendment that adds a
3 debtor to a financing statement only if:

4 *a.* the debtor authorizes the filing in ~~an authenticated~~ a
5 signed record or pursuant to subsection 2 or 3; or

6 *b.* the person holds an agricultural lien that has
7 become effective at the time of filing and the financing
8 statement covers only collateral in which the person holds an
9 agricultural lien.

10 2. *Security agreement as authorization.* By ~~authenticating~~
11 signing or becoming bound as debtor by a security agreement,
12 a debtor or new debtor authorizes the filing of an initial
13 financing statement, and an amendment, covering:

14 *a.* the collateral described in the security agreement; and

15 *b.* property that becomes collateral under section 554.9315,
16 subsection 1, paragraph "b", whether or not the security
17 agreement expressly covers proceeds.

18 Sec. 83. Section 554.9513, subsections 2 and 3, Code 2024,
19 are amended to read as follows:

20 2. *Time for compliance with subsection 1.* To comply with
21 subsection 1, a secured party shall cause the secured party of
22 record to file the termination statement:

23 *a.* within one month after there is no obligation secured
24 by the collateral covered by the financing statement and
25 no commitment to make an advance, incur an obligation, or
26 otherwise give value; or

27 *b.* if earlier, within twenty days after the secured party
28 receives ~~an authenticated~~ a signed demand from a debtor.

29 3. *Other collateral.* In cases not governed by subsection
30 1, within twenty days after a secured party receives ~~an~~
31 ~~authenticated~~ a signed demand from a debtor, the secured
32 party shall cause the secured party of record for a financing
33 statement to send to the debtor a termination statement for the
34 financing statement or file the termination statement in the
35 filing office if:

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1 a. except in the case of a financing statement covering
2 accounts or chattel paper that has been sold or goods that
3 are the subject of a consignment, there is no obligation
4 secured by the collateral covered by the financing statement
5 and no commitment to make an advance, incur an obligation, or
6 otherwise give value;

7 b. the financing statement covers accounts or chattel paper
8 that has been sold but as to which the account debtor or other
9 person obligated has discharged its obligation;

10 c. the financing statement covers goods that were the
11 subject of a consignment to the debtor but are not in the
12 debtor's possession; or

13 d. the debtor did not authorize the filing of the initial
14 financing statement.

15 Sec. 84. Section 554.9605, Code 2024, is amended to read as
16 follows:

17 **554.9605 Unknown debtor or secondary obligor.**

18 1. ~~Duties to unknown persons — general rule~~ *In general: no*
19 *duty owed by a secured party.* Except as provided in subsection
20 2, a secured party does not owe a duty based on its status as
21 secured party:

22 a. to a person that is a debtor or obligor, unless the
23 secured party knows:

24 (1) that the person is a debtor or obligor;

25 (2) the identity of the person; and

26 (3) how to communicate with the person; or

27 b. to a secured party or lienholder that has filed a
28 financing statement against a person, unless the secured party
29 knows:

30 (1) that the person is a debtor; and

31 (2) the identity of the person.

32 2. ~~When secured party owes duty to debtor notwithstanding~~
33 ~~subsection 1~~ *Exception: secured party owes a duty to debtor*
34 *or obligor.* A secured party owes a duty based on its status
35 as a secured party to a person ~~that is a debtor~~ if, at the

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1 time the secured party obtains control of collateral that is
2 a controllable account, controllable electronic record, or
3 controllable payment intangible, or at the time the security
4 interest attaches to the collateral, whichever is later:

5 a. the person is a debtor or obligor; and

6 b. the secured party ~~has knowledge~~ knows that the nature
7 of the collateral or a system in which the collateral is
8 recorded would prevent the secured party from acquiring the
9 knowledge specified information in subsection 1, paragraph "a",
10 subparagraph (1), (2), or (3) relating to the person is not
11 provided by the collateral, a record attached to or logically
12 associated with the collateral, or the system in which the
13 collateral is recorded.

14 Sec. 85. Section 554.9608, subsection 1, paragraph a,
15 subparagraph (3), Code 2024, is amended to read as follows:

16 (3) the satisfaction of obligations secured by any
17 subordinate security interest in or other lien on the
18 collateral subject to the security interest or agricultural
19 lien under which the collection or enforcement is made if the
20 secured party receives ~~an authenticated~~ a signed demand for
21 proceeds before distribution of the proceeds is completed.

22 Sec. 86. Section 554.9611, subsection 1, paragraph a, Code
23 2024, is amended to read as follows:

24 a. a secured party sends to the debtor and any secondary
25 obligor ~~an authenticated~~ a signed notification of disposition;
26 or

27 Sec. 87. Section 554.9611, subsections 2 and 3, Code 2024,
28 are amended to read as follows:

29 2. *Notification of disposition required.* Except as otherwise
30 provided in subsection 4, a secured party that disposes of
31 collateral under section 554.9610 shall send to the persons
32 specified in subsection 3 a reasonable ~~authenticated~~ signed
33 notification of disposition.

34 3. *Persons to be notified.* To comply with subsection 2, the
35 secured party shall send ~~an authenticated~~ a signed notification

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1 of disposition to:

2 a. the debtor;

3 b. any secondary obligor; and

4 c. if the collateral is other than consumer goods:

5 (1) any other person from which the secured party has
6 received, before the notification date, ~~an authenticated~~
7 a signed notification of a claim of an interest in the
8 collateral;

9 (2) any other secured party or lienholder that, ten days
10 before the notification date, held a security interest in or
11 other lien on the collateral perfected by the filing of a
12 financing statement that:

13 (a) identified the collateral;

14 (b) was indexed under the debtor's name as of that date; and

15 (c) was filed in the office in which to file a financing
16 statement against the debtor covering the collateral as of that
17 date; and

18 (3) any other secured party that, ten days before the
19 notification date, held a security interest in the collateral
20 perfected by compliance with a statute, regulation, or treaty
21 described in [section 554.9311, subsection 1](#).

22 Sec. 88. Section 554.9611, subsection 5, paragraph b,
23 subparagraph (2), Code 2024, is amended to read as follows:

24 (2) received a response to the request for information and
25 sent ~~an authenticated~~ a signed notification of disposition to
26 each secured party or other lienholder named in that response
27 whose financing statement covered the collateral.

28 Sec. 89. Section 554.9613, Code 2024, is amended by striking
29 the section and inserting in lieu thereof the following:

30 **554.9613 Contents and form of notification before disposition**
31 **of collateral — general.**

32 1. *Contents and form of notification.* Except in a
33 consumer-goods transaction, the following rules apply:

34 a. The contents of a notification of disposition are
35 sufficient if the notification:

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1 (1) describes the debtor and the secured party;
2 (2) describes the collateral that is the subject of the
3 intended disposition;
4 (3) states the method of intended disposition;
5 (4) states that the debtor is entitled to an accounting of
6 the unpaid indebtedness and states the charge, if any, for an
7 accounting; and
8 (5) states the time and place of a public disposition or the
9 time after which any other disposition is to be made.
10 *b.* Whether the contents of a notification that lacks any
11 of the information specified in paragraph "a" are nevertheless
12 sufficient is a question of fact.
13 *c.* The contents of a notification providing substantially
14 the information specified in paragraph "a" are sufficient, even
15 if the notification includes:
16 (1) information not specified by that paragraph; or
17 (2) minor errors that are not seriously misleading.
18 *d.* A particular phrasing of the notification is not
19 required.
20 *e.* The following form of notification and the form appearing
21 in section 554.9614, subsection 1, paragraph "c", when
22 completed in accordance with the instructions in subsection 2
23 and section 554.9614, subsection 2, each provides sufficient
24 information:

25 NOTIFICATION OF DISPOSITION
26 OF COLLATERAL

27 To: (Name of debtor, obligor, or other person to which the
28 notification is sent)
29 From: (Name, address, and telephone number of secured party)
30 {1} Name of any debtor that is not an addressee: (Name of
31 each debtor)
32 {2} We will sell (describe collateral) (to the highest
33 qualified bidder) at public sale. A sale could include a lease
34 or license. The sale will be held as follows:
35 (Date)

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[End of Form]

35 554.9614 Contents and form of notification before disposition

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1 of collateral — consumer-goods transaction.

2 1. *Contents and form of notification.* In a consumer-goods
3 transaction, the following rules apply:

4 a. A notification of disposition must provide the following
5 information:

6 (1) the information specified in section 554.9613,
7 subsection 1, paragraph "a";

8 (2) a description of any liability for a deficiency of the
9 person to which the notification is sent;

10 (3) a telephone number from which the amount that must
11 be paid to the secured party to redeem the collateral under
12 section 554.9623 is available; and

13 (4) a telephone number or mailing address from which
14 additional information concerning the disposition and the
15 obligation secured is available.

16 b. A particular phrasing of the notification is not
17 required.

18 c. The following form of notification, when completed in
19 accordance with the instructions in paragraph "b", provides
20 sufficient information:

21 NOTICE OF OUR PLAN TO SELL PROPERTY

22 (Name and address of any obligor who is also a debtor)

23 Subject: (Identify transaction)

24 We have your (describe collateral), because you broke
25 promises in our agreement.

26 {1} We will sell (describe collateral) at public sale. A
27 sale could include a lease or license. The sale will be held
28 as follows:

29 (Date)

30 (Time)

31 (Place)

32 You may attend the sale and bring bidders if you want.

33 {2} We will sell (describe collateral) at private sale
34 sometime after (date). A sale could include a lease or
35 license.

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1 {3} The money that we get from the sale, after paying our
2 costs, will reduce the amount you owe. If we get less money
3 than you owe, you (will or will not, as applicable) still owe
4 us the difference. If we get more money than you owe, you will
5 get the extra money, unless we must pay it to someone else.

6 {4} You can get the property back at any time before we sell
7 it by paying us the full amount you owe, not just the past due
8 payments, including our expenses. To learn the exact amount
9 you must pay, call us at (telephone number).

10 {5} If you want us to explain to you in (writing) (writing
11 or in (description of electronic record)) (description of
12 electronic record) how we have figured the amount that you
13 owe us, {6} call us at (telephone number) (or) (write us at
14 (secured party's address)) (or contact us by (description
15 of electronic communication method)) {7} and request (a
16 written explanation) (a written explanation or an explanation
17 in (description of electronic record)) (an explanation in
18 (description of electronic record)).

19 {8} We will charge you \$(amount) for the explanation if we
20 sent you another written explanation of the amount you owe us
21 within the last six months.

22 {9} If you need more information about the sale (call us
23 at (telephone number)) (or) (write us at (secured party's
24 address)) (or contact us by (description of electronic
25 communication method)).

26 {10} We are sending this notice to the following other people
27 who have an interest in (describe collateral) or who owe money
28 under your agreement:

29 (Names of all other debtors and obligors, if any)

30 [End of Form]

31 2. *Instructions for form of notification.* The following
32 instructions apply to the form of notification in subsection
33 1, paragraph "c":

34 a. The instructions in this subsection refer to the
35 numbers in braces before items in the form of notification in

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1 subsection 1, paragraph "c". Do not include the numbers or
2 braces in the notification. The numbers and braces are used
3 only for the purpose of these instructions.

4 *b.* Include and complete either item {1}, if the notification
5 relates to a public disposition of the collateral, or item {2},
6 if the notification relates to a private disposition of the
7 collateral.

8 *c.* Include and complete items {3}, {4}, {5}, {6}, and {7}.

9 *d.* In item {5}, include and complete any one of the three
10 alternative methods for the explanation — writing, writing or
11 electronic record, or electronic record.

12 *e.* In item {6}, include the telephone number. In addition,
13 the sender may include and complete either or both of the two
14 additional alternative methods of communication — writing
15 or electronic communication — for the recipient of the
16 notification to communicate with the sender. Neither of the
17 two additional methods of communication is required to be
18 included.

19 *f.* In item {7}, include and complete the method or methods
20 for the explanation — writing, writing or electronic record,
21 or electronic record — included in item {5}.

22 *g.* Include and complete item {8} only if a written
23 explanation is included in item {5} as a method for
24 communicating the explanation and the sender will charge the
25 recipient for another written explanation.

26 *h.* In item {9}, include either the telephone number or
27 the address or both the telephone number and the address. In
28 addition, the sender may include and complete the additional
29 method of communication — electronic communication — for the
30 recipient of the notification to communicate with the sender.
31 The additional method of electronic communication is not
32 required to be included.

33 *i.* If item {10} does not apply, insert "None" after
34 "agreement:".

35 Sec. 91. Section 554.9615, subsection 1, paragraph c,

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1 subparagraph (1), Code 2024, is amended to read as follows:

2 (1) the secured party receives from the holder of the
3 subordinate security interest or other lien ~~an authenticated a~~
4 signed demand for proceeds before distribution of the proceeds
5 is completed; and

6 Sec. 92. Section 554.9615, subsection 1, paragraph d, Code
7 2024, is amended to read as follows:

8 d. a secured party that is a consignor of the collateral if
9 the secured party receives from the consignor ~~an authenticated~~
10 a signed demand for proceeds before distribution of the
11 proceeds is completed.

12 Sec. 93. Section 554.9616, subsection 1, paragraph a,
13 unnumbered paragraph 1, Code 2024, is amended to read as
14 follows:

15 "Explanation" means a ~~writing~~ record that:

16 Sec. 94. Section 554.9616, subsection 1, paragraph b,
17 subparagraph (1), Code 2024, is amended to read as follows:

18 (1) ~~authenticated~~ signed by a debtor or consumer obligor;

19 Sec. 95. Section 554.9616, subsection 2, paragraph a,
20 subparagraph (1), Code 2024, is amended to read as follows:

21 (1) before or when the secured party accounts to the debtor
22 and pays any surplus or first makes ~~written~~ demand in a record
23 on the consumer obligor after the disposition for payment of
24 the deficiency; and

25 Sec. 96. Section 554.9616, subsection 3, unnumbered
26 paragraph 1, Code 2024, is amended to read as follows:

27 To comply with subsection 1, paragraph "a", subparagraph (2),
28 ~~a writing an explanation~~ must provide the following information
29 in the following order:

30 Sec. 97. Section 554.9619, subsection 1, unnumbered
31 paragraph 1, Code 2024, is amended to read as follows:

32 In this section, "transfer statement" means a record
33 ~~authenticated~~ signed by a secured party stating:

34 Sec. 98. Section 554.9620, subsection 1, paragraph b,
35 unnumbered paragraph 1, Code 2024, is amended to read as

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1 follows:

2 the secured party does not receive, within the time set forth
3 in subsection 4, a notification of objection to the proposal
4 ~~authenticated~~ signed by:

5 Sec. 99. Section 554.9620, subsection 2, paragraph a, Code
6 2024, is amended to read as follows:

7 a. the secured party consents to the acceptance in an
8 ~~authenticated~~ a signed record or sends a proposal to the
9 debtor; and

10 Sec. 100. Section 554.9620, subsection 3, Code 2024, is
11 amended to read as follows:

12 3. *Debtor's consent.* For purposes of this section:

13 a. a debtor consents to an acceptance of collateral in
14 partial satisfaction of the obligation it secures only if
15 the debtor agrees to the terms of the acceptance in a record
16 ~~authenticated~~ signed after default; and

17 b. a debtor consents to an acceptance of collateral in full
18 satisfaction of the obligation it secures only if the debtor
19 agrees to the terms of the acceptance in a record ~~authenticated~~
20 signed after default or the secured party:

21 (1) sends to the debtor after default a proposal that is
22 unconditional or subject only to a condition that collateral
23 not in the possession of the secured party be preserved or
24 maintained;

25 (2) in the proposal, proposes to accept collateral in full
26 satisfaction of the obligation it secures; and

27 (3) does not receive a notification of objection
28 ~~authenticated~~ signed by the debtor within twenty days after the
29 proposal is sent.

30 Sec. 101. Section 554.9620, subsection 6, paragraph b, Code
31 2024, is amended to read as follows:

32 b. within any longer period to which the debtor and all
33 secondary obligors have agreed in an agreement to that effect
34 entered into and ~~authenticated~~ signed after default.

35 Sec. 102. Section 554.9621, subsection 1, paragraph a, Code

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1 2024, is amended to read as follows:

2 a. any person from which the secured party has received,
3 before the debtor consented to the acceptance, ~~an authenticated~~
4 a signed notification of a claim of an interest in the
5 collateral;

6 Sec. 103. Section 554.9624, Code 2024, is amended to read
7 as follows:

8 **554.9624 Waiver.**

9 1. *Waiver of disposition notification.* A debtor or secondary
10 obligor may waive the right to notification of disposition of
11 collateral under [section 554.9611](#) only by an agreement to that
12 effect entered into and ~~authenticated~~ signed after default.

13 2. *Waiver of mandatory disposition.* A debtor may waive
14 the right to require disposition of collateral under section
15 554.9620, subsection 5, only by an agreement to that effect
16 entered into and ~~authenticated~~ signed after default.

17 3. *Waiver of redemption right.* Except in a consumer-goods
18 transaction, a debtor or secondary obligor may waive the
19 right to redeem collateral under [section 554.9623](#) only by an
20 agreement to that effect entered into and ~~authenticated~~ signed
21 after default.

22 Sec. 104. Section 554.9628, subsection 1, unnumbered
23 paragraph 1, Code 2024, is amended to read as follows:

24 ~~Unless~~ Subject to subsection 6, unless a secured party knows
25 that a person is a debtor or obligor, knows the identity of the
26 person, and knows how to communicate with the person:

27 Sec. 105. Section 554.9628, subsection 6, Code 2024, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 6. *Exception: limitation of liability under subsections*
31 *1 and 2 does not apply.* Subsections 1 and 2 do not apply to
32 limit the liability of a secured party to a person if, at the
33 time the secured party obtains control of collateral that is
34 a controllable account, controllable electronic record, or
35 controllable payment intangible or at the time the security

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1 interest attaches to the collateral, whichever is later:
2 a. the person is a debtor or obligor; and
3 b. the secured party knows that the information in
4 subsection 2, paragraph "a", subparagraph (1), (2), or (3),
5 relating to the person is not provided by the collateral, a
6 record attached to or logically associated with the collateral,
7 or the system in which the collateral is recorded.

8 PART I

9 ARTICLE 12

10 FUNDS TRANSFERS

11 Sec. 106. Section 554.12103, Code 2024, is amended to read
12 as follows:

13 **554.12103 Payment order — definitions.**

14 1. In **this Article** ~~unless the context otherwise requires:~~

15 ~~1. a. "Payment order" means an instruction of a sender to~~
16 ~~a receiving bank, transmitted orally, electronically, or in~~
17 ~~writing or in a record, to pay, or to cause another bank to pay,~~
18 ~~a fixed or determinable amount of money to a beneficiary if all~~
19 ~~of the following apply:~~

20 (1) The instruction does not state a condition to payment to
21 the beneficiary other than time of payment.

22 (2) The receiving bank is to be reimbursed by debiting an
23 account of, or otherwise receiving payment from, the sender,
24 and

25 (3) The instruction is transmitted by the sender directly to
26 the receiving bank or to an agent, funds-transfer system, or
27 communication system for transmittal to the receiving bank.

28 ~~b. A payment order instructing more than one payment to be~~
29 ~~made to a beneficiary is a separate payment order with respect~~
30 ~~to each payment.~~

31 ~~c. A payment order is issued when it is sent to the~~
32 ~~receiving bank.~~

33 ~~2. b. "Beneficiary" means the person to be paid by the~~
34 ~~beneficiary's bank.~~

35 ~~3. c. "Beneficiary's bank" means the bank identified in a~~

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1 payment order in which an account of the beneficiary is to be
2 credited pursuant to the order or which otherwise is to make
3 payment to the beneficiary if the order does not provide for
4 payment to an account.

5 ~~4.~~ d. "Receiving bank" means the bank to which the sender's
6 instruction is addressed.

7 ~~5.~~ e. "Sender" means the person giving the instruction to
8 the receiving bank.

9 2. If an instruction complying with subsection 1, paragraph
10 "a", is to make more than one payment to a beneficiary, the
11 instruction is a separate payment order with respect to each
12 payment.

13 3. A payment order is issued when it is sent to the
14 receiving bank.

15 Sec. 107. Section 554.12201, Code 2024, is amended to read
16 as follows:

17 **554.12201 Security procedure.**

18 "Security procedure" means a procedure established by
19 agreement between a customer and a receiving bank for the
20 purpose of verifying that a payment order or communication
21 amending or canceling a payment order is that of the customer,
22 or detecting error in the transmission or the content of the
23 payment order or communication. A security procedure may
24 impose an obligation on the receiving bank or the customer and
25 may require the use of algorithms or other codes, identifying
26 words, or numbers, symbols, sounds, biometrics, encryption,
27 callback procedures, or similar security devices. Comparison
28 of a signature on a payment order or communication with an
29 authorized specimen signature of the customer or requiring a
30 payment order to be sent from a known electronic mail address,
31 internet protocol address, or telephone number is not by itself
32 a security procedure.

33 Sec. 108. Section 554.12202, subsections 2 and 3, Code 2024,
34 are amended to read as follows:

35 2. If a bank and its customer have agreed that the

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1 authenticity of payment orders issued to the bank in the
2 name of the customer as sender will be verified pursuant
3 to a security procedure, a payment order received by the
4 receiving bank is effective as the order of the customer,
5 whether or not authorized, if the security procedure is a
6 commercially reasonable method of providing security against
7 unauthorized payment orders, and the bank proves that it
8 accepted the payment order in good faith and in compliance with
9 the bank's obligations under the security procedure and any
10 written agreement or instruction of the customer, evidenced
11 by a record, restricting acceptance of payment orders issued
12 in the name of the customer. The bank is not required to
13 follow an instruction that violates a ~~written~~ an agreement
14 with the customer, evidenced by a record, or notice of which
15 is not received at a time and in a manner affording the bank a
16 reasonable opportunity to act on it before the payment order
17 is accepted.

18 3. Commercial reasonableness of a security procedure is
19 a question of law to be determined by considering the wishes
20 of the customer expressed to the bank, the circumstances
21 of the customer known to the bank, including the size,
22 type, and frequency of payment orders normally issued by
23 the customer to the bank, alternative security procedures
24 offered to the customer, and security procedures in general
25 use by customers and receiving banks similarly situated. A
26 security procedure is deemed to be commercially reasonable if
27 the security procedure was chosen by the customer after the
28 bank offered, and the customer refused, a security procedure
29 that was commercially reasonable for that customer, and the
30 customer expressly agreed in writing a record to be bound by
31 any payment order, whether or not authorized, issued in the
32 customer's name and accepted by the bank in compliance with the
33 bank's obligations under the security procedure chosen by the
34 customer.

35 Sec. 109. Section 554.12203, Code 2024, is amended to read

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1 as follows:

2 **554.12203 Unenforceability of certain verified payment**
3 **orders.**

4 1. If an accepted payment order is not, under section
5 554.12202, subsection 1, an authorized order of a customer
6 identified as sender ~~pursuant to section 554.12202, subsection~~
7 ~~1,~~ but is effective as an order of the customer pursuant to
8 section 554.12202, subsection 2, the following rules apply:

9 ~~1-~~ a. By express ~~written~~ agreement, evidenced by a record
10 the receiving bank may limit the extent to which it is entitled
11 to enforce or retain payment of the payment order.

12 ~~2-~~ b. The receiving bank is not entitled to enforce or
13 retain payment of the payment order if the customer proves
14 that the order was not caused, directly or indirectly, by a
15 person entrusted at any time with the authority to act for
16 the customer with respect to payment orders or the security
17 procedure, or who obtained access to transmitting facilities
18 of the customer or who obtained, from a source controlled by
19 the customer and without authority of the receiving bank,
20 information facilitating breach of the security procedure,
21 regardless of how the information was obtained or whether the
22 customer was at fault. Information includes any access device,
23 computer software, or similar items.

24 ~~3-~~ 2. This section applies to amendments of payment orders
25 in the same manner it applies to payment orders.

26 Sec. 110. Section 554.12207, subsection 3, paragraph b,
27 Code 2024, is amended to read as follows:

28 b. If the originator is not a bank and proves that the
29 person identified by number was not entitled to receive payment
30 from the originator, the originator is not ~~obligated~~ obliged
31 to pay ~~the originator's~~ its order unless the originator's
32 bank proves that the originator ~~had notice,~~ before acceptance
33 ~~by of the originator's bank of the~~ originator's order, had
34 notice that payment of a payment order issued by the originator
35 might be made by the beneficiary's bank on the basis of an

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1 identifying or bank account number even if it identifies a
2 person different from the named beneficiary. Proof of notice
3 may be made by any admissible evidence. The originator's bank
4 satisfies the burden of proof if it proves that the originator,
5 before the payment was accepted, signed a writing record
6 stating the information to which the notice relates ~~before the~~
7 ~~payment order was accepted.~~

8 Sec. 111. Section 554.12208, subsection 2, paragraph b,
9 Code 2024, is amended to read as follows:

10 **b.** If the sender is not a bank and the receiving bank proves
11 that the sender, before the payment order was accepted, had
12 notice that the receiving bank might rely on the number as the
13 proper identification of the intermediary or beneficiary's
14 bank even if it identifies a person different from the bank
15 identified by name, the rights and obligations of the sender
16 and the receiving bank are governed by paragraph "a", as though
17 the sender were a bank. Proof of notice may be made by any
18 admissible evidence. The receiving bank satisfies the burden
19 of proof if it proves that the sender, before the payment order
20 was accepted, signed a writing record stating the information
21 to which the notice relates.

22 Sec. 112. Section 554.12210, subsection 1, Code 2024, is
23 amended to read as follows:

24 1. A payment order is rejected by the receiving bank
25 by a notice of rejection transmitted to the sender orally,
26 ~~electronically,~~ or in writing a record. A notice of rejection
27 need not use any particular words and is sufficient if the
28 notice indicates that the receiving bank is rejecting the order
29 or will not execute or pay the order. Rejection is effective
30 when the notice is given if transmission is by a means that is
31 reasonable under the circumstances. If notice of rejection is
32 given by a means that is not reasonable, rejection is effective
33 when the notice is received. If an agreement of the sender
34 and receiving bank establishes the means to be used to reject
35 a payment order, any means complying with the agreement is

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1 reasonable and any means not complying is not reasonable unless
2 no significant delay in receipt of the notice resulted from the
3 use of the noncomplying means.

4 Sec. 113. Section 554.12211, subsection 1, Code 2024, is
5 amended to read as follows:

6 1. A communication of the sender of a payment order
7 canceling or amending the order may be transmitted to the
8 receiving bank orally,~~electronically~~, or in writing a record.
9 If a security procedure is in effect between the sender and
10 the receiving bank, the communication is not effective to
11 cancel or amend the order unless the communication is verified
12 pursuant to the security procedure or the bank agrees to the
13 cancellation or amendment.

14 Sec. 114. Section 554.12305, subsections 3 and 4, Code 2024,
15 are amended to read as follows:

16 3. In addition to the amounts payable under subsections
17 1 and 2, damages, including consequential damages, are
18 recoverable to the extent provided in an express ~~written~~
19 agreement of the receiving bank, evidenced by a record.

20 4. If a receiving bank fails to execute a payment order
21 that the receiving bank was obligated by express agreement
22 to execute, the receiving bank is liable to the sender for
23 the sender's expenses in the transaction and for incidental
24 expenses and interest losses resulting from the failure to
25 execute. Additional damages, including consequential damages,
26 are recoverable to the extent provided in an express ~~written~~
27 agreement of the receiving bank, evidenced by a record, but are
28 not otherwise recoverable.

29 PART J

30 ARTICLE 13

31 LEASES

32 Sec. 115. Section 554.13102, Code 2024, is amended to read
33 as follows:

34 **554.13102 Scope.**

35 1. This Article applies to any transaction, regardless of

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1 form, that creates a lease and, in the case of a hybrid lease,
2 it applies to the extent provided in subsection 2.

3 2. In a hybrid lease:

4 a. if the lease-of-goods aspects do not predominate:

5 (1) only the provisions of this Article which relate
6 primarily to the lease-of-goods aspects of the transaction
7 apply, and the provisions that relate primarily to the
8 transaction as a whole do not apply;

9 (2) section 554.13209 applies if the lease is a finance
10 lease; and

11 (3) section 554.13407 applies to the promises of the lessee
12 in a finance lease to the extent the promises are consideration
13 for the right to possession and use of the leased goods; and

14 b. if the lease-of-goods aspects predominate, this Article
15 applies to the transaction, but does not preclude application
16 in appropriate circumstances of other law to aspects of the
17 lease which do not relate to the lease of goods.

18 Sec. 116. Section 554.13103, subsection 1, Code 2024, is
19 amended by adding the following new paragraph:

20 NEW PARAGRAPH. *oi.* "Hybrid lease" means a single
21 transaction involving a lease of goods and:

22 (1) the provision of services;

23 (2) a sale of other goods; or

24 (3) a sale, lease, or license of property other than goods.

25 Sec. 117. Section 554.13107, Code 2024, is amended to read
26 as follows:

27 **554.13107 Waiver or renunciation of claim or right after**
28 **default.**

29 Any claim or right arising out of an alleged default or
30 breach of warranty may be discharged in whole or in part
31 without consideration by a ~~written~~ waiver or renunciation in a
32 signed and record delivered by the aggrieved party.

33 Sec. 118. Section 554.13201, subsections 1, 3, and 5, Code
34 2024, are amended to read as follows:

35 1. A lease contract is not enforceable by way of action or

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1 defense unless:

2 a. the total payments to be made under the lease contract,
3 excluding payments for options to renew or buy, are less than
4 one thousand dollars; or

5 b. there is a writing record, signed by the party against
6 whom enforcement is sought or by that party's authorized agent,
7 sufficient to indicate that a lease contract has been made
8 between the parties and to describe the goods leased and the
9 lease term.

10 3. A writing record is not insufficient because it omits or
11 incorrectly states a term agreed upon, but the lease contract
12 is not enforceable under subsection 1, paragraph "b", beyond
13 the lease term and the quantity of goods shown in the writing
14 record.

15 5. The lease term under a lease contract referred to in
16 subsection 4 is:

17 a. if there is a writing record signed by the party against
18 whom enforcement is sought or by that party's authorized agent
19 specifying the lease term, the term so specified;

20 b. if the party against whom enforcement is sought admits in
21 that party's pleading, testimony, or otherwise in court a lease
22 term, the term so admitted; or

23 c. a reasonable lease term.

24 Sec. 119. Section 554.13202, Code 2024, is amended to read
25 as follows:

26 **554.13202 Final written expression — parol or extrinsic**
27 **evidence.**

28 Terms with respect to which the confirmatory memoranda of
29 the parties agree or which are otherwise set forth in a writing
30 record intended by the parties as a final expression of their
31 agreement with respect to such terms as are included therein
32 may not be contradicted by evidence of any prior agreement or
33 of a contemporaneous oral agreement but may be explained or
34 supplemented:

35 1. by course of dealing or usage of trade or by course of

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1 performance; and

2 2. by evidence of consistent additional terms unless the
3 court finds the writing record to have been intended also as a
4 complete and exclusive statement of the terms of the agreement.

5 Sec. 120. Section 554.13203, Code 2024, is amended to read
6 as follows:

7 **554.13203 Seals inoperative.**

8 The affixing of a seal to a writing record evidencing a
9 lease contract or an offer to enter into a lease contract does
10 not render the writing record a sealed instrument and the law
11 with respect to sealed instruments does not apply to the lease
12 contract or offer.

13 Sec. 121. Section 554.13205, Code 2024, is amended to read
14 as follows:

15 **554.13205 Firm offers.**

16 An offer by a merchant to lease goods to or from another
17 person in a signed writing record that by its terms gives
18 assurance it will be held open is not revocable, for lack of
19 consideration, during the time stated or, if no time is stated,
20 for a reasonable time, but in no event may the period of
21 irrevocability exceed three months. Any such term of assurance
22 on a form supplied by the offeree must be separately signed by
23 the offeror.

24 Sec. 122. Section 554.13208, subsection 2, Code 2024, is
25 amended to read as follows:

26 2. A signed lease agreement that excludes modification or
27 rescission except by a signed writing ~~may~~ record shall not
28 be otherwise modified or rescinded, but, except as between
29 merchants, such a requirement on a form supplied by a merchant
30 must be separately signed by the other party.

31 PART K

32 ARTICLE 15

33 TRANSITIONAL PROVISIONS

34 Sec. 123. NEW SECTION. **554.15101 Short title.**

35 This Article may be cited as the Transitional Provisions for

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1 Uniform Commercial Code Amendments (2022).

2 Sec. 124. NEW SECTION. 554.15102 Definitions.

3 1. *Article 15 definitions.* In this Article:

4 a. "Article 14" means Article 14 of this chapter.

5 b. "Article 14 property" means a controllable account,
6 controllable electronic record, or controllable payment
7 intangible.

8 2. *Definitions in other Articles.* The following definitions
9 in other Articles of this chapter apply to this Article:

10 a. "Controllable account" ... Section 554.9102.

11 b. "Controllable electronic record" ... Section 554.14102.

12 c. "Controllable payment intangible" ... Section 554.9102.

13 d. "Electronic money" ... Section 554.9102.

14 e. "Financing statement" ... Section 554.9102.

15 3. *Article 1 definitions and principles.* Article 1 contains
16 general definitions and principles of construction and
17 interpretation applicable throughout this Article.

18 Sec. 125. NEW SECTION. 554.15201 Saving clause.

19 Except as provided in part 3, a transaction validly entered
20 into before the effective date of this Act and the rights,
21 duties, and interests flowing from the transaction remain valid
22 thereafter and may be terminated, completed, consummated,
23 or enforced as required or permitted by law other than this
24 chapter or, if applicable, this chapter, as though this Act had
25 not taken effect.

26 Sec. 126. NEW SECTION. 554.15301 Saving clause.

27 1. *Pre-effective-date transaction, lien, or interest.* Except
28 as provided in this part, Article 9, as amended by this Act,
29 and Article 14, as amended by this Act, apply to a transaction,
30 lien, or other interest in property, even if the transaction,
31 lien, or interest was entered into, created, or acquired before
32 the effective date of this Act.

33 2. *Continuing validity.* Except as provided in subsection 3
34 and sections 554.15302 through 554.15306:

35 a. a transaction, lien, or interest in property that

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1 was validly entered into, created, or transferred before
2 the effective date of this Act and was not governed by this
3 chapter, but would be subject to Article 9 as amended by this
4 Act or Article 14, as amended by this Act, if it had been
5 entered into, created, or transferred on or after the effective
6 date of this Act, including the rights, duties, and interests
7 flowing from the transaction, lien, or interest, remains valid
8 on and after the effective date of this Act; and

9 *b.* the transaction, lien, or interest may be terminated,
10 completed, consummated, and enforced as required or permitted
11 by this Act or by the law that would apply if this Act had not
12 taken effect.

13 3. *Pre-effective-date proceeding.* This Act does not affect
14 an action, case, or proceeding commenced before the effective
15 date of this Act.

16 Sec. 127. NEW SECTION. 554.15302 Security interest
17 perfected before effective date.

18 1. *Continuing perfection: perfection requirements*
19 *satisfied.* A security interest that is enforceable and
20 perfected immediately before the effective date of this Act
21 is a perfected security interest under this Act if, on the
22 effective date of this Act, the requirements for enforceability
23 and perfection under this Act are satisfied without further
24 action.

25 2. *Continuing perfection: enforceability or perfection*
26 *requirements not satisfied.* If a security interest is
27 enforceable and perfected immediately before the effective
28 date of this Act, but the requirements for enforceability or
29 perfection under this Act are not satisfied on the effective
30 date of this Act, the security interest:

31 *a.* is a perfected security interest until the earlier of
32 the time perfection would have ceased under the law in effect
33 immediately before the effective date of this Act or July 1,
34 2025;

35 *b.* remains enforceable thereafter only if the security

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1 interest satisfies the requirements for enforceability under
2 section 554.9203, as amended by this Act, before July 1, 2025;
3 and

4 c. remains perfected thereafter only if the requirements
5 for perfection under this Act are satisfied before the time
6 specified in paragraph "a".

7 Sec. 128. NEW SECTION. 554.15303 Security interest
8 unperfected before effective date.

9 A security interest that is enforceable immediately before
10 the effective date of this Act but is unperfected at that time:

11 1. remains an enforceable security interest until July 1,
12 2025;

13 2. remains enforceable thereafter if the security interest
14 becomes enforceable under section 554.9203, as amended by this
15 Act, on the effective date of this Act or before July 1, 2025;
16 and

17 3. becomes perfected:

18 a. without further action, on the effective date of this Act
19 if the requirements for perfection under this Act are satisfied
20 before or at that time; or

21 b. when the requirements for perfection are satisfied if the
22 requirements are satisfied after that time.

23 Sec. 129. NEW SECTION. 554.15304 Effectiveness of actions
24 taken before effective date.

25 1. *Pre-effective-date action; attachment and perfection*
26 *before July 1, 2025.* If action, other than the filing of a
27 financing statement, is taken before the effective date of this
28 Act and this action would have resulted in perfection of the
29 security interest had the security interest become enforceable
30 before the effective date of this Act, this action is effective
31 to perfect a security interest that attaches under this Act
32 before July 1, 2025. An attached security interest becomes
33 unperfected on July 1, 2025, unless the security interest
34 becomes a perfected security interest under this Act before
35 July 1, 2025.

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1 2. *Pre-effective-date filing.* The filing of a financing
2 statement before the effective date of this Act is effective
3 to perfect a security interest on the effective date of this
4 Act to the extent the filing would satisfy the requirements for
5 perfection under this Act.

6 3. *Pre-effective-date enforceability action.* The taking of
7 an action before the effective date of this Act is sufficient
8 for the enforceability of a security interest on the effective
9 date of this Act if this action would satisfy the requirements
10 for enforceability under this Act.

11 Sec. 130. NEW SECTION. 554.15305 **Priority.**

12 1. *Determination of priority.* Subject to subsections 2 and
13 3, this Act determines the priority of conflicting claims to
14 collateral.

15 2. *Established priorities.* Subject to subsection 3, if the
16 priorities of claims to collateral were established before the
17 effective date of this Act, Article 9, as in effect before the
18 effective date of this Act, determines priority.

19 3. *Determination of certain priorities on July 1, 2025.* On
20 July 1, 2025, to the extent the priorities determined by
21 Article 9, as amended by this Act, modify the priorities
22 established before the effective date of this Act, the
23 priorities of claims to Article 14 property and electronic
24 money established before the effective date of this Act cease
25 to apply.

26 Sec. 131. NEW SECTION. 554.15306 **Priority of claims when**
27 **priority rules of Article 9 do not apply.**

28 1. *Determination of priority.* Subject to subsections 2 and
29 3, Article 14 determines the priority of conflicting claims to
30 Article 14 property when the priority rules of Article 9, as
31 amended by this Act, do not apply.

32 2. *Established priorities.* Subject to subsection 3, when
33 the priority rules of Article 9, as amended by this Act, do not
34 apply and the priorities of claims to Article 14 property were
35 established before the effective date of this Act, law other

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1 than Article 14 determines priority.

2 3. *Determination of certain priorities on July 1, 2025.* When
3 the priority rules of Article 9, as amended by this Act, do
4 not apply, to the extent the priorities determined by this Act
5 modify the priorities established before the effective date
6 of this Act, the priorities of claims to Article 14 property
7 established before the effective date of this Act cease to
8 apply on July 1, 2025.

9 Sec. 132. DIRECTIONS TO THE CODE EDITOR — ARTICLE 15
10 PARTS. The Code editor is directed to divide the provisions of
11 chapter 554, Article 15, as enacted in this division of this
12 Act, into parts as follows:

13 1. Part 1, including sections 554.15101 and 554.15102.

14 2. Part 2, including section 554.15201.

15 3. Part 3, including sections 554.15301, 554.15302,
16 554.15303, 554.15304, 554.15305, and 554.15306.

DIVISION II

DIGITAL ASSETS

17
18
19 Sec. 133. Section 554E.1, Code 2024, is amended by striking
20 the section and inserting in lieu thereof the following:

21 **554E.1 Definitions.**

22 As used in this chapter, unless the context otherwise
23 requires:

24 1. “*Contract*” means the same as defined in section 554D.103.

25 2. “*Digital asset*” means any electronic record that
26 represents, evidences, or comprises economic value or economic,
27 proprietary, or access rights, is maintained or stored in or
28 as an electronic ledger or other record of transactions, or
29 is used as a medium of exchange, unit of account, method of
30 payment, or store of value.

31 3. “*Distributed ledger technology*” means an electronic
32 record that is a ledger or other record of transactions or
33 other data to which all of the following apply:

34 a. The electronic record is uniformly ordered.

35 b. The electronic record is redundantly maintained or

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1 processed by or distributed over more than one computer
2 or machine to ensure the consistency, immutability,
3 decentralization, or nonrepudiation of the ledger or other
4 record of transactions or other data.

5 4. *"Electronic"* means the same as defined in section
6 554D.103.

7 5. *"Electronic record"* means the same as defined in section
8 554D.103.

9 6. *"Electronic services system"* means the county land record
10 information system, or electronic services system, created
11 under the agreement entered into under chapter 28E between the
12 counties and the Iowa county recorders association as required
13 by 2005 Iowa Acts, ch. 179, §101, as amended by 2021 Iowa Acts,
14 ch. 126, §2.

15 7. *"Record"* means the same as defined in section 554D.103.

16 8. a. *"Smart contract"* means an electronic record that is
17 an event-driven program or computerized transaction protocol
18 that runs on a distributed, decentralized, shared, and
19 replicated ledger that executes the terms of a contract.

20 b. For purposes of this subsection, *"executes the terms*
21 *of a contract"* may include taking, obtaining, exercising, or
22 transferring control or custody of assets or other property.

23 9. *"Transaction"* means a sale, trade, exchange, transfer,
24 payment, or conversion of a digital asset or any other property
25 or any other action or set of actions occurring between two or
26 more persons relating to the conduct of business, commercial,
27 or governmental affairs.

28 Sec. 134. Section 554E.2, Code 2024, is amended to read as
29 follows:

30 **554E.2 Classification of digital assets.**

31 Digital assets are ~~intangible~~ personal property.

32 **EXPLANATION**

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

35 **GENERAL.** This bill amends provisions regulating commercial

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1 transactions not involving land and specifically a number of
2 provisions in two Code chapters, Code chapter 554 (the Uniform
3 Commercial Code or UCC), especially as it relates to electronic
4 transactions, and Code chapter 554E, regulating digital assets.

5 GENERAL — UCC. The first part of the bill amends provisions
6 in Code chapter 554 governing certain commercial transactions
7 involving forms of personal electronic property that do not
8 derive value from physical attributes (sometimes referred
9 to as forms of intangible personal property). In 2022, the
10 general assembly enacted two bills dealing with these types of
11 transactions: (1) new Article 14 of the UCC (Code chapter 554)
12 and referred to as the "Uniform Commercial Code — Controllable
13 Electronic Records" (2022 Iowa Acts, chapter 1117) and (2) new
14 Code chapter 554E referring to smart contracts, distributed
15 ledger technology, and digital assets (2022 Iowa Acts, chapter
16 1116).

17 BACKGROUND — CONTROLLABLE ELECTRONIC RECORDS. The 2022
18 Act creating new Article 14 of the UCC, in part, included
19 amendments to Article 1 providing general provisions applicable
20 throughout the UCC, and amendments to Article 9 governing
21 secured transactions, as prepared by a committee appointed
22 jointly by the uniform law commission and the American law
23 institute. The Act provided for forms of electronic property
24 sometimes referred to as digital assets including non-fiat
25 currency and blockchain based non-fungible tokens, commonly
26 referred to as NFTs, and transactions involving a sale to a
27 purchaser (qualified purchaser) and an associated payment
28 obligation (a controllable payment intangible) by an account
29 debtor. Note, the UCC does not use the term "intangible
30 property" but "personal property" which includes general
31 intangibles, including controllable electronic records.

32 BILL'S PROVISIONS — CONTROLLABLE ELECTRONIC RECORDS. The
33 bill eliminates several terms, including "electronic chattel
34 paper" and substitutes the term used to complete a document
35 from "authenticate" to "sign". The bill provides for rights

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1 in controllable accounts, controllable electronic records,
2 and controllable payment intangibles (amended Code section
3 554.14104), the control of controllable electronic records
4 (amended Code section 554.14105), and what state law controls
5 in cases of jurisdictional questions (amended Code section
6 554.14107). The bill defines a number of terms used throughout
7 the UCC, including "money". The bill contains an Iowa-only
8 provision that provides that the Article is not to be construed
9 to support, endorse, create, or implement a national digital
10 currency.

11 BILL'S PROVISIONS — OTHER UCC ARTICLES. The remainder of
12 the bill's first part amends other UCC Articles. These include
13 Article 1, including general provisions, Article 2 regulating
14 sales, Article 3 regulating negotiable instruments, Article 5
15 regulating letters of credit, Article 7 regulating documents of
16 title (a change of title) currently referred to as warehouse
17 receipts and bills of lading, Article 8 regulating investment
18 securities, Article 9 regulating secured transactions, Article
19 12 regulating funds transfers, Article 13 regulating leases,
20 and Article 15 including transitional provisions.

21 BILL'S PROVISIONS — TERMINOLOGY. Article 1 includes
22 general provisions that govern the entire Code chapter,
23 including definitions (Code section 554.1201). The bill
24 defines "money" as a medium of exchange authorized or adopted
25 by a domestic or foreign government or as part of an agreement
26 between governments. The bill revises the definition of
27 "signed" to include an electronic signature. The bill broadens
28 the definition of "conspicuous", which is a term used to
29 describe a reliable record by eliminating references to print
30 media. The bill broadens the definition of "person" to include
31 a protected series which refers to a separate entity that is
32 associated with a business organization and specifically a
33 limited liability company (see Code chapter 489, subchapter
34 XIV). The bill also replaces the term "writing" with "record"
35 in Articles 3 and 9, which is a term connected to electronic

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1 commerce.

2 BILL'S PROVISIONS — SALES AND LEASES. The bill amends
3 provisions in Articles 2 and 13 by recognizing a "hybrid
4 transaction" (in Article 2, see Code sections 554.2102 and
5 554.2106 and in Article 13 see Code sections 554.13102 and
6 554.13103). This type of transaction involves two aspects:
7 first, either the sale or lease of goods and second, some
8 other form of property (e.g., a license) or services. The
9 bill provides rules for determining what law applies to a
10 given transaction based on the predominating aspect of that
11 transaction.

12 BILL'S PROVISIONS — NEGOTIABLE INSTRUMENTS. The bill
13 amends provisions in Article 3 by recognizing choice-of-law
14 provisions or choice-of-forum provisions included in a
15 negotiable instrument (Code section 554.3104). The bill
16 provides for transmission and processing of certain items as
17 electronic checks (Code section 554.3105). Finally, a party's
18 obligation to pay a check is not discharged because of the
19 check's destruction in cases where the information of the check
20 is preserved in an electronic format (Code section 554.3604).

21 BILL'S PROVISIONS — LETTERS OF CREDIT. The bill amends
22 provisions in Article 5 by providing that a letter of credit
23 may be issued in any form as a signed record rather than as
24 authenticated by signature. In determining a choice-of-law
25 question, a bank is considered to be located at the address of
26 its branch where the letter of credit was issued (Code section
27 554.5116).

28 BILL'S PROVISIONS — DOCUMENTS OF TITLE. The bill amends
29 provisions in Article 7 by providing criteria and conditions
30 for determining the rights of a person who has control of
31 an electronic document of title, and specifically under a
32 system for evidencing the transfer of interests in electronic
33 documents (Code section 554.7106). The electronic system must
34 operate to allow a person in control to identify the electronic
35 copy, allow the person to identify themselves, and give the

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1 person exclusive power over an electronic copy.

2 BILL'S PROVISIONS — INVESTMENT SECURITIES. The bill
3 amends provisions in Article 8 regarding a person's control
4 of a controllable account, controllable electronic record, or
5 controllable payment intangible (Code section 554.8102), the
6 rights of a entitlement holder identified as the person having
7 rights in a financial asset (Code section 554.8106), and the
8 rights of a purchaser who becomes an entitlement holder. The
9 bill revises conditions used to determine when a purchaser has
10 control over a security entitlement. The bill also provides
11 for choice-of-law rules involving the issuer's jurisdiction
12 (Code section 554.8110).

13 BILL'S PROVISIONS — SECURED TRANSACTIONS. New Article 14
14 is closely connected to Article 9, which allows a creditor to
15 obtain a security interest attached to a debtor's personal
16 property as collateral and to obtain priority when enforcing
17 that security interest over other creditors having a security
18 interest in that same collateral. The bill amends a number
19 of important definitions (Code section 554.9102). The term
20 "account" means having a present and future right to a payment
21 based on the transfer of services or property including by sale
22 or lease, and includes accounts receivable, but excludes an
23 item represented by a negotiable instrument or chattel paper.
24 The term "assignor" means the person who grants a security
25 interest to secure an obligation or a seller of accounts,
26 chattel paper, payment intangibles, or promissory notes, and
27 the term "assignee" means the person in whose favor a security
28 interest is granted to secure an obligation or a buyer of
29 accounts, chattel paper, payment intangibles, or promissory
30 notes. The term "payment intangible" (under the catchall term
31 "general intangible") means a debtor's principal obligation
32 is the payment of money and includes a controllable payment
33 intangible. The term "account debtor" means a person who owes
34 an obligation on an account, chattel paper, or intangible
35 property. The term "chattel paper" means a debt obligation

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1 supported with a security interest in tangible property.
2 The bill describes conditions in determining if a purchaser
3 has control of an authoritative electronic copy of a record
4 evidencing chattel paper (Code section 554.9105) or if a person
5 has control of electronic money (Code section 554.9105A). A
6 person who has control is not required to acknowledge that
7 control (Code section 554.9107B). The bill provides conditions
8 for determining if a security interest is enforceable against
9 a debtor or third party regarding collateral (Code section
10 554.9203). The bill states that a security interest may attach
11 to consumer goods as proceeds, to a commercial tort claim,
12 or under an after-acquired property clause (Code section
13 554.9204). The bill includes a new requirement applicable to
14 a secured party having control of an authoritative electronic
15 copy of a record evidencing chattel paper, an electronic
16 document, electronic money, or a controllable electronic
17 record. The secured party must transfer the copy or control
18 to the debtor or a person designated by the debtor (Code
19 section 554.9208). The bill provides for cases which govern
20 perfection and priority of a security interest in deposit
21 accounts and investment property when a bank's jurisdiction
22 is at issue (Code sections 554.9304 and 554.9305). The
23 bill sets forth requirements governing the perfection and
24 priority of security interests in chattel paper (Code section
25 554.9306A), and controllable accounts, controllable electronic
26 records, and controllable payment intangibles (Code section
27 554.9306B). The bill includes requirements for the perfection
28 of a security interest in chattel paper by possession and
29 control (Code section 554.9314A). The bill provides for
30 changes in law or jurisdiction governing chattel paper,
31 controllable accounts, controllable electronic records, and
32 controllable payment intangibles (Code section 554.9316).
33 The bill includes criteria for a buyer to take free of a
34 security interest of chattel paper, an electronic document, a
35 controllable electronic record, and a controllable account or a

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1 controllable payment intangible (Code section 554.9317). The
2 bill addresses the priority of chattel paper as it relates to
3 tangible copies and electronic copies (Code section 554.9330).
4 The bill provides that the transferee of electronic money
5 takes the money free of a security interest if the transferee
6 obtains control of the money without acting in collusion
7 with the debtor in violating the rights of the secured party
8 (Code section 554.9332). The bill provides criteria for
9 determining if a secured party owes a duty to an unknown debtor
10 or secondary obligor based on their status as a secured party
11 (Code section 554.9605). The bill revises the contents of the
12 notification of disposition of collateral form and provides for
13 corresponding instructions (Code section 554.9613). Similarly,
14 the bill revises the contests of the notification before
15 disposition of collateral form and provides for corresponding
16 instructions (Code section 554.9614).

17 FUNDS TRANSFER. The bill amends provisions in Article 12,
18 by providing for secure payments systems. The bill describes
19 what constitutes a security procedure, including the use of
20 certain protocols (Code section 554.12201). The bill provides
21 that verifying an electronic mail address, internet protocol
22 address, or telephone number is not a security procedure.

23 TRANSITIONAL PROVISIONS. The bill provides for a number
24 of transitional provisions, including a saving clause (Code
25 sections 554.15201 and 554.15301), the enforceability of a
26 security interest that is perfected or unperfected before the
27 bill's effective date (Code sections 554.15302 and 554.15303),
28 the effectiveness of actions taken before the bill's effective
29 date (Code section 554.15304), and rules of priority (Code
30 sections 554.15305 and 554.15306).

31 BACKGROUND — REGULATION OF DIGITAL ASSETS. The 2022 Act
32 regulating transactions involving distributed ledger technology
33 and smart contracts is connected to Article 14. In both
34 cases, the medium of exchange is a digital asset. Distributed
35 ledger technology allows different computers to validate

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1 transactions and update records and a smart contract is a type
2 of electronic record that executes the term of a contract,
3 including the transfer of assets. A digital asset is a form
4 of an electronic record that represents or is used as a medium
5 of exchange, unit of account, method of payment, or store of
6 value. However, the term expressly excludes certain personal
7 property recognized under the UCC, including a deposit account,
8 electronic record evidencing chattel paper, electronic chattel
9 paper, controllable account, controllable payment intangible,
10 money, electronic document of title, investment property, or a
11 transferable record (Code section 554E.1). A contract cannot
12 be denied legal effect or enforceability solely because it
13 is effectuated by distributed ledger technology or a smart
14 contract (Code section 554E.3). In addition, the 2022 Act
15 provides that a real estate conveyance can be recorded by a
16 county if the evidence of conveyance complies with the general
17 requirements of Code chapter 558 and is in a format conforming
18 with standards established by the electronic services system
19 allowing counties and the Iowa county recorders association
20 to enter into an agreement under Code chapter 28E for the
21 implementation of the county land record information system
22 (Code section 554E.4).

23 BILL'S PROVISIONS — REGULATION OF DIGITAL ASSETS. The
24 bill amends the definition of "digital asset" by eliminating
25 exceptions recognized by the UCC including electronic records
26 evidencing chattel paper. The bill provides that a digital
27 asset is classified simply as personal property rather than
28 intangible personal property. Finally, the bill defines
29 "electronic services system" by citing its source in the Iowa
30 Acts.

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Senate File 2390 - Introduced

SENATE FILE 2390
BY DONAHUE

A BILL FOR

1 An Act relating to youth employment and making penalties
2 applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 92.1 Definition.

2 As used in this chapter, unless the context otherwise
3 requires, "*director*" means the director of the department of
4 inspections, appeals, and licensing.

5 Sec. 2. NEW SECTION. 92.2 Under fourteen — work
6 prohibited.

7 No person under fourteen years of age shall be employed
8 or permitted to work with or without compensation in any
9 occupation.

10 Sec. 3. NEW SECTION. 92.3 Under sixteen — permitted
11 occupations.

12 No person under sixteen years of age shall be employed
13 or permitted to work with or without compensation in any
14 occupation during regular school hours, except:

15 1. Those persons legally out of school, if such status is
16 verified by the submission of written proof to the director.

17 2. Those persons working in a supervised school-work
18 program.

19 3. Those persons between the ages of fourteen and sixteen
20 enrolled in school on a part-time basis and who are required to
21 work as a part of their school training.

22 Sec. 4. NEW SECTION. 92.4 Fourteen and fifteen — permitted
23 occupations.

24 Persons fourteen and fifteen years of age may be employed or
25 permitted to work in the following occupations:

26 1. Retail, food service, and gasoline service
27 establishments.

28 2. Office and clerical work, including operation of office
29 machines.

30 3. Cashiering, selling, modeling, art work, work in
31 advertising departments, window trimming, and comparative
32 shopping.

33 4. Price marking and tagging by hand or by machine,
34 assembling orders, packing, and shelving.

35 5. Bagging and carrying out customers' orders.

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1 6. Errand and delivery work by foot, bicycle, and public
2 transportation.

3 7. Cleanup work, including the use of vacuum cleaners and
4 floor waxers, and maintenance of grounds.

5 8. Kitchen work and other work involved in preparing and
6 serving food and beverages, including the operation of machines
7 and devices used in the performance of such work, including
8 but not limited to dishwashers, toasters, dumbwaiters, popcorn
9 poppers, milk shake blenders, and coffee grinders.

10 9. a. Work in connection with motor vehicles and trucks if
11 confined to the following:

12 (1) Dispensing gasoline and oil.

13 (2) Courtesy service.

14 (3) Car cleaning, washing, and polishing.

15 b. Nothing in this subsection shall be construed to include
16 work involving the use of pits, racks, or lifting apparatus or
17 involving the inflation of any tire mounted on a rim equipped
18 with a removable retaining ring.

19 10. Cleaning vegetables and fruits, and wrapping, sealing,
20 labeling, weighing, pricing, and stocking goods when performed
21 in areas physically separate from areas where meat is prepared,
22 for sale and outside freezers or meat coolers.

23 11. Other work approved by the rules adopted pursuant to
24 chapter 17A by the director.

25 Sec. 5. NEW SECTION. **92.5 Fourteen and fifteen —**
26 **occupations not permitted.**

27 1. Persons fourteen and fifteen years of age may not be
28 employed in:

29 a. Any manufacturing occupation.

30 b. Any mining occupation.

31 c. Processing occupations, except in a retail, food service,
32 or gasoline service establishment in those specific occupations
33 expressly permitted under the provisions of section 92.4.

34 d. Occupations requiring the performance of any duties
35 in workrooms or work places where goods are manufactured,

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1 mined, or otherwise processed, except to the extent expressly
2 permitted in retail, food service, or gasoline service
3 establishments under the provisions of section 92.4.

4 *e.* Public messenger service.

5 *f.* Operation or tending of hoisting apparatus or of any
6 power-driven machinery, other than office machines and machines
7 in retail, food service, and gasoline service establishments
8 which are specified in section 92.4 as machines which such
9 minors may operate in such establishments.

10 *g.* Occupations prohibited by rules adopted pursuant to
11 chapter 17A by the director.

12 *h.* Occupations in connection with the following, except
13 office or sales work in connection with these occupations, not
14 performed on transportation media or at the actual construction
15 site:

16 (1) Transportation of persons or property by rail, highway,
17 air, on water, pipeline, or other means.

18 (2) Warehousing and storage.

19 (3) Communications and public utilities.

20 (4) Construction, including repair.

21 *i.* Any of the following occupations in a retail, food
22 service, or gasoline service establishment:

23 (1) Work performed in or about boiler or engine rooms.

24 (2) Work in connection with maintenance or repair of the
25 establishment, machines, or equipment.

26 (3) Outside window washing that involves working from
27 window sills, and all work requiring the use of ladders,
28 scaffolds, or their substitutes.

29 (4) Cooking, except at soda fountains, lunch counters,
30 snack bars, or cafeteria serving counters, and baking.

31 (5) Occupations which involve operating, setting up,
32 adjusting, cleaning, oiling, or repairing power-driven
33 food slicers and grinders, food choppers and cutters, and
34 bakery-type mixers.

35 (6) Work in freezers and meat coolers and all work in

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1 preparation of meats for sale, except wrapping, sealing,
2 labeling, weighing, pricing, and stocking when performed in
3 other areas.

4 (7) Loading and unloading goods to and from trucks, railroad
5 cars, or conveyors.

6 (8) All occupations in warehouses except office and
7 clerical work.

8 j. Laundering, except for the use of a washing machine
9 which has a capacity of less than ten cubic feet and which is
10 designed to reach an internal temperature which does not exceed
11 212 degrees Fahrenheit.

12 2. Nothing in this section shall be construed as prohibiting
13 office, errand, or packaging work when done away from moving
14 machinery.

15 Sec. 6. NEW SECTION. 92.6 Under sixteen — hours permitted.

16 A person under sixteen years of age shall not be employed
17 with or without compensation before the hour of 7:00 a.m. or
18 after 7:00 p.m., except during the period from June 1 through
19 Labor Day when the hours may be extended to 9:00 p.m. If such
20 person is employed for a period of five hours or more each
21 day, an intermission of not less than thirty minutes shall be
22 given. Such a person shall not be employed for more than eight
23 hours in one day, exclusive of intermission, and shall not be
24 employed for more than forty hours in one week. The hours of
25 work of persons under sixteen years of age employed outside
26 school hours shall not exceed four in one day or twenty-eight
27 in one week while school is in session.

28 Sec. 7. NEW SECTION. 92.7 Under eighteen — prohibited
29 occupations.

30 No person under eighteen years of age shall be employed or
31 permitted to work with or without compensation at any of the
32 following occupations or business establishments:

33 1. Occupations in or about plants or establishments
34 manufacturing or storing explosives or articles containing
35 explosive components.

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- 1 2. Occupations of motor vehicle driver and helper.
- 2 3. Logging occupations and occupations in the operation of
- 3 any sawmill, lath mill, shingle mill, or cooperage-stock mill.
- 4 4. Occupations involved in the operation of power-driven
- 5 woodworking machines.
- 6 5. Occupations involving exposure to radioactive substances
- 7 and to ionizing radiations.
- 8 6. Occupations involved in the operation of elevators and
- 9 other power-driven hoisting apparatus.
- 10 7. Occupations involved in the operation of power-driven
- 11 metal forming, punching, and shearing machines.
- 12 8. Occupations in connection with mining.
- 13 9. Occupations in or about slaughtering and meat packing
- 14 establishments and rendering plants.
- 15 10. Occupations involved in the operation of certain
- 16 power-driven bakery machines. Except as otherwise provided
- 17 in this subsection, this subsection does not apply to the
- 18 operation of pizza dough rollers that are a type of dough
- 19 sheeter that have been constructed with safeguards contained in
- 20 the basic design so as to prevent fingers, hands, or clothing
- 21 from being caught in the in-running point of the rollers,
- 22 that have gears that are completely enclosed, and that have
- 23 microswitches that disengage the machinery if the backs or
- 24 sides of the rollers are removed, only when all the safeguards
- 25 detailed in this subsection are present on the machinery, are
- 26 operational, and have not been overridden. However, this
- 27 subsection does apply to the setting up, adjusting, repairing,
- 28 oiling, or cleaning of pizza dough rollers as described in this
- 29 subsection.
- 30 11. Occupations involved in the operation of certain
- 31 power-driven paper products machines.
- 32 12. Occupations involved in the manufacture of brick, tile,
- 33 and related products.
- 34 13. Occupations involved in the operation of circular saws,
- 35 band saws, and guillotine shears.

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1 14. Occupations involved in wrecking, demolition, and
2 shipbreaking operations.

3 15. Occupations involved in roofing operations.

4 16. Excavation occupations.

5 17. In or about foundries; provided that office, shipping,
6 and assembly area employment shall not be prohibited by this
7 chapter.

8 18. Occupations involving the operation of dry cleaning or
9 dyeing machinery.

10 19. Occupations involving exposure to lead fumes or its
11 compounds, or to dangerous or poisonous dyes or chemicals.

12 20. Occupations involving the transmission, distribution,
13 or delivery of goods or messages between the hours of 10:00
14 p.m. and 5:00 a.m.

15 21. Occupations in establishments where nude or topless
16 dancing is performed.

17 22. Occupations prohibited by rules adopted pursuant to
18 chapter 17A by the director.

19 Sec. 8. NEW SECTION. **92.8 Instruction and training**
20 **permitted.**

21 The provisions of sections 92.7 and 92.9 shall not
22 apply to pupils working under an instructor in a career and
23 technical education department in a school district or under
24 an instructor in a career and technical education classroom
25 or laboratory, or industrial plant, or in a course of career
26 and technical education approved by the state board for career
27 and technical education, or to apprentices provided they are
28 employed under all of the following conditions:

29 1. The apprentice is employed in a craft recognized as an
30 apprenticeable trade.

31 2. The work of the apprentice in the occupations declared
32 particularly hazardous is incidental to the apprentice's
33 training.

34 3. The work is intermittent and for short periods of
35 time and is under the direct and close supervision of a

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1 journeyperson as a necessary part of apprentice training.

2 4. The apprentice is registered by the office of
3 apprenticeship of the United States department of labor as
4 employed in accordance with the standards established by that
5 department.

6 Sec. 9. NEW SECTION. **92.9 Permit on file.**

7 1. A person under sixteen years of age shall not be employed
8 or permitted to work with or without compensation unless the
9 person, firm, or corporation employing such person receives
10 and keeps on file accessible to any officer charged with the
11 enforcement of this chapter, a work permit issued as provided
12 in this chapter, and keeps a complete list of the names and
13 ages of all such persons under sixteen years of age employed.

14 2. Certificates of age shall be issued for persons sixteen
15 and seventeen years of age and for all other persons eighteen
16 and over upon request of the person's prospective employer.

17 Sec. 10. NEW SECTION. **92.10 Issuance of work permits.**

18 A work permit shall be issued only by the director upon
19 the application of the parent, guardian, or custodian of the
20 child desiring such permit. The application shall include the
21 following:

22 1. A statement from the person, firm, or corporation into
23 whose service the child under sixteen years of age is about to
24 enter, promising to give such child employment and describing
25 the industry in which the work will be performed.

26 2. Evidence of age showing that the child is fourteen years
27 old, or more, which shall consist of one of the following
28 proofs required in the order herein designated:

29 a. A certified copy of the birth certificate filed according
30 to law with a registrar of vital statistics or other officer
31 charged with the duty of recording births.

32 b. A passport or a certified copy of a certificate of
33 baptism showing the date and place of birth and the place of
34 baptism of such child.

35 c. An instruction permit issued under section 321.180B,

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1 subsection 1.

2 *d.* For cases for which the proofs designated in paragraphs
3 `a`, `b`, and `c` are not obtainable, documentation issued
4 by the federal government that is deemed by the director to
5 be sufficient evidence of age, or an affidavit signed by a
6 licensed physician certifying that in the physician's opinion
7 the applicant for the work permit is fourteen years of age or
8 more.

9 Sec. 11. NEW SECTION. **92.11 Optional refusal of permit.**

10 The director may refuse to grant a permit if, in the
11 director's judgment, the best interests of the minor would be
12 served by such refusal and the director shall keep a record of
13 such refusals, and the reasons therefor.

14 Sec. 12. NEW SECTION. **92.12 Contents of work permit.**

15 Every work permit shall state the date of issuance, name,
16 sex, the date and place of birth, the residence of the child
17 in whose name it is issued, the proof of age, the school grade
18 completed, the name and location of the establishment where
19 the child is to be employed, the industry, and that the papers
20 required for its issuance have been duly examined, approved,
21 and filed.

22 Sec. 13. NEW SECTION. **92.13 Application to director.**

23 An application for a work permit pursuant to section 92.10
24 shall be submitted to the office of the director within three
25 days after the child begins work.

26 Sec. 14. NEW SECTION. **92.14 Forms for permits formulated.**

27 The proper forms for the application for a work permit,
28 the work permit, the certificate of age, and the physician's
29 certificate shall be formulated by the director.

30 Sec. 15. NEW SECTION. **92.15 Exceptions.**

31 Nothing in this chapter shall be construed to prohibit:

32 1. A child from working in or around any home before or
33 after school hours or during vacation periods, provided such
34 work is not related to or part of the business, trade, or
35 profession of the employer.

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1 2. Work in the production of seed, limited to removal of
2 off-type plants, corn tassels, and hand-pollinating during the
3 months of June, July, and August by persons fourteen years of
4 age or over, and part-time work in agriculture.

5 3. A child from working in any occupation or business
6 operated by the child's parents. For the purposes of this
7 subsection, "*child*" and "*parents*" include a foster child and the
8 child's foster parents who are licensed by the department of
9 health and human services.

10 4. A child under sixteen years of age from being employed or
11 permitted to work, with or without compensation, as a model,
12 for a period of up to three hours in any day between the hours
13 of 7:00 a.m. and 10:00 p.m., not exceeding twelve hours in any
14 month, if the written permission of the parent, guardian, or
15 custodian of the child is obtained prior to the commencement
16 of the modeling. However, if the child is of school age this
17 exception allows modeling work only outside of school hours
18 during the regular school year and does not allow modeling
19 work during the summer term if the child is enrolled in
20 summer school. This subsection does not allow modeling for an
21 unlawful purpose or modeling that would violate any other law.

22 5. A juvenile court from ordering a child at least twelve
23 years old to complete a work assignment of value to the state
24 or to the public or to the victim of a crime committed by
25 the child, in accordance with section 232.52, subsection 2,
26 paragraph "a".

27 6. A child from willfully volunteering as defined by 29
28 C.F.R. §553.101 for a charitable or public purpose. Section
29 92.7 applies to volunteering by a child pursuant to this
30 subsection.

31 7. A child twelve years of age or older from being employed
32 by a charitable organization or unit of state or local
33 government as a referee for a sport program sponsored by that
34 charitable organization or unit of state or local government
35 or by an organization of referees sponsored by an organization

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1 recognized by the United States olympic committee under 36
2 U.S.C. §220522. Section 92.7 applies to employment of a child
3 pursuant to this subsection.

4 8. A child under age sixteen from serving in the Iowa
5 summer youth corps program in accordance with section 15H.5 or
6 a child over fourteen years of age from serving in any other
7 recognized program of the Iowa national service corps program
8 in accordance with section 15H.9. Section 92.7 applies to
9 service by a child pursuant to this subsection.

10 Sec. 16. NEW SECTION. 92.16 Violations.

11 1. No parent, guardian, or other person, having under the
12 parent's, guardian's, or other person's control any person
13 under eighteen years of age, shall negligently permit said
14 person to work or be employed in violation of the provisions of
15 this chapter.

16 2. No person shall negligently make, certify to, or cause
17 to be made or certified any statement, certificate, or other
18 paper for the purpose of procuring the employment of any person
19 in violation of this chapter.

20 3. No person shall make, file, execute, or deliver any
21 statement, certificate, or other paper containing false
22 statements for the purpose of procuring employment of any
23 person in violation of this chapter.

24 4. No person, firm, or corporation, or any agent thereof,
25 shall negligently conceal or permit a person to be employed in
26 violation of this chapter.

27 5. No person, firm, or corporation shall refuse to allow any
28 authorized persons to inspect the place of business or provide
29 information necessary to the enforcement of this chapter.

30 6. A person determined to be a sexually violent predator
31 pursuant to section 229A.7, a person required to register as a
32 sex offender under chapter 692A, or a person determined to be
33 a sexually violent predator or required to register as a sex
34 offender pursuant to similar laws of another state shall not
35 employ a person under eighteen years of age in this state.

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1 Sec. 17. NEW SECTION. **92.17 Penalty.**

2 1. Any person who furnishes or sells to any minor child
3 any article of any description which the person knows or
4 should have known the minor intends to sell in violation of
5 the provisions of this chapter shall be guilty of a serious
6 misdemeanor.

7 2. Any other violation of this chapter for which a penalty
8 is not specifically provided constitutes a serious misdemeanor.

9 3. Every day during which any violation of this chapter
10 continues constitutes a separate and distinct offense, and the
11 employment of any person in violation of this chapter, with
12 respect to each person so employed, constitutes a separate and
13 distinct offense.

14 Sec. 18. NEW SECTION. **92.18 Rules and orders of director.**

15 1. The director may adopt rules pursuant to chapter 17A
16 to more specifically define the occupations and equipment
17 permitted or prohibited in this chapter, to determine
18 occupations for which work permits are required, and to
19 issue general and special orders prohibiting or allowing the
20 employment of persons under eighteen years of age in any place
21 of employment defined in this chapter as hazardous to the
22 health, safety, and welfare of the persons.

23 2. The director shall adopt rules pursuant to chapter 17A
24 specifically defining the civil penalty amount to be assessed
25 for violations of this chapter.

26 Sec. 19. NEW SECTION. **92.19 Director to enforce — civil**
27 **penalty — judicial review.**

28 1. The director shall enforce this chapter. An employer
29 who violates this chapter or the rules adopted pursuant to this
30 chapter is subject to a civil penalty of not more than ten
31 thousand dollars for each violation.

32 2. The director shall notify the employer of a proposed
33 civil penalty by service in the same manner as an original
34 notice or by certified mail. If, within fifteen working days
35 from the receipt of the notice, the employer fails to file

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1 a notice of contest in accordance with rules adopted by the
2 director pursuant to chapter 17A, the penalty, as proposed,
3 shall be deemed final agency action for purposes of judicial
4 review.

5 3. The director shall notify the department of revenue
6 upon final agency action regarding the assessment of a penalty
7 against an employer. Interest shall be calculated from the
8 date of final agency action.

9 4. Judicial review of final agency action pursuant to this
10 section may be sought in accordance with the terms of section
11 17A.19. If no petition for judicial review is filed within
12 sixty days after service of the final agency action of the
13 director, the director's findings of fact and final agency
14 action shall be conclusive in connection with any petition for
15 enforcement which is filed by the director after the expiration
16 of the sixty-day period. In any such case, the clerk of court,
17 unless otherwise ordered by the court, shall forthwith enter
18 a decree enforcing the final agency action and shall transmit
19 a copy of the decree to the director and the employer named in
20 the petition.

21 5. Any penalties recovered pursuant to this section shall be
22 remitted by the director to the treasurer of state for deposit
23 in the general fund of the state.

24 6. Mayors and police officers, sheriffs, school
25 superintendents, and school truancy and attendance officers,
26 within their several jurisdictions, shall cooperate in the
27 enforcement of this chapter and furnish the director and the
28 director's designees with all information coming to their
29 knowledge regarding violations of this chapter. All such
30 officers and any person authorized in writing by a court of
31 record shall have the authority to enter, for the purpose of
32 investigation, any of the establishments and places mentioned
33 in this chapter and to freely question any person therein as to
34 any violations of this chapter.

35 7. County attorneys shall investigate all complaints made

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1 to such work and such permits under Code chapter 92, the state
2 child labor law. The bill modifies permitted and prohibited
3 work that can be performed by minors at various age levels, as
4 well as hours in which permitted work can be performed.

5 The bill strikes language providing for waiver of civil
6 penalties under Code chapter 92 and a grace period before such
7 penalties can be imposed. The bill strikes exceptions to and
8 limitations on the applicability of certain provisions of Code
9 chapter 92 for certain work-based learning programs. The
10 bill strikes an exceptions to Code chapter 92 for performing
11 in motion pictures, theatrical productions, or musical
12 performances and modifies an exception for modeling. The bill
13 strikes limitations on civil liability for businesses for
14 injury, sickness, or death resulting from student participation
15 in work-based learning programs.

16 The bill provides penalties for certain actions taken in
17 violation of Code chapter 92 to procure employment for oneself
18 or of another person. Under current law, a violation of Code
19 chapter 92 is a serious misdemeanor. A serious misdemeanor is
20 punishable by confinement for no more than one year and a fine
21 of at least \$430 but not more than \$2,560. Under current law,
22 an employer violating Code chapter 92 is subject to a civil
23 penalty of up to \$10,000.

24 The bill changes terminology referring to "occupations" to
25 instead refer to "work activities".

26 The bill strikes language allowing a person 16 to 17 years
27 of age to be employed in the sale or serving of alcoholic
28 beverages for on-premises consumption under Code section
29 123.49 in specified circumstances if specified procedures are
30 followed.

31 The bill reflects the transfer of administration of Code
32 chapter 92 from the labor commissioner to the director of the
33 department of inspections, appeals, and licensing by 2023 Iowa
34 Acts, Senate File 514.

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Senate File 2391 - Introduced

SENATE FILE 2391
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 3162)

A BILL FOR

1 An Act prohibiting the misbranding of certain food products,
2 and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 135.16C Vendors participating in
2 federal nutrition program — meat product sales.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Cultivated-protein food product*" means the same as
6 defined in section 137E.1.

7 b. "*Federal nutrition program*" means the special
8 supplemental nutrition program for women, infants, and children
9 as provided in 42 U.S.C. §1786 et seq.

10 c. "*Grocery store*" means the same as defined in section
11 137E.1.

12 d. "*Meat product*" means the same as defined in section
13 137E.1.

14 2. a. The department of inspections, appeals, and licensing
15 shall assist the department of health and human services in
16 adopting rules necessary to implement and administer this
17 section.

18 b. If necessary to implement, administer, and enforce
19 this section, the department of health and human services,
20 in cooperation with the department of agriculture and land
21 stewardship, shall submit a request to the United States
22 department of agriculture for a waiver or other exception from
23 regulations as deemed feasible by the department of health and
24 human services. The department of health and human services
25 shall regularly report the status of such a request to the
26 legislative services agency.

27 3. A grocery store that is a vendor participating in a
28 federal nutrition program and offering to sell or selling meat
29 products for retail sale shall not offer for sale or sell a
30 food product that is any of the following:

31 a. Misbranded as a meat product as prohibited in section
32 137E.4.

33 b. A cultivated-protein food product.

34 4. A violation of subsection 3 by a grocery store shall not
35 be construed to disqualify a grocery store from participating

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1 in a federal nutrition program unless otherwise authorized by
2 the United States department of agriculture.

3 Sec. 2. NEW SECTION. 137E.1 Definitions.

4 As used in this chapter, unless the context otherwise
5 requires:

6 1. "*Agricultural food animal*" means a domesticated animal
7 belonging to the bovine, caprine, ovine, or porcine species; or
8 live domestic fowl limited to chickens or turkeys.

9 2. "*Cultivated-protein food product*" means a food product
10 having one or more sensory attributes that resemble a type
11 of tissue originating from an agricultural food animal but
12 that, in lieu of being derived from meat processing, is derived
13 from manufacturing cells, in which one or more stem cells are
14 initially isolated from an agricultural food animal, are grown
15 in vitro, and may be manipulated, as part of a manufacturing
16 operation.

17 3. "*Department*" means the department of inspections,
18 appeals, and licensing.

19 4. "*Food processing plant*" means the same as defined in
20 section 137F.1.

21 5. "*Food product*" means a perishable or nonperishable item
22 stored in a container or package, if the item is fit for human
23 consumption.

24 6. "*Grocery store*" means a food establishment required to be
25 licensed by a regulatory authority pursuant to section 137F.4
26 to offer for sale or sell food or food products to customers
27 intended for preparation or consumption off premises.

28 7. "*Insect-protein food product*" means a food product having
29 one or more sensory attributes that resemble a type of tissue
30 originating from an agricultural food animal but that, in
31 lieu of being derived from meat processing, is derived from
32 manufacturing insect parts.

33 8. "*Label*" means a display of written, printed, or graphic
34 matter placed upon any container storing a food product that
35 is offered for sale or sold on a wholesale or retail basis,

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1 regardless of whether the label is printed on the container's
2 packaging or a sticker affixed to the container.

3 9. "*Manufactured-protein food product*" means a
4 cultivated-protein food product, insect-protein food product,
5 or plant-protein food product.

6 10. "*Meat processing*" means the handling, preparation, and
7 slaughter of an agricultural food animal; the dressing of its
8 carcass; or the cutting, storage, and packaging of its tissue
9 or other parts as a food product.

10 11. "*Meat product*" means a food product derived from meat
11 processing.

12 12. "*Plant-protein food product*" means a food product having
13 one or more sensory attributes that resemble a type of tissue
14 found in a species of agricultural food animal but that, in
15 lieu of being derived from meat processing, is derived from
16 manufacturing plant parts.

17 13. "*Regulatory authority*" means the same as defined in
18 section 137F.1.

19 Sec. 3. NEW SECTION. 137E.2 Administration.

20 1. In conducting a routine inspection of the premises of a
21 person licensed under chapter 137F, a regulatory authority is
22 not required to determine if any food product located on the
23 premises is misbranded as a meat product as provided in section
24 137E.4.

25 2. A regulatory authority shall inspect an inventory of food
26 products offered for sale or sold at a food processing plant
27 or grocery store based on a credible complaint that the food
28 products are misbranded as meat products as provided in section
29 137E.4.

30 3. A regulatory authority shall have the same powers to
31 inspect a food processing plant or grocery store under this
32 chapter as it does under chapter 137F.

33 4. The department shall adopt rules pursuant to chapter 17A
34 that are necessary or desirable to administer and enforce this
35 chapter.

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1 Sec. 4. NEW SECTION. 137E.3 **Offense.**

2 A person shall not offer for sale or sell a food product that
3 is misbranded as a meat product as provided in section 137E.4.

4 Sec. 5. NEW SECTION. 137E.4 **Misbranded meat product.**

5 A food product is misbranded as a meat product if all of the
6 following apply:

7 1. The food product is a manufactured-protein food product
8 or the food product contains a manufactured-protein food
9 product.

10 2. The food product is offered for sale or sold on a
11 wholesale or retail basis.

12 3. *a.* A label that is part of or placed on the package
13 or other container storing a food product includes any of
14 the following identifying terms whether used alone or as a
15 portmanteau:

16 (1) Beef.

17 (2) Chicken.

18 (3) Goat.

19 (4) Lamb or sheep.

20 (5) Pork.

21 (6) Turkey.

22 *b.* Paragraph “*a*” does not apply to a label that
23 conspicuously qualifies an identifying term as an imitation or
24 substitute.

25 Sec. 6. NEW SECTION. 137E.5 **Enforcement — stop order.**

26 1. If a regulatory authority has reasonable cause to believe
27 that a food processing plant or grocery store is offering for
28 sale or selling a food product that is misbranded as a meat
29 product, the regulatory authority may issue a stop order. Upon
30 being issued the stop order, the food processing plant or
31 grocery store shall not offer for sale or sell the food product
32 until the regulatory authority determines that the food product
33 is or is not misbranded as a meat product.

34 2. The regulatory authority may require that the food
35 product be held by the food processing plant or grocery store

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1 and be secured from purchase.

2 3. If a regulatory authority determines that food product
3 being offered for sale or sold by a food processing plant or
4 grocery store is misbranded as a meat product, the regulatory
5 authority may issue an embargo order requiring the food
6 processing plant or grocery store to dispose of the misbranded
7 meat product other than by sale to consumers in this state.

8 4. The department, the attorney general, or the county
9 attorney in the county where the food product is being offered
10 for sale or sold may enforce the stop order or embargo order by
11 petitioning the district court of that county.

12 Sec. 7. NEW SECTION. **137E.6 Penalty.**

13 A person who willfully misbrands a food product in violation
14 of this chapter commits a simple misdemeanor.

15 Sec. 8. Section 137F.3A, subsection 1, paragraph a,
16 unnumbered paragraph 1, Code 2024, is amended to read as
17 follows:

18 The department may employ additional full-time equivalent
19 positions to enforce the provisions of [this chapter](#) and
20 chapters 137C, ~~and~~ [137D](#), ~~and~~ [137E](#) with the approval of the
21 department of management, if either of the following apply:

22 Sec. 9. Section 137F.3A, subsection 1, paragraph b, Code
23 2024, is amended to read as follows:

24 **b.** Before approval may be given, the director of the
25 department of management must have determined that the expenses
26 exceed the funds budgeted by the general assembly for food
27 inspections to the department. The department may hire no more
28 than one full-time equivalent position for each six hundred
29 inspections required pursuant to [this chapter](#) and chapters
30 137C, ~~and~~ [137D](#), ~~and~~ [137E](#).

31 Sec. 10. Section 137F.4, Code 2024, is amended to read as
32 follows:

33 **137F.4 License required.**

34 **1.** A person shall not operate a food establishment or food
35 processing plant to provide goods or services to the general

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1 public, or open a food establishment to the general public,
2 until the appropriate license has been obtained from the
3 regulatory authority. Sale of products at wholesale to outlets
4 not owned by a commissary owner requires a food processing
5 plant license. A license shall expire one year from the date
6 of issue. A license is renewable if application for renewal is
7 made prior to expiration of the license or within sixty days
8 of the expiration date of the license. All licenses issued
9 under this chapter that are not renewed by the licensee on or
10 before the expiration date shall be subject to a penalty of ten
11 percent per month of the license fee if the license is renewed
12 at a later date.

13 2. A regulatory authority shall not suspend or revoke a
14 license issued to a person under this chapter for offering for
15 sale or selling a food product that is misbranded as a meat
16 product in violation of section 137E.4.

17 3. A license issued to a food processing plant or grocery
18 store under this section also covers the operation of a food
19 processing plant or grocery store under chapter 137E.

20 Sec. 11. NEW SECTION. 260C.10 Purchases — meat products.

21 The board of directors providing services to a merged area,
22 and the board of directors of a community college, shall
23 establish policies to prevent the purchase of a food product
24 that is any of the following:

25 1. Misbranded as a meat product as prohibited in chapter
26 137E.

27 2. A cultivated-protein food product as defined in section
28 137E.1.

29 Sec. 12. Section 262.9, Code 2024, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 39. Act together with institutions under
32 the control of the board to establish policies prohibiting
33 research into the production, distribution, or use of
34 manufactured-protein food products as defined in section
35 137E.1, to the extent that such research is supported by public

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1 moneys.

2 Sec. 13. NEW SECTION. **262.25D Purchases — meat products.**

3 The state board of regents, and institutions under the
4 control of the board, shall establish policies to prevent the
5 purchase of a food product that is any of the following:

6 1. Misbranded as a meat product as prohibited in chapter
7 137E.

8 2. A cultivated-protein food product as defined in section
9 137E.1.

10 Sec. 14. NEW SECTION. **283A.12 Purchases — meat products.**

11 The department of education, and school boards, shall
12 establish policies to prevent the purchase of a food product
13 that is any of the following:

14 1. Misbranded as a meat product as prohibited in chapter
15 137E.

16 2. A cultivated-protein food product as defined in section
17 137E.1.

18 EXPLANATION

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

21 GENERAL. This bill prohibits the purchase and sale of
22 certain food products that are manufactured to resemble
23 meat products but that are not derived from the processing
24 (slaughter) of domesticated agricultural food animals,
25 specifically cattle and bison, goats, sheep and lambs, swine,
26 chickens, and turkeys. A manufactured-protein food product
27 is formulated as a cultivated-protein food product, or either
28 an insect-protein food product or plant-protein food product.
29 In all three cases, the food product has one or more sensory
30 attributes that resemble a type of tissue originating from a
31 species of food animal but that, in lieu of being derived from
32 slaughter, is derived from manufacturing cells grown in vitro,
33 meaning outside the food animal's body, or that is derived from
34 manufacturing parts of insects or plants (new Code chapter
35 137E).

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1 BACKGROUND — INSPECTION REGULATIONS (DEPARTMENT OF
2 INSPECTIONS, APPEALS, AND LICENSING). Certain provisions of
3 the bill apply to food processing plants and grocery stores
4 regulated by the department of inspections, appeals, and
5 licensing (DIAL) or a political subdivision (a municipal
6 corporation) acting under contract with DIAL (Code section
7 137F.3). Both government entities are referred to as a
8 regulatory authority. The bill applies to two businesses
9 regulated by DIAL, a food processing plant and a grocery store
10 (licensee). A food processing plant manufactures, packages,
11 labels, or stores food for human consumption but does not
12 provide a food product directly to a consumer. However, a
13 number of businesses are excluded from the definition including
14 a food establishment (amended Code section 137F.1). A grocery
15 store is a type of food establishment that offers to sell or
16 sells food products to customers intended for preparation or
17 consumption off premises (Code section 137E.1). A regulatory
18 authority licenses and inspects both businesses for health and
19 safety purposes.

20 BILL'S PROVISIONS — LABELING REQUIREMENT — CRIMINAL
21 PENALTY. The bill provides that a food product is misbranded
22 as a meat product if it is a manufactured-protein food product
23 or the food product contains a manufactured-protein food
24 product; the food product is offered for sale or sold on a
25 wholesale or retail basis; and the label that is part of or
26 placed on the package or other container storing a food product
27 includes one of seven identifying terms, including beef,
28 chicken, goat, lamb or sheep, pork, or turkey. However, a
29 product is not misbranded if the label conspicuously qualifies
30 an identifying term as an imitation or substitute (new Code
31 section 137E.4). Any person who willfully misbrands a food
32 product commits a simple misdemeanor (new Code section 137E.3).
33 A simple misdemeanor is punishable by confinement for no more
34 than 30 days and a fine of at least \$105 but not more than \$855.

35 BILL'S PROVISIONS — LABELING REQUIREMENT AND PROHIBITIONS

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1 ON SALE — ENFORCEMENT. A regulatory authority is not required
2 to conduct an inspection of a licensee's inventory of food
3 products to determine whether a food product is misbranded as
4 a meat product (new Code section 137E.2). However, if the
5 regulatory authority has reasonable cause to believe that a
6 licensee is offering for sale or selling a food product that
7 is misbranded as a meat product, the regulatory authority
8 may issue a stop order (new Code section 137E.5). Upon
9 being issued the stop order, the licensee must not offer for
10 sale or sell the food product until the regulatory authority
11 determines that the food product is or is not misbranded
12 as a meat product. If a regulatory authority determines
13 that the food product is misbranded as a meat product, the
14 regulatory authority may issue an embargo order requiring
15 the food processing plant or grocery store to dispose of the
16 misbranded meat product other than by sale to consumers in this
17 state. DIAL, the attorney general, or a county attorney may
18 enforce the stop order. However, a licensee is not subject
19 to disciplinary action (the suspension or revocation of the
20 license) (amended Code section 137F.4).

21 RESTRICTIONS ON RESEARCH. The board of regents must act
22 together with institutions under its control (Iowa state
23 university of science and technology, the university of Iowa,
24 and the university of northern Iowa) to establish policies
25 prohibiting research into the production, distribution, or use
26 of manufactured-protein food products, to the extent that such
27 research is supported by public moneys (amended Code section
28 262.9).

29 RESTRICTIONS ON THE PURCHASE AND SALE OF MANUFACTURED MEAT
30 PRODUCTS (WIC PROGRAM). The bill applies to a grocery store
31 that participates as a vendor in the special supplemental
32 food program for women, infants, and children (WIC). WIC is
33 administered by the United States department of agriculture
34 (USDA). A grocery store that is a vendor participating in WIC
35 and offering to sell or selling meat products for retail sale

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1 is prohibited from selling a food product misbranded as a meat
2 product or a cultivated-protein food product (new Code section
3 135.16C).

4 RESTRICTIONS ON THE PURCHASE AND SALE OF MANUFACTURED
5 MEAT PRODUCTS (EDUCATIONAL INSTITUTIONS). The bill requires
6 a number of different educational institutions to establish
7 policies that prohibit the purchase of a food product that is
8 misbranded as a meat product or that is a cultivated-protein
9 food product. This includes school districts (new Code section
10 283A.12), community colleges (new Code section 260C.10), and
11 regents institutions (new Code section 262.25D).

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Senate File 2392 - Introduced

SENATE FILE 2392
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 3163)

A BILL FOR

1 An Act relating to tort liability involving pesticides.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 668.12, Code 2024, is amended by adding
2 the following new subsection:
3 NEW SUBSECTION. 5. Notwithstanding any provision to the
4 contrary, for any pesticide registered with the United States
5 environmental protection agency under the federal Insecticide,
6 Fungicide, and Rodenticide Act, 7 U.S.C. §136 et seq., the
7 label approved by the United States environmental protection
8 agency in registering the pesticide, or a label consistent with
9 the most recent human health assessment performed under the
10 federal Insecticide, Fungicide, and Rodenticide Act, or a label
11 consistent with the United States environmental protection
12 agency carcinogenicity classification for the pesticide
13 under the federal Insecticide, Fungicide, and Rodenticide
14 Act, shall be sufficient to satisfy any requirements for a
15 warning regarding health or safety under chapter 206, any
16 other provision or doctrine of state law, including without
17 limitation the duty to warn, or any other common law duty to
18 warn.

19 EXPLANATION

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

22 This bill provides for a defense from civil liability
23 associated with the use of pesticides that are registered with
24 the United States environmental protection agency (EPA) acting
25 under the federal Insecticide, Fungicide, and Rodenticide
26 Act (federal Act). The bill provides that a label provides
27 sufficient warning if it complies with any one of three
28 criteria: (1) it was approved by the EPA, (2) it is consistent
29 with the most recent human health assessment performed under
30 the federal Act, or (3) it is consistent with the EPA's
31 carcinogenicity classification for the pesticide. In each
32 case, the label is sufficient to satisfy any requirements for
33 a warning regarding health or safety under Code chapter 206
34 ("Pesticide Act of Iowa"), and any other provision of state law
35 or any other common law duty to warn.

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Senate File 2393 - Introduced

SENATE FILE 2393
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 3174)

A BILL FOR

1 An Act regulating the marketing of grain, by providing for
2 fees paid by grain dealers and warehouse operators into
3 the grain depositors and sellers indemnity fund, and the
4 payment of claims to reimburse sellers and depositors for
5 losses covered by the fund, and including effective date
6 provisions.

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

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1 Section 1. Section 203.15, subsection 6, Code 2024, is
2 amended by striking the subsection.

3 Sec. 2. Section 203D.1, subsection 2, Code 2024, is amended
4 by striking the subsection.

5 Sec. 3. Section 203D.1, subsection 14, paragraph b, Code
6 2024, is amended to read as follows:

7 *b. "Purchased grain"* does not include grain that is subject
8 to an exempt transaction based on documentation satisfactory
9 to the department showing that the grain dealer did any of the
10 following:

11 (1) Purchased the grain from the United States government or
12 any of its subdivisions or agencies.

13 (2) Purchased the grain from a person licensed as a grain
14 dealer in any jurisdiction.

15 ~~(3) Purchased the grain under a credit sale contract.~~

16 ~~(4)~~ (3) Entered the grain in the company-owned paid
17 position as a cancellation of a collateral warehouse receipt.

18 ~~(5)~~ (4) Entered the grain in the company-owned paid
19 position as an intra-company location transfer.

20 Sec. 4. Section 203D.1, subsection 16, Code 2024, is amended
21 to read as follows:

22 16. *a. "Seller"* means a person who sells grain which the
23 person has produced or caused to be produced to a licensed
24 grain dealer, ~~but excludes a person who executes a credit sale~~
25 ~~contract as a seller as provided in section 203.15.~~ However,
26 *"seller"*

27 *b. "Seller"* does not include any of the following:

28 ~~a.~~ (1) A person licensed as a grain dealer in any
29 jurisdiction who sells grain to a licensed grain dealer.

30 ~~b.~~ (2) A person who sells grain that is not produced in
31 this state unless such grain is delivered to a licensed grain
32 dealer at a location in this state as the first point of sale.

33 Sec. 5. Section 203D.5, subsections 4 and 5, Code 2024, are
34 amended to read as follows:

35 4. If on the last date of the fund's assessment year as

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1 provided in [section 203D.3](#) the assets of the fund exceed ~~eight~~
2 sixteen million dollars, less any encumbered balances or
3 pending or unsettled claims, all of the following apply:

4 a. The participation fee shall be waived and shall not be
5 assessable or owing for the following assessment year of the
6 fund. However, the licensee shall continue to pay any owing
7 participation fee that was in effect on the prior September 1.

8 b. The per-bushel fee shall be waived and shall not be
9 assessable or owing.

10 5. The board shall reinstate the fees as provided in this
11 section if the assets of the fund, less any unencumbered
12 balances or pending or unsettled claims, are ~~three~~ eight
13 million dollars or less.

14 Sec. 6. Section 203D.6, subsection 4, paragraph d, Code
15 2024, is amended to read as follows:

16 d. That the claim derives from a covered transaction. For
17 purposes of this paragraph, a claim derives from a covered
18 transaction if the claimant is a seller who transferred
19 title to the grain to a licensed grain dealer ~~other than by~~
20 ~~credit-sale contract~~ within six months of the incurrence date
21 for a claim period as provided in [subsection 2](#), or if the
22 claimant is a depositor who delivered the grain to a licensed
23 warehouse operator.

24 Sec. 7. EMERGENCY RULES. The department of agriculture
25 and land stewardship shall adopt emergency rules under section
26 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
27 "b", to implement the provisions of this Act and the adopted
28 rules shall be effective July 1, 2024. The rules adopted
29 in accordance with this section shall also be published as a
30 notice of intended action as provided in section 17A.4.

31 Sec. 8. ASSESSMENT OF FEES. A grain dealer licensed under
32 chapter 203 who is a party to a credit-sale contract shall
33 owe any participation fee or per-bushel fee assessed on grain
34 purchased under the credit-sale contract beginning on July 1 of
35 the fourth assessment quarter pursuant to section 203D.3A.

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1 Sec. 9. EFFECTIVE DATE.

2 1. Except as provided in subsection 2, this Act takes effect
3 July 1, 2024.

4 2. The section of this Act requiring the department of
5 agriculture and land stewardship to adopt emergency rules takes
6 effect upon enactment.

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 BACKGROUND — GRAIN DEPOSITORS AND SELLERS INDEMNITY FUND.

11 This bill amends provisions regulating marketers of grain,
12 referred to as grain dealers purchasing grain (Code chapter
13 203), and grain warehouse operators storing grain under
14 bailment (Code chapter 203C). The department of agriculture
15 and land stewardship (DALs) issues a license to each type of
16 marketer (licensee) doing business in this state, including
17 inspections and audits. A person selling grain to a licensed
18 grain dealer (seller) or a person depositing grain with a
19 licensed warehouse operator (depositor) may be reimbursed for
20 a loss incurred by the failure of the licensee to honor a
21 contractual obligation regarding the transaction (Code section
22 203D.6). Payments are made from the grain depositors and
23 sellers indemnity fund (indemnity fund) upon a determination
24 that the claim is eligible for payment by the Iowa grain
25 indemnity fund board (indemnity board) acting in cooperation
26 with DALs.

27 BACKGROUND — FEES. In addition to license fees deposited
28 into the general fund of the state (Code sections 203.6 and
29 203C.33), each licensee pays either one or two special fees
30 (indemnity fees) to support the indemnity fund, referred
31 to as a participation fee and per-bushel fee. A licensed
32 grain dealer pays both fees based on the number of bushels of
33 grain purchased during the grain dealer's last fiscal year
34 (coinciding with the grain dealer's license period). The term
35 "purchased grain" is used to designate those bushels purchased

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1 for which a loss may be claimed under the indemnity fund and
2 therefore excluded from coverage (e.g., grain purchased from
3 the United States government or by credit-sale contract) (21
4 IAC 92.2). The rate for the participation fee is 0.014 cents
5 per bushel on all purchased grain with a minimum of \$50, and
6 the rate for the per-bushel fee is 0.25 cents per bushel on
7 all purchased grain. A licensed warehouse operator pays only
8 a participation fee, based on bulk warehouse capacity. The
9 rate of the participation fee is 0.014 cents per bushel of
10 bulk grain storage capacity, or \$500, whichever is less, with
11 a minimum of \$50. Indemnity fees are collected quarterly
12 during the assessment year: September 1, December 1, March 1,
13 and June 1 (Code section 203D.3). The indemnity board must
14 annually review the debits of and credits to the indemnity fund
15 and by May 1 determine whether the balance triggers a waiver or
16 reinstatement (Code section 203D.5). The triggered waiver or
17 reinstatement is effective on the first day of the following
18 assessment year (September 1). If a waiver is triggered before
19 then, a licensee is subject to pay the outstanding amount of
20 the participation fee that is otherwise owing for the current
21 assessment year. However, a licensed grain dealer is no longer
22 obligated to pay the outstanding amount of the per-bushel
23 fee otherwise owing for that period, unless the amount is
24 delinquent (Code section 203D.5).

25 BACKGROUND — CREDIT-SALE CONTRACTS. A credit-sale
26 contract (also referred to as deferred-payment contract,
27 deferred-pricing contract, or price-later contract) involves a
28 transaction for the sale of grain in which the sales price is
29 to be paid to the seller by the licensed grain dealer (buyer)
30 more than 30 days after the delivery of the grain to the buyer
31 (Code section 203.1). The delayed price arrangement may be
32 made on the basis of an expectation of higher price or tax
33 liability. In such a transaction, the seller becomes the
34 grain dealer's creditor. For regulations regarding the use of
35 credit-sale contracts by licensees, see Code sections 203.3,

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1 203.8, 203.15, 203.17, and 203C.17.

2 BACKGROUND — PAYMENT OF CLAIMS. A claim by a seller or
3 depositor (claimant) for the reimbursement of a loss from the
4 indemnity fund begins on the incurrence date which is the
5 earlier of when the grain dealer's or warehouse operator's
6 state license ceases or when the grain dealer or warehouse
7 operator files a petition in bankruptcy (Code section 203D.6).
8 The claim must derive from a covered transaction, meaning that
9 it is timely filed, there is evidence of a loss incurred by a
10 claimant, and the claim derives from a covered transaction.
11 For a claimant who is a seller, a covered transaction requires
12 that title be transferred with six months of the incurrence
13 date. A covered transaction excludes sale by credit-sale
14 contract. The value of a loss incurred by a seller is based
15 on the sales price. If the sold grain was unpriced, the value
16 of a claim is presumed to be based upon the price paid on the
17 incurrence date at the nearest terminal. A seller or depositor
18 is entitled to be reimbursed 90 percent of a loss but not more
19 than \$300,000.

20 BILL'S PROVISIONS — INDEMNITY FEES TRIGGERS. The bill
21 adjusts both triggers waiving or reinstating the two indemnity
22 fees. The bill increases from \$8 million to \$16 million the
23 balance in the indemnity fund required to trigger a waiver and
24 increases from \$3 million to \$8 million the balance in the
25 indemnity fund required to trigger a reinstatement.

26 BILL'S PROVISIONS — INDEMNITY FUND (FEES AND REIMBURSEMENT
27 BASED ON CREDIT-SALE CONTRACT TRANSACTIONS). The bill provides
28 that grain purchased by credit-sale contract is no longer
29 excluded from the definition of purchased grain. Therefore, a
30 grain dealer must pay the participation fee and per-bushel fee
31 and a warehouse operator must pay the participation fee. It
32 also provides that the sale of grain by credit-sale contract is
33 no longer excluded from the meaning of a covered transaction.
34 A seller may therefore claim a loss resulting from this type
35 of transaction. In the case of a claim filed for a loss

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1 resulting from a credit-sale contract for which no price was
2 established by the incurrence date, the unpriced valuation
3 would be determined in the manner described for unpriced grain.
4 The bill does not modify special regulations that apply to a
5 licensee's use of a credit-sale contract.

6 EMERGENCY RULEMAKING. The bill authorizes DALs to adopt
7 emergency rules in order to implement its provisions.

8 ASSESSMENT OF FEES. A grain dealer who is a party to a
9 credit-sale contract owing an indemnity fee assessed on grain
10 purchased by credit-sale contract is imposed on July 1 of the
11 fourth assessment quarter.

12 EFFECTIVE DATE. The bill takes effect July 1, 2024, except
13 for the provision authorizing DALs to adopt emergency rules
14 which takes effect upon enactment.

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Senate Study Bill 3181 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON DAWSON)

A BILL FOR

1 An Act placing assessment limitations for property tax
2 purposes on commercial child care facilities, and including
3 effective date, applicability, and retroactive applicability
4 provisions.

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

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1 Section 1. Section 441.21, subsection 5, paragraph b,
2 subparagraph (2), unnumbered paragraph 1, Code 2024, is amended
3 to read as follows:

4 ~~For~~ Except as prescribed for property subject to
5 subparagraph (3), for valuations established for the assessment
6 year beginning January 1, 2022, and each assessment year
7 thereafter, the portion of actual value at which each property
8 unit of commercial property shall be assessed shall be the sum
9 of the following:

10 Sec. 2. Section 441.21, subsection 5, paragraph b, Code
11 2024, is amended by adding the following new subparagraph:

12 NEW SUBPARAGRAPH. (3) (a) For valuations established
13 for the assessment year beginning January 1, 2024, and each
14 assessment year thereafter, the portion of actual value at
15 which each portion of a property unit of commercial property
16 that is primarily used as a child care facility as defined
17 in section 237A.1, and for which an application has been
18 allowed under this subparagraph, shall be assessed at an amount
19 equal to the product of the assessment limitation percentage
20 applicable to residential property under subsection 4 for that
21 assessment year multiplied by the actual value of the property.

22 (b) Applications to qualify a child care facility for the
23 assessment limitation allowed under this subparagraph shall be
24 filed with the assessor not later than July 1 of the assessment
25 year for which the person is requesting the assessment
26 limitation. The application shall be on forms prescribed by
27 the department of revenue and must include all of the following
28 information:

29 (i) A description of the property, including the property's
30 location.

31 (ii) A copy of the license to operate as a child care
32 facility issued by the department of health and human services,
33 or other proof of eligibility as set forth by the department
34 of revenue by rule.

35 (iii) Any other information as required by the department

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1 of revenue.

2 (c) Upon allowance of the application, the assessment
3 limitation shall be applied on the portion of the property
4 unit of commercial property that is primarily used as a child
5 care facility for successive years without further filing as
6 long as the property continues to be classified as commercial
7 property and is used for the purposes specified in the original
8 application for assessment limitation.

9 (d) No later than July 6 of each year, the assessor shall
10 remit the applications for assessment limitation to the county
11 auditor with the assessor's recommendation for allowance or
12 disallowance of the assessment limitation. If the assessor
13 recommends disallowance, the assessor shall submit the reasons
14 for the recommendation in writing to the county auditor.

15 (e) No later than July 15 of each year, the county auditor
16 shall forward the applications for assessment limitation to
17 the board of supervisors. The board shall determine the
18 eligibility for each application on or before September 1 of
19 each year.

20 (i) If the board disallows a claim, the board shall send
21 written notice by mail to the applicant at the applicant's
22 last known address. The notice shall state the reasons for
23 disallowing the application and shall state the applicant's
24 right to appeal the board's action to the district court. An
25 applicant may appeal the board's decision to the district court
26 of the county in which the property is located within thirty
27 days of the date of the notice of disallowance.

28 (ii) No later than October 1 of each year, the board of
29 supervisors shall certify all allowed assessment limitations
30 received for that year with the county auditor.

31 (f) If a property that has been granted an assessment
32 limitation ceases to be used as a child care facility, the
33 owner of the child care facility shall give written notice to
34 the assessor by the July 1 following the date the property
35 ceased to be used as a child care facility.

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1 (g) (i) If the board determines at any time within
2 thirty-six months of allowing an assessment limitation that the
3 assessment limitation was allowed in error, the board shall
4 notify the property owner by mail and conduct a hearing on the
5 matter.

6 (ii) If, after a hearing required by subparagraph
7 subdivision (i), the board determines the assessment limitation
8 was allowed in error and the assessment limitation should be
9 disallowed, the treasurer shall collect from the property owner
10 the amount of tax that would have been assessed on the property
11 if there had been no allowance of the assessment limitation
12 under this subparagraph (3). The amount due shall become a
13 lien on the property that received the assessment limitation
14 and shall be collected by the county treasurer in the same
15 manner as other taxes.

16 (h) The assessor shall retain a permanent file of properties
17 that have approved assessment limitations pursuant to this
18 subparagraph. If the assessor receives notice of a title
19 transfer pursuant to subparagraph division (i), then the
20 assessor shall file a notice of transfer of property.

21 (i) The county recorder shall give notice to the assessor
22 of each transfer of title filed in the recorder's office for a
23 property which has an allowed assessment limitation pursuant to
24 this subparagraph. The notice from the county recorder shall
25 describe the property transferred, the name of the person who
26 transferred title, and the name of the person to whom title is
27 transferred.

28 (j) The department of revenue shall adopt rules to implement
29 and administer this subparagraph.

30 Sec. 3. Section 441.21, subsection 5, paragraph e,
31 subparagraphs (1) and (3), Code 2024, are amended to read as
32 follows:

33 (1) For the fiscal year beginning July 1, 2023, there
34 is appropriated from the general fund of the state to the
35 department of revenue the sum of one hundred twenty-two million

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1 three hundred fifty thousand dollars to be used for payments
2 under this paragraph calculated as a result of the assessment
3 limitations imposed under paragraph "b", subparagraph (2),
4 subparagraph division (a), and paragraph "c", subparagraph (2),
5 subparagraph division (a). For each fiscal year beginning on
6 or after July 1, 2024, there is appropriated from the general
7 fund of the state to the department of revenue the sum of one
8 hundred twenty-five million dollars to be used for payments
9 under this paragraph calculated as a result of the assessment
10 limitations imposed under paragraph "b", subparagraph (2),
11 subparagraph division (a), ~~and~~ paragraph "c", subparagraph (2),
12 subparagraph division (a), and paragraph "b", subparagraph (3),
13 for the portion of the actual value of the property unit equal
14 to or less than one hundred fifty thousand dollars.

15 (3) On or before July 1 of each fiscal year, the assessor
16 shall report to the county auditor that portion of the total
17 actual value of all commercial property and industrial property
18 in the county that is subject to the assessment limitations
19 imposed under paragraph "b", subparagraph (2), subparagraph
20 division (a), ~~and~~ paragraph "c", subparagraph (2), subparagraph
21 division (a), and paragraph "b", subparagraph (3), for the
22 portion of the actual value of the property unit equal to
23 or less than one hundred fifty thousand dollars, for the
24 assessment year used to calculate the taxes due and payable in
25 that fiscal year.

26 Sec. 4. Section 441.21, subsection 5, paragraph e,
27 subparagraph (4), subparagraph division (a), Code 2024, is
28 amended to read as follows:

29 (a) The product of the portion of the total actual value
30 of all commercial property, industrial property, and property
31 valued by the department under [chapter 434](#) in the county
32 that is subject to the assessment limitations imposed under
33 paragraph "b", subparagraph (2), subparagraph division (a); ~~and~~
34 and paragraph "c", subparagraph (2), subparagraph division (a);
35 and paragraph "b", subparagraph (3), for the portion of the

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1 actual value of the property unit equal to or less than one
2 hundred fifty thousand dollars, for the applicable assessment
3 year used to calculate taxes which are due and payable in the
4 applicable fiscal year multiplied by the difference, stated
5 as a percentage, between ninety percent and the assessment
6 limitation percentage applicable to residential property under
7 subsection 4 for the applicable assessment year.

8 Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate
9 importance, takes effect upon enactment.

10 Sec. 6. APPLICABILITY. The following apply to fiscal years
11 beginning on or after July 1, 2025, for payments pursuant to
12 section 441.21, subsection 5, paragraph "e":

13 1. The section of this Act amending section 441.21,
14 subsection 5, paragraph "e", subparagraphs (1) and (3).

15 2. The section of this Act amending section 441.21,
16 subsection 5, paragraph "e", subparagraph (4), subparagraph
17 division (a).

18 Sec. 7. RETROACTIVE APPLICABILITY. The following apply
19 retroactively to assessment years beginning on or after January
20 1, 2024:

21 1. The section of this Act amending section 441.21,
22 subsection 5, paragraph "b", subparagraph (2), unnumbered
23 paragraph 1.

24 2. The section of this Act enacting section 441.21,
25 subsection 5, paragraph "b", subparagraph (3).

26 EXPLANATION

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

29 This bill relates to assessment limitations for property
30 taxation purposes for commercial child care facilities,
31 and includes effective date, applicability, and retroactive
32 applicability provisions.

33 Code section 441.21(5) determines the amount of actual value
34 of commercial property that is subject to property tax. The
35 amount is the sum of the residential assessment limitation

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1 to the portion of the property's value that does not exceed
2 \$150,000 plus 90 percent of the property's value in excess of
3 \$150,000.

4 The bill excludes property that is primarily used as a child
5 care facility from the calculation of the actual value of the
6 property. The bill instead specifies that for assessment years
7 beginning on or after January 1, 2024, the amount of actual
8 value used as child care facilities that is subject to tax is
9 equal to the product of the assessment limitation percentage
10 applicable to residential property multiplied by the actual
11 value of the property provided that the property owner has
12 applied for the assessment limitation and the county board of
13 supervisors has allowed such an assessment limitation.

14 The bill establishes application procedures, approval
15 procedures, and recordkeeping procedures for the assessment
16 limitation.

17 The bill makes conforming changes to reflect the child care
18 facility assessment limitation.

19 The bill takes effect upon enactment.

20 The bill applies retroactively to assessment years beginning
21 on or after January 1, 2024, and applies to payments to local
22 governments for fiscal years beginning on or after July 1,
23 2025.

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Senate Study Bill 3182 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON DAWSON)

A BILL FOR

1 An Act relating to unemployment insurance taxes on employers.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 96.1A, subsection 36, Code 2024, is
2 amended to read as follows:

3 36. "*Taxable wages*" means an amount of wages upon which
4 an employer is required to contribute based upon wages ~~which~~
5 that have been paid in this state during a calendar year to
6 an individual by an employer or the employer's predecessor,
7 in this state ~~or another state which extends a like comity to~~
8 ~~this state, with respect to employment~~, upon which the employer
9 is required to contribute, which equals the greater of the
10 following:

11 ~~a. Sixty-six and two-thirds~~ Thirty-three and one-third
12 percent of the statewide average weekly wage ~~which that~~ was
13 used during the previous calendar year to determine maximum
14 weekly benefit amounts, multiplied by fifty-two and rounded to
15 the next highest multiple of one hundred dollars.

16 ~~b.~~ That portion of wages subject to a tax under a federal
17 law imposing a tax against which credit may be taken for
18 contributions required to be paid into a state unemployment
19 compensation fund.

20 Sec. 2. Section 96.7, subsection 2, paragraph c,
21 subparagraphs (1) and (2), Code 2024, are amended to read as
22 follows:

23 (1) A nonconstruction contributory employer that is newly
24 subject to this chapter shall pay contributions at the rate
25 specified in the ~~twelfth~~ fourth benefit ratio rank but not less
26 than one percent until the end of the calendar year in which
27 the employer's account has been chargeable with benefits for
28 twelve consecutive calendar quarters immediately preceding the
29 computation date.

30 (2) A construction or landscaping contributory employer,
31 as defined under rules adopted by the department pursuant to
32 chapter 17A, ~~which that~~ is newly subject to this chapter shall
33 pay contributions at the rate specified in the ~~twenty-first~~
34 ninth benefit ratio rank until the end of the calendar year in
35 which the employer's account has been chargeable with benefits

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1 for twelve consecutive calendar quarters.

2 Sec. 3. Section 96.7, subsection 2, paragraph d,
3 subparagraph (1), Code 2024, is amended to read as follows:

4 (1) The current reserve fund ratio is computed by dividing
5 the total funds available for payment of benefits, on the
6 computation date or on August 15 following the computation
7 date if the total funds available for payment of benefits is a
8 higher amount on August 15, by the total wages paid in covered
9 employment excluding reimbursable employment wages during the
10 ~~first four calendar quarters of the five calendar quarters~~
11 year immediately preceding the computation date. ~~However,~~
12 ~~in computing the current reserve fund ratio, beginning July~~
13 ~~1, 2007, one hundred fifty million dollars shall be added to~~
14 ~~the total funds available for payment of benefits on each~~
15 ~~computation date.~~

16 Sec. 4. Section 96.7, subsection 2, paragraph d,
17 subparagraph (2), subparagraph division (a), Code 2024, is
18 amended by striking the subparagraph division.

19 Sec. 5. Section 96.7, subsection 2, paragraph d,
20 subparagraph (2), subparagraph division (b), Code 2024, is
21 amended by striking the subparagraph division and inserting in
22 lieu thereof the following:

23 (b) If the current reserve fund ratio:

24 Equals or	But is	The contribution rate
25 exceeds	less than	table in effect shall be

26	<hr/>		
27	—	0.50	A
28	0.50	0.90	B
29	0.90	1.30	C
30	1.30	—	D

31 Sec. 6. Section 96.7, subsection 2, paragraph d,
32 subparagraph (2), subparagraph division (d), Code 2024, is
33 amended by striking the subparagraph division and inserting in
34 lieu thereof the following:

35 (d) Each employer qualified for an experience rating

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1 shall be assigned a contribution rate for each rate year
2 that corresponds to the employer's benefit ratio rank in the
3 contribution rate table effective for the rate year from the
4 following contribution rate tables. Each employer's benefit
5 ratio rank shall be computed by listing all the employers by
6 increasing benefit ratios, from the lowest benefit ratio to the
7 highest benefit ratio and grouping the employers so listed into
8 nine separate ranks containing as nearly as possible fourteen
9 and twenty-nine hundredths percent of the total taxable wages,
10 excluding reimbursable employment wages, in the first six
11 ranks, and four and seventy-six hundredths percent of the total
12 taxable wages, excluding reimbursable employment wages, in
13 ranks seven, eight, and nine, paid in covered employment during
14 the four completed calendar quarters immediately preceding the
15 computation date. If an employer's taxable wages qualify the
16 employer for two separate benefit ratio ranks, the employer
17 shall be afforded the benefit ratio rank assigned the lower
18 contribution rate. Employers with identical benefit ratios
19 shall be assigned to the same benefit ratio rank.

		Approximate	Contribution Rate Tables			
		Cumulative				
		Taxable				
Rank	Benefit Ratio	Payroll Limit	A	B	C	D
1		14.29%	0.00	0.00	0.00	0.00
2		28.58%	0.40	0.30	0.10	0.10
3		42.87%	1.20	0.80	0.40	0.20
4		57.16%	2.10	1.40	0.60	0.30
5		71.45%	3.60	2.40	1.10	0.50
6		85.74%	5.40	4.10	1.90	0.90
7		90.50%	5.40	5.40	4.20	2.00
8		95.26%	5.40	5.40	5.40	2.80
9		100.00%	5.40	5.40	5.40	5.40

EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

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1 the explanation's substance by the members of the general assembly.

2 This bill modifies the definition of "taxable wages" for
3 purposes of unemployment insurance taxes on employers by
4 eliminating the wages paid to an employee from another state
5 from the calculation of wages upon which an employer is
6 required to contribute to the unemployment compensation fund
7 (fund) when the other state extends a like comity (reciprocity)
8 to Iowa for employment purposes.

9 Under current law, the calculation of taxable wages upon
10 which an employer is required to contribute to the fund is
11 the greater amount of the two amounts calculated pursuant to
12 paragraphs "a" and "b" under Code section 96.1A(36). The bill
13 changes the calculation of one these amounts under paragraph
14 "a" by reducing the percentage of statewide average weekly wage
15 used in the calculation from 66.66 percent to 33.33 percent
16 of the statewide average weekly wage used during the previous
17 calendar year which is then multiplied by 52 and rounded to the
18 nearest \$100 to determine maximum weekly benefit amounts.

19 The amount in paragraph "a" as calculated under the bill
20 would be the amount used to calculate taxable wages upon which
21 an employer is required to contribute to the fund if that
22 amount exceeds the amount in paragraph "b" under Code section
23 96.1A(36).

24 The calculation of the unemployment contribution rate each
25 year is a dynamic calculation dependent upon the calculation
26 of the current reserve ratio, the benefit ratio rank, and
27 the contribution rate table in effect for the rate year.
28 The bill changes the current reserve ratio calculation, the
29 number of benefit ratio ranks, the contribution rates, and the
30 contribution rate table.

31 The current reserve ratio (calculation of available benefit
32 amount in fund) determines the contribution rate table in
33 effect for the rate year following the computation date. The
34 bill changes the computation of the current reserve fund
35 ratio in Code section 96.7(2)(d)(1) by basing the calculation

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1 of the ratio on the preceding year rather than the previous
2 five calendar quarters, and strikes the requirement that \$150
3 million be added on the reserve ratio computation date to the
4 total funds available for benefits. The bill also strikes the
5 computation of the highest cost-benefit ratio and removes the
6 ratio from the computation of the current reserve ratio.

7 The bill modifies the contribution rate table by reducing
8 the number of possible rate tables that could be in effect
9 for the rate year from eight contribution rate tables to four
10 contribution rate tables. Under the bill and current law, only
11 one contribution rate table may be in effect per rate year. In
12 reducing the number of possible contribution rates tables from
13 eight to four, the bill also changes the numbered contribution
14 rate designations to lettered contribution rate designations.

15 Under current law, there are 21 benefit ratio ranks in the
16 contribution table. The benefit ratio is a calculation based
17 upon the average number of unemployment benefits charged to
18 an employer over previous calendar quarters. The higher the
19 benefits charged to an employer, the higher the benefit ratio
20 rank the employer receives. The bill reduces the number of
21 benefit ratio ranks from 21 to 9.

22 Under current law, each of the 21 benefit ratio rank
23 constitutes 4.76 percent of total taxable wages. The bill
24 groups the benefit ratio ranks differently by separating each
25 of the first six benefit ratio ranks by 14.29 percent of total
26 taxable wages, and separates the last three benefit ratio ranks
27 by 4.76 percent of total taxable wages.

28 Under current law, the highest contribution rate that
29 corresponds with the highest benefit ratio rank is 9.0 percent.
30 Under the bill, the highest contribution rate that corresponds
31 with the highest benefit ratio rank is 5.40 percent.

32 As a result of the bill, each employer will be assigned one
33 of the nine new benefit ratio ranks that corresponds with one
34 of the four new lettered contribution rate designations in
35 effect for the rate year to determine the contribution rate for

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1 the year.