

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

**April 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="#">SJR 2003</a> .....	<a href="#">S-5143</a> .....	Adopted	DAN DAWSON
<a href="#">SF 2109</a> .....	<a href="#">S-5152</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 2385</a> .....	<a href="#">S-5144</a> .....	Lost	MOLLY DONAHUE, et al
<a href="#">SF 2385</a> .....	<a href="#">S-5145</a> .....	Lost	CLAIRE CELSI
<a href="#">SF 2385</a> .....	<a href="#">S-5146</a> .....	Lost	SARAH TRONE GARRIOTT
<a href="#">SF 2408</a> .....	<a href="#">S-5141</a> .....	Filed	MIKE KLIMESH
<a href="#">SF 2416</a> .....	<a href="#">S-5147</a> .....	Adopted	JASON SCHULTZ
<a href="#">HF 664</a> .....	<a href="#">S-5138</a> .....	Adopted	DAN DAWSON
<a href="#">HF 2490</a> .....	<a href="#">S-5140</a> .....	Adopted	DAVID D. ROWLEY
<a href="#">HF 2581</a> .....	<a href="#">S-5142</a> .....	Filed	WAYLON BROWN
<a href="#">HF 2586</a> .....	<a href="#">S-5139</a> .....	Withdrawn	LYNN EVANS
<a href="#">HF 2586</a> .....	<a href="#">S-5153</a> .....	Adopted	LYNN EVANS
<a href="#">HF 2661</a> .....	<a href="#">S-5154</a> .....	Filed	MIKE BOUSSELOT
<a href="#">HF 2686</a> .....	<a href="#">S-5148</a> .....	Adopted	JASON SCHULTZ
<a href="#">HF 2686</a> .....	<a href="#">S-5149</a> .....	Lost	CLAIRE CELSI
<a href="#">HF 2686</a> .....	<a href="#">S-5150</a> .....	Lost	CINDY WINCKLER
<a href="#">HF 2686</a> .....	<a href="#">S-5151</a> .....	Lost	TODD TAYLOR

## **Fiscal Notes**

[HF 2680](#) — [411 Retirement System](#) (LSB6363HV.1)

SENATE JOINT RESOLUTION 2003

S-5143

1 Amend Senate Joint Resolution 2003 as follows:

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

4 <Section 1. The following amendment to the Constitution of  
5 the State of Iowa is proposed:

6 The Constitution of the State of Iowa is amended by adding  
7 the following new section to new Article XIII:

8 ARTICLE XIII.

9 TAXATION LIMITATIONS.

10 Section 1. **Two-thirds majority vote for state tax law**  
11 **changes.** Passage of a bill that increases the individual income  
12 tax rate or the corporate income tax rate, or the rate of  
13 any other type of tax based upon income or legal and special  
14 reserves, shall require the affirmative votes of at least  
15 two-thirds of the members elected to each house of the general  
16 assembly. This requirement does not apply to taxes imposed at  
17 the option of a local government.

18 Passage of a bill that establishes a new tax on any type of  
19 income or legal and special reserves imposed by the state shall  
20 require the affirmative votes of at least two-thirds of the  
21 members elected to each house of the general assembly.

22 A lawsuit challenging the proper enactment of a bill under  
23 this section must be filed no later than one year following the  
24 enactment. If such a lawsuit is not filed within the one-year  
25 limit, the bill shall be considered properly enacted under this  
26 section.

27 Each bill to which this section applies must include a  
28 separate provision describing the requirements for enactment  
29 prescribed by this section.

30 The general assembly shall enact laws to implement this  
31 section.

32 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed  
33 amendment to the Constitution of the State of Iowa is referred  
34 to the general assembly to be chosen at the next general  
35 election for members of the general assembly, and shall be

S-5143 (Continued)

1 published as provided by law for three months previous to the  
2 date of that election.>

3 2. Title page, by striking lines 1 through 4 and inserting  
4 <A Joint Resolution proposing an amendment to the Constitution  
5 of the State of Iowa relating to requirements for certain state  
6 tax law changes.>

By DAN DAWSON

[S-5143](#) FILED APRIL 10, 2024

ADOPTED

HOUSE AMENDMENT TO  
SENATE FILE 2109

S-5152

1     Amend Senate File 2109, as amended, passed, and reprinted by  
2 the Senate, as follows:

3     1. Page 3, by striking lines 10 through 12 and inserting <in  
4 section 321.189. A license or permit shall not be issued>

5     2. Page 3, line 32, by striking <under the age of sixteen>  
6 and inserting <between the ages of fourteen and eighteen years>

7     3. Page 4, line 1, by striking <state.> and inserting  
8 <state, and has held such permit for a minimum of six months  
9 prior to applying for the special minor's restricted license.>

10    4. Page 4, by striking lines 20 through 28 and inserting  
11 <farm, the applicant's parent or guardian must complete a  
12 written consent form prescribed by the department.>

13    5. Page 4, before line 29 by inserting:

14     <a. The written consent form must include, at minimum, the  
15 name and address of the applicant's current place of employment  
16 or primary farm location, as applicable.

17     b. If the place of employment or primary farm location  
18 changes, the parent or guardian must complete a new written  
19 consent form prior to the licensee being authorized to operate  
20 a motor vehicle unsupervised to the new location.

21     c. While a licensee is operating a motor vehicle as  
22 described in this subsection, the licensee shall carry a copy  
23 of the written consent form in the vehicle and present the form  
24 for inspection upon request by a certified peace officer.>

25    6. Page 7, lines 8 and 9, by striking <submitted written  
26 consent to the department> and inserting <completed a written  
27 consent form and the form is carried in the motor vehicle and  
28 available for inspection>

29    7. Page 7, line 11, by striking <form.> and inserting <form  
30 for purposes of meeting the requirement under subsection 1,  
31 paragraph "c".>

32    8. By striking page 7, line 29, through page 8, line 12, and  
33 inserting:

34     <7. *License sanctions.* A special minor's restricted license  
35 issued under this section is subject to suspension, revocation,

S-5152 (Continued)

1 or other sanction for the same reasons and in the same manner  
2 as suspension or revocation of any other driver's license, and  
3 as provided in this section. The department shall suspend  
4 a special minor's restricted license for three months, as  
5 follows:

6     *a.* Upon receiving satisfactory evidence that the licensee  
7 violated the restrictions of the license or was at fault in an  
8 accident or collision.

9     *b.* Upon receiving a record of the licensee's conviction  
10 for one violation of a law of this state or a city ordinance  
11 regulating the operation of motor vehicles on highways other  
12 than parking violations as described in section 321.210.>

13     9. Page 8, by striking lines 21 through 23.

14     10. Page 8, line 24, by striking <*c.*> and inserting <*b.*>

15     11. Page 8, line 26, by striking <*d.*> and inserting <*c.*>

16     12. Page 8, lines 27 and 28, by striking <under sixteen  
17 years of age in accordance with chapter 92,> and inserting  
18 <between the ages of fourteen and eighteen in accordance with  
19 chapter 92, as applicable,>

20     13. Page 8, line 32, by striking <*e.*> and inserting <*d.*>

21     14. Page 9, line 1, by striking <to the department.> and  
22 inserting <on a form prescribed by the department. If a  
23 licensee has two or three different residences, the licensee  
24 shall carry a copy of the written consent form required under  
25 this paragraph in the vehicle operated by a licensee pursuant  
26 to this section, and the licensee shall present the form for  
27 inspection upon request by a certified peace officer.>

28     15. Page 9, line 2, by striking <*f.*> and inserting <*e.*>

29     16. Page 10, line 6, by striking <provides written consent  
30 to the department> and inserting <completes the written consent  
31 form>

S-5152 FILED APRIL 10, 2024

SENATE FILE 2385

S-5144

- 1 Amend the amendment, S-5132, to Senate File 2385, as  
2 follows:
- 3 1. Page 4, after line 2 by inserting:  
4 <\_\_\_. Page 83, by striking lines 8 through 29.>  
5 2. Page 4, after line 8 by inserting:  
6 <\_\_\_. By striking page 132, line 5, through page 133, line  
7 3.  
8 \_\_\_. By striking page 135, line 33, through page 136, line  
9 16.>
- 10 3. Page 5, by striking line 32 and inserting:  
11 <\_\_\_. Page 180, line 32, by striking <135.173A, 147.16,  
12 148I.7,> and inserting <147.16,>>  
13 4. Page 5, by striking line 34.  
14 5. Page 6, before line 1 by inserting:  
15 <\_\_\_. Page 207, by striking lines 25 through 27 and  
16 inserting:  
17 <~~17.~~ 16. "State child care advisory committee" means the  
18 state child care advisory committee established pursuant to  
19 section 135.173A.>>
- 20 6. Page 6, line 3, by striking <page 245, line 2> and  
21 inserting <page 246, line 34>  
22 7. Page 6, line 4, by striking <page 281, line 8> and  
23 inserting <page 293, line 22>  
24 8. Page 6, after line 4 by inserting:  
25 <\_\_\_. Page 294, by striking line 32.>  
26 9. Page 6, by striking lines 15 through 19.  
27 10. By renumbering as necessary.

By MOLLY DONAHUE  
NATE BOULTON  
WILLIAM A. DOTZLER, JR.  
TODD TAYLOR

S-5144 FILED APRIL 10, 2024

LOST

SENATE FILE 2385

S-5145

- 1 Amend the amendment, S-5132, to Senate File 2385, as  
2 follows:
- 3 1. Page 3, after line 20 by inserting:  
4 <\_\_\_. By striking page 55, line 16, through page 57, line  
5 10.>
- 6 2. Page 3, line 22, by striking <page 75, line 8> and  
7 inserting <page 77, line 20>
- 8 3. Page 3, by striking lines 23 through 33.
- 9 4. Page 4, by striking line 2 and inserting:  
10 <\_\_\_. By striking page 78, line 19, through page 79, line  
11 1.>
- 12 5. Page 5, after line 29 by inserting:  
13 <\_\_\_. Page 180, line 30, by striking <34A.15,>>
- 14 6. Page 5, after line 34 by inserting:  
15 <\_\_\_. Page 180, line 35, by striking <328.13,>>
- 16 7. Page 6, after line 3 by inserting:  
17 <\_\_\_. By striking page 249, line 27, through page 250, line  
18 17.>
- 19 8. By renumbering as necessary.

By CLAIRE CELSI

S-5145 FILED APRIL 10, 2024

LOST



SENATE FILE 2385

S-5146

- 1 Amend the amendment, S-5132, to Senate File 2385, as  
2 follows:
- 3 1. Page 3, after line 20 by inserting:  
4 <\_\_\_. By striking page 53, line 27, through page 54, line  
5 19.>
- 6 2. Page 4, after line 4 by inserting:  
7 <\_\_\_. Page 91, by striking lines 2 through 35.>
- 8 3. Page 4, after line 8 by inserting:  
9 <\_\_\_. By striking page 95, line 24, through page 96, line  
10 24.
- 11 \_\_\_. Page 107, line 4, by striking <~~rules~~ procedures> and  
12 inserting <rules>
- 13 \_\_\_. Page 107, line 10, by striking <~~rules~~ procedures> and  
14 inserting <rules>
- 15 \_\_\_. Page 109, line 12, by striking <procedures> and  
16 inserting <rules>
- 17 \_\_\_. Page 131, by striking lines 1 and 2.
- 18 \_\_\_. Page 131, line 12, by striking <subsection 1 and 4> and  
19 inserting <subsection 4>
- 20 \_\_\_. Page 131, line 13, by striking <are> and inserting <is>
- 21 \_\_\_. Page 131, by striking lines 14 through 21.
- 22 \_\_\_. By striking page 131, line 32, through page 132, line  
23 4.>
- 24 4. Page 5, line 32, after <148I.7,> by inserting <153.33A,>
- 25 5. Page 6, after line 3 by inserting:  
26 <\_\_\_. Page 263, by striking lines 6 through 25.  
27 \_\_\_. Page 267, by striking lines 4 through 7.  
28 \_\_\_. By striking page 267, line 12, through page 268, line  
29 4.>
- 30 6. By renumbering as necessary.

By SARAH TRONE GARRIOTT

S-5146 FILED APRIL 10, 2024

LOST

SENATE FILE 2408

S-5141

1 Amend Senate File 2408 as follows:

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

4 <DIVISION I

5 AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC LAW ENFORCEMENT —  
6 AUTOMATIC REGISTRATION PLATE READERS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 the highway where the system is used.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 1. To fund transportation infrastructure improvement  
30 projects.

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

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

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



1 flash is used.

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

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

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

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

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

26 DIVISION II

27 EXISTING SYSTEMS

28 Sec. 10. EXISTING SYSTEMS.

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

S-5141 (Continued)

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

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

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

25 2. Title page, lines 3 and 4, by striking <providing for the  
26 use of associated revenue for length of service award programs,  
27 making appropriations,>

By MIKE KLIMESH

S-5141 FILED APRIL 10, 2024

SENATE FILE 2416

S-5147

1 Amend Senate File 2416 as follows:

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

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

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

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

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

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

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

20 4. Page 65, by striking lines 23 through 25 and inserting  
21 <academy,>

22 5. Page 65, line 33, after <positions:> by inserting  
23 <superintendent of banking of the department of insurance and  
24 financial services, superintendent of credit unions of the  
25 department of insurance and financial services,>

26 6. By renumbering as necessary.

By JASON SCHULTZ

S-5147 FILED APRIL 10, 2024

ADOPTED

HOUSE FILE 664

S-5138

1 Amend House File 664 as follows:

2 1. Page 1, line 2, by striking <2023> and inserting <2024>

3 2. Page 1, by striking lines 7 through 9 and inserting:

4 <(i) "*Affiliate*" means a lessor that directly or indirectly  
5 controls, is controlled with or by, or is under common control  
6 with the lessee.>

7 3. Page 1, line 20, by striking <2023> and inserting <2024>

8 4. Page 1, by striking lines 23 through 27 and inserting  
9 <rental of a motor vehicle between affiliates when the lessor  
10 or entity providing the motor vehicle for lease or rental  
11 has paid a fee imposed under section 321.105A on the motor  
12 vehicle leased or rented prior to such lease or rental to the  
13 affiliate.>

14 5. Page 1, by striking lines 29 through 31 and inserting:

15 <(1) "*Affiliate*" means a lessor or entity providing the  
16 motor vehicle for rental that directly or indirectly controls,  
17 is controlled with or by, or is under common control with the  
18 lessee or renter.>

By DAN DAWSON

S-5138 FILED APRIL 10, 2024

ADOPTED

HOUSE FILE 2490

S-5140

1 Amend House File 2490, as passed by the House, as follows:

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

3 <Section 1. Section 515D.7, subsection 1, Code 2024, is  
4 amended to read as follows:

5 1. Notwithstanding the provisions of sections 515.125, and  
6 515.128, ~~515.129B, and 515.129C~~, an insurer shall not fail to  
7 renew a policy except by notice to the insured as provided  
8 in this chapter. A notice of intention not to renew shall  
9 not be effective unless mailed or delivered by the insurer  
10 to the named insured at least thirty calendar days prior to  
11 the expiration date of the policy. A post office department  
12 certificate of mailing to the named insured at the address  
13 shown in the policy shall be proof of receipt of such mailing.  
14 Unless the reason accompanies the notice of intent not to  
15 renew, the notice shall state that, upon written request of  
16 the named insured, mailed or delivered to the insurer not less  
17 than thirty calendar days prior to the expiration date of the  
18 policy, the insurer will state the reason for nonrenewal.

19 Sec. \_\_\_\_\_. Section 515D.7, Code 2024, is amended by adding  
20 the following new subsection:

21 NEW SUBSECTION. 1A. Notwithstanding the provisions of  
22 sections 515.129B and 515.129C, an insurer shall not fail to  
23 renew a policy except by notice to the insured as provided  
24 in this chapter. A notice of intention not to renew shall  
25 not be effective unless mailed or delivered by the insurer  
26 to the named insured at least sixty calendar days prior to  
27 the expiration date of the policy. A post office department  
28 certificate of mailing to the named insured at the address  
29 shown in the policy shall be proof of receipt of such mailing.  
30 Unless the reason accompanies the notice of intent not to  
31 renew, the notice shall state that, upon written request of the  
32 named insured, mailed or delivered to the insurer not less than  
33 sixty calendar days prior to the expiration date of the policy,  
34 the insurer will state the reason for nonrenewal.>

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

S-5140 (Continued)

1 <Sec. \_\_\_\_\_. Section 518.23, subsection 3, Code 2024, is  
2 amended to read as follows:

3 3. *Nonrenewal by association.* A notice of intention not  
4 to renew is not effective unless mailed or delivered by the  
5 insurer to the named insured at least ~~thirty~~ sixty days prior  
6 to the expiration date of the policy. If the reason does not  
7 accompany the notice of nonrenewal, the association, upon  
8 receipt of a timely request by the named insured, shall provide  
9 the reason for the nonrenewal in writing.

10 Sec. \_\_\_\_\_. Section 518A.29, subsection 3, Code 2024, is  
11 amended to read as follows:

12 3. *Nonrenewal by association.* A notice of intention not  
13 to renew is not effective unless mailed or delivered by the  
14 insurer to the named insured at least ~~thirty~~ sixty days prior  
15 to the expiration date of the policy. If the reason does not  
16 accompany the notice of nonrenewal, the association, upon  
17 receipt of a timely request by the named insured, shall provide  
18 in writing the reason for the nonrenewal.>

19 3. Page 1, after line 29 by inserting:

20 <Sec. \_\_\_\_\_. EFFECTIVE DATE. The following take effect  
21 January 1, 2025:

22 1. The sections of this Act amending section 515D.7.

23 2. The section of this Act amending section 518.23.

24 3. The section of this Act amending section 518A.29.>

25 4. Title page, line 2, by striking <associations> and  
26 inserting <associations, nonrenewal notices for automobile  
27 insurance, and nonrenewal notices by county and state  
28 mutual insurance associations, and including effective date  
29 provisions>

30 5. By renumbering as necessary.

By DAVID D. ROWLEY

[S-5140](#) FILED APRIL 10, 2024

ADOPTED

HOUSE FILE 2581

S-5142

1 Amend House File 2581, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 4, line 24, after <general.> by inserting <If a  
4 locator employed by an operator violates this paragraph, the  
5 operator employing the locator shall be subject to a civil  
6 penalty in an amount determined by the attorney general, which  
7 shall be the same as though assessed against the locator.>

8 2. Page 5, lines 9 and 10, by striking <and engages in  
9 location services under a contract with an operator>

10 3. Page 5, by striking line 23 and inserting <operator  
11 except as provided in section 480.6, subsection 1, paragraph  
12 "c".>

13 4. Page 5, before line 24 by inserting:

14 <3. Any enforcement action taken against a locator employed  
15 by an operator for a violation of this chapter shall not result  
16 in the operator being subject to penalties as both a locator  
17 and an operator.>

By WAYLON BROWN

S-5142 FILED APRIL 10, 2024

HOUSE FILE 2586

S-5139

1 Amend House File 2586, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking page 1, line 1, through page 2, line 29.

4 2. Title page, by striking lines 1 through 4 and inserting  
5 <An Act authorizing school employees to be issued professional  
6 permits to carry weapons.>

7 3. By renumbering as necessary.

By LYNN EVANS

S-5139 FILED APRIL 10, 2024

WITHDRAWN



HOUSE FILE 2586

S-5153

- 1 Amend House File 2586, as amended, passed, and reprinted by  
2 the House, as follows:
- 3 1. Page 1, by striking lines 1 and 2 and inserting:  
4 <Section 1. NEW SECTION. **279.84 School security.**>
- 5 2. Page 2, by striking lines 5 through 29.
- 6 3. Page 3, after line 34 by inserting:  
7 <Sec. \_\_\_\_ . EFFECTIVE DATE. The following, being deemed of  
8 immediate importance, take effect upon enactment:  
9 1. The section of this Act amending section 724.6,  
10 subsection 1, paragraph "a".  
11 2. The section of this Act amending section 724.6,  
12 subsection 2.  
13 4. Title page, by striking lines 1 through 4 and inserting  
14 <An Act relating to school security, including the use of  
15 school security personnel by school districts and authorizing  
16 school employees to be issued professional permits to carry  
17 weapons, and including effective date provisions.>  
18 5. By renumbering as necessary.

By LYNN EVANS

S-5153 FILED APRIL 10, 2024

ADOPTED

HOUSE FILE 2661

S-5154

- 1 Amend House File 2661, as passed by the House, as follows:
- 2 1. Page 4, line 32, by striking <two thousand dollars> and
- 3 inserting <a maximum amount of two thousand dollars per move>
- 4 2. Page 5, after line 10 by inserting:
- 5 <5. A new resident is not eligible for the credit pursuant
- 6 to this section to the extent the moving expenses were deducted
- 7 for federal tax purposes.>
- 8 3. By renumbering, redesignating, and correcting internal
- 9 references as necessary.

By MIKE BOUSSELOT

S-5154 FILED APRIL 10, 2024

HOUSE FILE 2686

S-5148

1 Amend House File 2686, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking page 71, line 2, through page 75, line 23.

By JASON SCHULTZ

S-5148 FILED APRIL 10, 2024

ADOPTED

HOUSE FILE 2686

S-5149

1 Amend House File 2686, as amended, passed, and reprinted by  
2 the House, as follows:

- 3 1. By striking page 63, line 20, through page 64, line 1.  
4 2. By renumbering as necessary.

By CLAIRE CELSI

S-5149 FILED APRIL 10, 2024

LOST

HOUSE FILE 2686

S-5150

1 Amend House File 2686, as amended, passed, and reprinted by  
2 the House, as follows:

- 3 1. By striking page 16, line 28, through page 20, line 16.  
4 2. By renumbering as necessary.

By CINDY WINCKLER

S-5150 FILED APRIL 10, 2024

LOST

HOUSE FILE 2686

S-5151

1 Amend House File 2686, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 36, by striking lines 30 through 33 and inserting:  
4 <del>(3)</del> c. A number of members equal to the number of citizen  
5 members shall be appointed by the chief judge of the judicial  
6 district on or before December 31 to serve on the district  
7 advisory board for the following calendar year.>

By TODD TAYLOR

S-5151 FILED APRIL 10, 2024

LOST



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[HF 2680](#) – 411 Retirement System (LSB6363HV.1)  
Staff Contacts: Xavier Leonard (515.725.0509) [xavier.leonard@legis.iowa.gov](mailto:xavier.leonard@legis.iowa.gov)  
Eric Richardson (515.281.6767) [eric.richardson@legis.iowa.gov](mailto:eric.richardson@legis.iowa.gov)  
Fiscal Note Version – As amended and passed by the House

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[House File 2680](#) relates to public safety personnel retirement systems and the taxation of surviving spouse pension benefits. There are retroactive applicability provisions.

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## **Division I — Civil Service Evaluations — Municipal Fire and Police Retirement System — Certain Benefits**

### **Description**

**Division I** relates to civil service entrance evaluations and benefits for members of the Municipal Fire and Police Retirement System of Iowa (MFPRSI). The Division expands the number of disabilities eligible for an accidental disability benefit and allows retirees who are receiving an ordinary benefit and who are within three years of retirement to apply for an accidental disability benefit. The Division adds a mental health evaluation to the required examination of applicants for civil service. Finally, the Division requires cities to provide mental medical attention for members of the MFPRSI if conditions are met and provides funding options for cities.

### **Background**

Iowa Code chapter [400](#) relates to civil service and requires applicants for the positions of police officer and fire fighter to take entrance examinations to determine whether the applicant meets qualification standards. The examinations are designed to test the mental and physical ability of an applicant to perform the duties of the position.

Iowa Code chapter [411](#) relates to a retirement system for police officers and fire fighters. The chapter provides for the payment of pensions to retired members, members incurring disabilities, and the surviving spouses and dependents of deceased members. The chapter also relates to a disability program for police officers and fire fighters and includes standards for entrance, guidelines for ongoing fitness and wellness, disability pensions, and postdisability retirement compliance requirements.

Based on the July 1, 2023, actuarial valuation, the MFPRSI covers approximately 4,168 active members; 1,206 disabled members; 3,227 retired members and beneficiaries; and 465 vested, terminated members. The current actuarial accrued liability of the MFPRSI is \$3.802 billion, the actuarial value of assets is \$3.215 billion, and the unfunded actuarial liability is \$586.8 million. The ratio of liabilities to assets (funded ratio) of the retirement system is 84.57%.

For FY 2025, members' estimated annual contributions at the current rate of 9.40% total \$35.2 million, and cities' estimated contributions at 22.66% total \$84.9 million. Total covered payroll is \$374.8 million.

Figure 1 below shows the annual employer and employee contribution rates for FY 2021 to FY 2025.

**Figure 1 — Annual Contribution Rates**

	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>	<u>FY 2025</u>
<b>Employer Contribution Rate</b>	25.31%	26.18%	23.90%	22.98%	22.66%
<b>Employee Contribution Rate</b>	9.40%	9.40%	9.40%	9.40%	9.40%
<b>Total</b>	<u>34.71%</u>	<u>35.58%</u>	<u>33.30%</u>	<u>32.38%</u>	<u>32.06%</u>

Iowa Code section [411.8](#) provides that member contribution rates will be increased for any statutory changes, if the increase cannot be absorbed within the current contribution rates, up to a maximum of 11.35%. Costs are then applied 60/40 between the employer and employee. Current member contribution rates are 9.40% of pay.

The MFPRSI provides for both an ordinary and accidental disability benefit for a member in good standing with the System. The medical board determines whether a member is medically able to perform the member’s job duties. If the member is determined to be unable to perform the member’s duties, the MFPRSI decides whether the member is eligible for an ordinary or accidental disability benefit. The compensation for an ordinary disability is 50.0% of the average final compensation, whereas the compensation for an accidental disability is 60.0% of the average final compensation.

Cities are responsible for the payment of all medical costs related to MFPRSI claims under Iowa Code section [411.15](#). Cities cannot use workers’ compensation to cover short-term indemnity or medical cost exposure. Iowa Code section [85.1\(4\)](#) states that workers’ compensation does not apply to “persons entitled to benefits pursuant to Iowa Code chapters [410](#) and 411.”

**Assumptions**

- Expanding the number of disabilities eligible for an accidental disability benefit and allowing retirees who are receiving an ordinary disability benefit and within three years of retirement to apply for an accidental disability benefit will reduce the funded ratio of the Municipal Fire and Police Retirement Fund by 0.12%, from 84.57% to 84.45%.
- Based on the most recent actuarial valuation report as of July 1, 2023, no increase in costs can be absorbed within the existing contribution rates for FY 2025. The FY 2025 employee contribution rate will need to increase from 9.40% to 9.55%, an increase of 0.15%.
- According to the MFPRSI, the total contribution rate impact of the Bill will be an increase of 0.15% to the members’ contribution rate. The provisions creating the impact include the following:
  - Allowing current ordinary disability retirees within three years of retirement to apply for an accidental disability benefit will increase the total contribution rate by 0.03%.
  - Permitting future ordinary disabilities to be treated as accidental disabilities due to the elimination of the definite time and place requirement and requiring a traceable event for mental injuries that is unusual compared to the typical experiences of police officers and fire fighters in the State will increase the total contribution rate by 0.07%.
  - A 5.0% increase in total future disabilities due to the expansion of accidental disability benefits combined with accidental disability tax advantages will increase member contribution rates by 0.5%.
- All other actuarial assumptions made by the MFPRSI for annual actuarial valuations going forward will be met.
- The MFPRSI may see an increase in administrative costs related to medical exams between approximately \$50,000 and \$100,000 in FY 2025 and \$20,000 and \$50,000 in FY 2026 and



each year thereafter. This includes the implementation and performance of mental health evaluations.

- Medical and administrative costs incurred by cities may increase for all injuries and diseases related to employment, regardless of the type of benefit received from the System.
- There are approximately seven ordinary disability retirements per year.
- Eliminating the link between medical costs and MFPRSI accidental disabilities and requiring medical cost coverage for cumulative injuries may result in additional medical costs being covered by city employers.

### **Fiscal Impact**

Administrative costs for the MFPRSI associated with performing mental health evaluations and medical exams are estimated to increase between \$50,000 and \$100,000 in FY 2025 and between \$20,000 and \$50,000 annually in FY 2026 and each year thereafter. Any increased administrative costs for the MFPRSI will be paid from the Municipal Fire and Police Retirement Fund.

The unfunded actuarial accrued liability of the Municipal Fire and Police Retirement Fund is estimated to increase by approximately \$4.6 million in FY 2025. The funded ratio will decrease from 84.57% to 84.45%.

Increasing members' contribution rate from 9.40% to 9.55% is estimated to have an annual cost of approximately \$562,000, or \$135 per employee. In subsequent fiscal years, this cost may increase based on covered payroll.

Cities under the MFPRSI are required to provide hospital, nursing, and medical attention for members of the police and fire departments. The fiscal impact of **Division I** on cities for additional medical costs cannot be determined at this time but may be significant.

### **Sources**

Iowa League of Cities  
Municipal Fire and Police Retirement System of Iowa Actuarial Valuation Report  
Municipal Fire and Police Retirement System of Iowa  
Legislative Services Agency

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## **Division II — Civil Service Evaluations — Municipal Fire and Police Retirement System — Certain Benefits**

### **Description**

**Division II** of the Bill exempts a deceased public safety officer's pension income from the individual income tax of a surviving spouse who is not disabled or 55 years of age or older.

**Division II** of the Bill is retroactive to tax years beginning on or after tax year (TY) 2024.

### **Background**

2022 Iowa Acts, [House File 2317](#) (Income Tax Rate Reduction and Exemptions Act), exempted pension and retirement income from the individual income tax if the individual is disabled or 55 years of age or older, or is the surviving spouse of an individual or is a survivor having an insurable interest in an individual, who would have qualified for the pension or retirement pay exemption. Currently, a surviving spouse or survivor with an insurable interest does not qualify for the exemption unless the surviving spouse or survivor is also disabled or at least 55 years of age.

## Assumptions

- As of 2022, the MFPRSI had approximately 9,000 members. As of 2023, the Public Safety Officers' Retirement, Accident, and Disability System (PORS) had approximately 1,300 members, while the Iowa Public Employees' Retirement System (IPERS) had approximately 404,000 members, 22 of whom are eligible to receive an exemption under the Bill for a total cost of \$397,000, or approximately \$18,000 in pension income per member. This **Fiscal Note** assumes approximately 100 members of these organizations are eligible under the Bill to receive an annual pension income exemption of \$20,000 each.
- Pension income will increase by 2.0% per year due to inflation beginning in TY 2025.
- The marginal individual income tax rate per tax year is estimated below:
  - TY 2024 = 5.0%
  - TY 2025 = 4.7%
  - TY 2026 and after = 3.9%
- The initial fiscal impact under the Bill will occur in FY 2025 from TY 2024.
- The [income surtax for schools](#) is a local option tax that is based on a taxpayer's Iowa income tax liability. Law changes that lower Iowa income tax liability also lower the amount of income surtax owed by any taxpayer subject to the surtax. For this projection, the surtax is assumed to equal 2.5% of State individual income tax liability.

## Fiscal Impact

The proposed exemptions from the individual income tax in HF 2680 are projected to decrease net individual income tax liability and State General Fund revenue by the following amounts:

- FY 2025 = \$100,000
- FY 2026 = \$96,000
- FY 2027 = \$81,000
- FY 2028 = \$83,000
- FY 2029 = \$84,000

The decrease in tax liability is also projected to decrease the statewide local option income surtax for schools by the following amounts:

- FY 2025 = \$3,000
- FY 2026 and beyond = \$2,000

## Sources

Municipal Fire and Police Retirement System in Iowa  
Iowa Public Employees' Retirement System  
Public Safety Officers' Retirement, Accident, and Disability System  
Iowa Department of Revenue  
Legislative Services Agency analysis

/s/ Jennifer Acton

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April 10, 2024

Doc ID 1448745

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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