

**NINETIETH GENERAL ASSEMBLY  
2024 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

**March 11, 2024**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">HF 2235</a> .....	<a href="#">H-8181</a> .....	Filed	JUDGE of Dallas
<a href="#">HF 2401</a> .....	<a href="#">H-8179</a> .....	Filed	LUNDGREN of Dubuque
<a href="#">HF 2605</a> .....	<a href="#">H-8180</a> .....	Filed	KONFRST of Polk

HOUSE FILE 2235

H-8181

1 Amend House File 2235 as follows:

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

4 <Section 1. Section 504.811, subsection 1, paragraph b,  
5 Code 2024, is amended to read as follows:

6 *b.* The board of directors may fill the vacancy. If  
7 the board of directors fills the vacancy pursuant to this  
8 paragraph, the board of directors shall submit the name of  
9 the director appointed by the board to the members for a  
10 ratification vote at the next annual meeting or at a special  
11 meeting called pursuant to section 504.702. If the director  
12 appointed by the board is ratified by the vote of the members,  
13 the appointed director shall serve the remainder of the term of  
14 the vacant position. If the director appointed by the board is  
15 not ratified by the vote of the members, the members may fill  
16 the vacancy pursuant to paragraph "a".>

17 2. Title page, by striking lines 1 through 2 and inserting  
18 <An Act relating to filling a vacancy on a board of directors  
19 of certain corporations by appointment and ratification.>

By JUDGE of Dallas

H-8181 FILED MARCH 8, 2024

HOUSE FILE 2401

H-8179

1 Amend House File 2401 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I  
4 PHARMACY BENEFITS MANAGERS>

5 2. Page 1, by striking lines 6 through 14 and inserting  
6 <prescription drugs are equivalent to the payments the pharmacy  
7 benefits manager makes to the dispensing pharmacy or dispensing  
8 health care provider for the prescription drugs, including any  
9 professional dispensing fee.>

10 3. Page 3, by striking lines 11 and 12 and inserting:

11 <a. If a pharmacy's appeal is found to be substantiated, the  
12 pharmacy benefits manager shall do all of the>

13 4. Page 3, by striking lines 27 and 28 and inserting:

14 <b. If a pharmacy's appeal is found to be unsubstantiated,  
15 the pharmacy benefits manager shall do all of the>

16 5. Page 4, line 11, after <rate.> by inserting <The  
17 adjustment to the maximum allowable cost or the reimbursement  
18 rate shall be applicable to all of the following:>

19 6. Page 4, after line 11 by inserting:

20 <(a) Each pharmacy that is under common ownership with the  
21 pharmacy that submitted the appeal.

22 (b) Each pharmacy in the state that demonstrates the  
23 inability to purchase the prescription drug for less than the  
24 established maximum allowable cost or reimbursement rate.>

25 7. Page 4, line 12, after <This> by inserting <division of  
26 this>

27 8. Page 4, after line 14 by inserting:

28 <DIVISION \_\_\_\_  
29 PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS AND WHOLESALE  
30 DISTRIBUTION — REPORT

31 Sec. \_\_\_\_ . PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS  
32 AND WHOLESALE DISTRIBUTION OF PRESCRIPTION DRUGS —  
33 REPORT. Before January 1, 2025, the commissioner or the  
34 commissioner's designee shall review pharmacy services  
35 administrative organizations and the wholesale distribution of

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1 prescription drugs, and submit a report to the general assembly  
2 containing findings and recommendations based on the review.

3 The report shall contain, at a minimum, all of the following:

4 1. A description and analysis of the prescription drug  
5 wholesale distribution supply chain, including an analysis of  
6 the concentration of the market for the wholesale distribution  
7 of prescription drugs, margins in the wholesale distribution of  
8 prescription drugs, and the availability of competition in the  
9 wholesale distribution of prescription drugs.

10 2. A description of the role that pharmacy services  
11 administrative organizations serve in the prescription drug  
12 supply chain.

13 3. A description and analysis of the relationships between  
14 pharmacy services administrative organizations, prescription  
15 drug wholesalers, and retail pharmacies, including standard  
16 contracting terms, fees charged to pharmacies, and contractual  
17 restrictions and limitations applicable to retail pharmacies.>

18 9. By renumbering as necessary.

By LUNDGREN of Dubuque

H-8179 FILED MARCH 8, 2024

HOUSE FILE 2605

H-8180

1 Amend House File 2605 as follows:

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

4 <DIVISION I  
5 IOWA HEMP ACT

6 Section 1. Section 204.2, Code 2024, is amended by adding  
7 the following new subsections:

8 NEW SUBSECTION. 01. "*Advertise*" means to present a  
9 commercial message in any medium, including but not limited to  
10 print, radio, television, sign, display, text message, label,  
11 tag, or articulation.

12 NEW SUBSECTION. 6A. "*Distribute*" means to transfer  
13 possession.

14 NEW SUBSECTION. 15A. "*Registrant*" means a person who is  
15 registered with the department of health and human services  
16 pursuant to section 204.7.

17 Sec. 2. Section 204.2, subsection 2, paragraph c, Code 2024,  
18 is amended to read as follows:

19 c. A hemp product is deemed to be a consumable hemp product  
20 ~~if it is any of the following~~ all of the following apply:

21 (1) It is any of the following:

22 (a) Designed by the processor, including the manufacturer,  
23 to be introduced into the human body.

24 ~~(2)~~ (b) Advertised as an item to be introduced into the  
25 human body.

26 ~~(3)~~ (c) Distributed, exported, ~~or~~ imported, offered for  
27 sale, or distribution sold to be introduced into the human  
28 body.

29 (2) Its maximum tetrahydrocannabinol concentration is less  
30 than or equal to the maximum tetrahydrocannabinol concentration  
31 allowed under section 124.204, subsection 7.

32 Sec. 3. Section 204.7, subsection 8, paragraph a,  
33 subparagraph (3), Code 2024, is amended to read as follows:

34 (3) The consumable hemp product complies with packaging  
35 and labeling requirements, which shall be established by rules

1 adopted by the department of health and human services by rule.

2 Sec. 4. Section 204.7, subsection 8, paragraph a, Code 2024,  
3 is amended by adding the following new subparagraphs:

4 NEW SUBPARAGRAPH. (4) The consumable hemp product complies  
5 with restrictions upon the sale or other distribution of a  
6 consumable hemp product established by rules adopted by the  
7 department of health and human services.

8 NEW SUBPARAGRAPH. (5) The consumable hemp product meets  
9 requirements for total delta-9 tetrahydrocannabinol potency on  
10 a per serving and per container basis, as set forth by rules  
11 adopted by the department of health and human services.

12 Sec. 5. Section 204.7, subsection 8, Code 2024, is amended  
13 by adding the following new paragraph:

14 NEW PARAGRAPH. *Ob.* (1) A person is engaged in the retail  
15 sale of a consumable hemp product, if any of the following  
16 apply:

17 (a) The person offers to distribute a consumable hemp  
18 product to a consumer in exchange for consideration.

19 (b) The person is an owner of a business that distributes  
20 consumable hemp products to consumers in exchange for  
21 consideration.

22 (c) The person is a business that distributes consumable  
23 hemp products to consumers in exchange for consideration and  
24 presents a consumable hemp product to a consumer in the form  
25 of a gift.

26 (2) A person, including a business, is engaged in the sale  
27 of a consumable hemp product regardless of whether the person  
28 is registered with the department of health and human services  
29 as provided in this section.

30 Sec. 6. Section 204.12, subsection 1, Code 2024, is amended  
31 to read as follows:

32 1. A Unless another civil penalty is otherwise provided in  
33 this chapter, a person who violates a provision of this chapter  
34 is subject to a civil penalty of not less than five hundred  
35 dollars and not more than two thousand five hundred dollars.

1 The department shall impose, assess, and collect the civil  
2 penalty. Each day that a continuing violation occurs may be  
3 considered a separate offense.

4 Sec. 7. Section 204.14A, Code 2024, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 1A. A person shall not possess, use,  
7 manufacture, market, transport, deliver, or distribute a  
8 consumable hemp product if it is capable of inhalation by using  
9 either method described in subsection 1, paragraph "b" or "c".

10 Sec. 8. Section 204.14A, subsection 2, Code 2024, is amended  
11 to read as follows:

12 2. A person who violates subsection 1 or 1A is guilty of a  
13 serious misdemeanor.

14 Sec. 9. NEW SECTION. **204.14B Sale of consumable hemp**  
15 **product — failure to register — civil penalty.**

16 1. A person engaged in the retail sale of a consumable  
17 hemp product in this state without being registered with the  
18 department of health and human services as required in section  
19 204.7 shall be subject to a civil penalty of not more than ten  
20 thousand dollars. The department of health and human services  
21 shall impose, assess, and collect the civil penalty. Each day  
22 that a continuing violation occurs may be considered a separate  
23 offense.

24 2. All civil penalties collected under this section shall be  
25 deposited into the general fund of the state.

26 3. A person in violation of this section is not also subject  
27 to a civil penalty as provided in section 204.12.

28 Sec. 10. NEW SECTION. **204.14C Sale of consumable hemp**  
29 **product — failure to register — criminal penalty.**

30 1. a. A person engaged in the retail sale of a consumable  
31 hemp product who is not registered with the department of  
32 health and human services as required in section 204.7 commits  
33 a serious misdemeanor.

34 b. A person engaged in the retail sale of an item advertised  
35 as a consumable hemp product that is not a consumable hemp

1 product commits a serious misdemeanor.

2 2. This section shall be presumed not to be in conflict with  
3 or limit a prosecution for a violation of any other provision  
4 of law, including but not limited to chapter 124 or 21 U.S.C.  
5 ch. 13.

6 Sec. 11. NEW SECTION. 204.14D Persons under legal age —  
7 criminal offense.

8 1. A person shall not sell, give, or otherwise distribute  
9 a consumable hemp product to a person under twenty-one years  
10 of age.

11 2. A person who violates subsection 1 is guilty of a simple  
12 misdemeanor.

13 Sec. 12. NEW SECTION. 204.14E Persons under legal age —  
14 scheduled violation and community service.

15 1. A person under twenty-one years of age shall not consume,  
16 possess, purchase, or attempt to purchase a consumable hemp  
17 product.

18 2. A person who violates subsection 1 shall be subject to a  
19 scheduled violation in the form of a civil penalty pursuant to  
20 section 805.8C, subsection 3, paragraph "d".

21 3. In addition to the imposition of a civil penalty as  
22 provided in subsection 2, a person who violates subsection 1  
23 shall be subject to a court appearance as provided in section  
24 805.10. The court shall sentence the person to perform a  
25 specified number of hours of unpaid community service as deemed  
26 appropriate by the court subject to the following:

27 a. For a first violation, eight hours, unless waived by the  
28 court.

29 b. For a second offense, twelve hours.

30 c. For a third or subsequent offense, sixteen hours.

31 4. A person who violates this section is not subject to a  
32 civil penalty as provided in section 204.12.

33 5. A person does not violate subsection 1 by possessing  
34 a consumable hemp product if the person is employed by a  
35 registrant and the person is possessing the consumable hemp



1 product as part of their employment.

2 Sec. 13. NEW SECTION. 204.14F Persons under legal age —  
3 exception — cooperation with department of public safety or  
4 local law enforcement agency.

5 1. a. A person who would otherwise act to commit an offense  
6 under section 204.14D is not guilty of that offense if the  
7 person acts under the direction or consent of the department  
8 of public safety or a local law enforcement agency as part of  
9 an enforcement investigation.

10 b. A person who would otherwise act to commit a violation  
11 under section 204.14E is not subject to that offense if the  
12 person acts under the direction or consent of the department  
13 of public safety or a local law enforcement agency as part of  
14 an enforcement investigation.

15 2. In enforcing this section, the department of public  
16 safety or a local law enforcement agency shall take all  
17 measures necessary to ensure that a consumable hemp product  
18 is not introduced into the body of a person under the age of  
19 twenty-one.

20 3. Notwithstanding chapter 22, any personal information  
21 identifying the person committing an offense or violation as  
22 described in this section shall be confidential.

23 Sec. 14. NEW SECTION. 204.15A Hemp products — order of  
24 confiscation and disposal.

25 1. The department of health and human services may order the  
26 confiscation and disposal of a hemp product based on any of the  
27 following:

28 a. It is falsely advertised, sold, or distributed as a  
29 consumable hemp product.

30 b. It exceeds the maximum tetrahydrocannabinol concentration  
31 allowed under section 124.204, subsection 7, or this chapter.

32 c. It is a consumable hemp product manufactured, sold,  
33 or distributed by a person who is not registered with the  
34 department of health and human services as is required in  
35 section 204.7.

1     2. The department of health and human services shall act  
2 in consultation with the department of public safety. The  
3 department of health and human services may request assistance  
4 from the department of public safety or a local law enforcement  
5 agency as necessary to carry out the provisions of this  
6 section. The department of health and human services, upon  
7 request, shall deliver any sample of the item to the department  
8 of public safety or a local law enforcement agency.

9     3. A person required to be registered with the department of  
10 health and human services as provided in section 204.7 shall  
11 pay the department of health and human services all actual  
12 and reasonable costs of the destruction of the item. If that  
13 department assumes any amount of the costs, it may charge that  
14 amount to the person.

15     Sec. 15. Section 805.8C, subsection 3, Code 2024, is amended  
16 by adding the following new paragraph:

17     NEW PARAGRAPH. *d.* (1) For violations of section 204.14E,  
18 the scheduled fine is as follows:

19     (a) If the violation is a first offense, the scheduled fine  
20 is seventy dollars.

21     (b) If the violation is a second offense, the scheduled fine  
22 is one hundred thirty-five dollars.

23     (c) If the violation is a third or subsequent offense, the  
24 scheduled fine is three hundred twenty-five dollars.

25     (2) The fine shall be imposed as a civil penalty.

26     (3) The crime services surcharge under section 911.1 shall  
27 not be added to the penalty, and the court costs pursuant to  
28 section 805.9, subsection 6, shall not be imposed.

29     (4) Notwithstanding section 805.12, any civil penalty paid  
30 under this subsection shall be retained by the city or county  
31 enforcing the violation.

32     Sec. 16. Section 805.10, subsection 1, Code 2024, is amended  
33 by adding the following new paragraph:

34     NEW PARAGRAPH. *e.* When a violation charged involves the  
35 consumption, possession, purchase, or attempt to purchase of

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1 a consumable hemp product as provided in section 204.14E, for  
2 which there is a community service sentence.

3

DIVISION II

4

REGULATION OF ALCOHOLIC BEVERAGES

5 Sec. 17. Section 123.49, subsection 2, Code 2024, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. 1. Sell, give, or otherwise supply any  
8 alcoholic beverage containing tetrahydrocannabinol as described  
9 in chapter 124, including any isomers, derivatives, or analogs  
10 of tetrahydrocannabinol, whether naturally occurring or  
11 synthesized, to any person on the licensed premises.

12 Sec. 18. NEW SECTION. 123.49A **Restriction on alcoholic**  
13 **beverages containing tetrahydrocannabinol.**

14 A holder of a license, permit, or certificate of compliance  
15 issued by the department under this chapter shall not  
16 manufacture, import, or sell at wholesale in this state an  
17 alcoholic beverage containing tetrahydrocannabinol as described  
18 in chapter 124, including any isomers, derivatives, or analogs  
19 of tetrahydrocannabinol, whether naturally occurring or  
20 synthesized.>

By KONFRST of Polk

H-8180 FILED MARCH 8, 2024