

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

**April 17, 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="#">SF 2196</a> .....	<a href="#">S-5166</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 2368</a> .....	<a href="#">S-5165</a> .....	Filed	KERRY GRUENHAGEN
<a href="#">SF 2385</a> .....	<a href="#">S-5170</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 2410</a> .....	<a href="#">S-5169</a> .....	Filed	TOM SHIPLEY
<a href="#">HF 626</a> .....	<a href="#">S-5159</a> .....	Adopted	CHERIELYNN WESTRICH
<a href="#">HF 2545</a> .....	<a href="#">S-5161</a> .....	Adopted	BRAD ZAUN
<a href="#">HF 2545</a> .....	<a href="#">S-5163</a> .....	Lost	HERMAN C. QUIRMBACH
<a href="#">HF 2639</a> .....	<a href="#">S-5164</a> .....	Filed	CHRIS COURNOYER
<a href="#">HF 2639</a> .....	<a href="#">S-5168</a> .....	Filed	WILLIAM A. DOTZLER, JR., et al
<a href="#">HF 2673</a> .....	<a href="#">S-5160</a> .....	Adopted	JEFF EDLER
<a href="#">HF 2673</a> .....	<a href="#">S-5162</a> .....	Adopted	JEFF EDLER
<a href="#">HF 2673</a> .....	<a href="#">S-5167</a> .....	Lost	HERMAN C. QUIRMBACH

**Fiscal Notes**

[SF 2439](#) — [County Supervisor Districts](#) (LSB6387SV)

HOUSE AMENDMENT TO  
SENATE FILE 2196

S-5166

1 Amend Senate File 2196, as passed by the Senate, as follows:

2 1. Page 1, after line 11 by inserting:

3 <Sec. \_\_\_\_ . NEW SECTION. 280.13D Seizure action plan and  
4 training requirements.

5 1. For the purposes of this section, unless the context  
6 otherwise requires:

7 *a. "Individual health plan"* means the confidential, written,  
8 preplanned, and ongoing special health service developed for a  
9 student who requires such service to be incorporated with the  
10 student's educational program.

11 *b. "School nurse"* means a registered nurse holding current  
12 licensure recognized by the board of nursing who practices in  
13 the school setting to promote and protect the health of the  
14 school population by using knowledge from the nursing, social,  
15 and public health sciences.

16 *c. "School personnel"* means principals, guidance counselors,  
17 teachers, and other relevant employees who have direct contact  
18 with and supervise children, including school bus drivers and  
19 paraeducators.

20 *d. "Seizure action plan"* means a written set of instructions  
21 designed to direct caregivers and staff to intervene in the  
22 event of a seizure occurrence and is considered a plan for  
23 emergencies as a part of an individual health plan.

24 2. *a.* Starting with the school year beginning July 1,  
25 2024, the board of directors of each school district and the  
26 authorities in charge of each accredited nonpublic school shall  
27 have at least one school employee at each school who has met  
28 the training requirements necessary to administer or assist  
29 with the self-administration of all of the following:

30 (1) A medication approved by the United States food and  
31 drug administration to treat seizure disorder symptoms or  
32 a medication approved by the United States food and drug  
33 administration as a seizure rescue medication.

34 (2) A manual dose of prescribed electrical stimulation  
35 using a vagus nerve stimulator magnet approved by the United

1 States food and drug administration.

2 *b.* The presence of a school nurse employed full-time by  
3 a school district or accredited nonpublic school who assumes  
4 responsibility for the administration of seizure medications  
5 and the administration oversight of vagus nerve stimulation  
6 shall fulfill the requirements of paragraph "a". This section  
7 shall not be construed to require school personnel, other than  
8 a school nurse, to administer a suppository to a student.

9 3. *a.* On or before December 31, 2025, each public school  
10 and each accredited nonpublic school shall provide training to  
11 all school personnel on how to recognize the signs and symptoms  
12 of seizures and the appropriate steps for seizure first aid.

13 *b.* Each public school and each accredited nonpublic school  
14 shall require school personnel responsible for the supervision  
15 or care of students to undergo seizure recognition and first  
16 aid training on a biennial basis.

17 4. Any training programs or guidelines adopted by a state  
18 agency for the training of school personnel in the health care  
19 needs of students diagnosed with a seizure disorder shall be  
20 consistent with training programs and guidelines developed  
21 by the epilepsy foundation of America or any successor  
22 organization.

23 5. This section shall not be construed to limit the  
24 authority of a school district, an accredited nonpublic school,  
25 or the department of education to require additional seizure  
26 disorder training.

27 6. *a.* Prior to school personnel administering medication  
28 prescribed to treat a student's seizure disorder symptoms, a  
29 school or accredited nonpublic school shall obtain a signed and  
30 dated authorization from the student's parent or guardian that  
31 authorizes a person who meets the requirements of subsection 2  
32 to administer medication in accordance with the school's policy  
33 and procedures.

34 *b.* Authorizations required pursuant to paragraph "a" shall  
35 be effective for the school year in which the authorization is

1 granted and must be renewed each school year.

2 7. Upon the request of a student's parent or guardian,  
3 a school district or accredited nonpublic school shall  
4 collaborate with the parent or guardian and relevant licensed  
5 health care professionals, including the school nurse or  
6 education team, in the development of an individual health  
7 plan, and a seizure action plan if appropriate, consistent  
8 with rules adopted by the state board of education. The  
9 individual health plan or seizure action plan shall be based  
10 on the student's needs and may include but is not limited  
11 to assessment, nursing diagnosis, outcomes, planning,  
12 interventions, student goals, and a plan for emergencies to  
13 provide direction in managing the student's health needs. The  
14 plan shall be updated consistent with timelines for individual  
15 health plans and with rules adopted by the state board of  
16 education.

17 8. a. Each school district and each accredited nonpublic  
18 school shall maintain all authorizations pursuant to subsection  
19 6, individual health plans, and seizure action plans for  
20 enrolled students on file in the office of the school nurse or  
21 school administrator.

22 b. Each school district and each accredited nonpublic  
23 school shall distribute information regarding a student's  
24 seizure action plan to any school personnel responsible for the  
25 supervision or care of the student.

26 9. The requirements of subsections 6, 7, and 8 shall only  
27 apply to a school district or accredited nonpublic school that  
28 has either of the following:

29 a. An enrolled student with a known diagnosis of epilepsy or  
30 seizure disorder.

31 b. An enrolled student who is known to currently be taking  
32 medication prescribed by a health care provider as that term  
33 is defined in section 135.61, and approved by the United  
34 States food and drug administration to treat seizure disorder  
35 symptoms.

S-5166 (Continued)

1 10. The state board of education shall adopt rules to  
2 establish a seizure education program for the purpose of  
3 providing school districts and accredited nonpublic schools an  
4 age-appropriate program on seizures and seizure disorders. The  
5 seizure education program shall be consistent with guidelines  
6 published by the epilepsy foundation of America or any  
7 successor organization, and participation in the program shall  
8 be optional.

9 11. A school district or accredited nonpublic school, an  
10 employee of a school district or accredited nonpublic school,  
11 or an agent of a school district or accredited nonpublic  
12 school acting in good faith and in compliance with a student's  
13 individual health plan and seizure action plan shall not be  
14 liable for any claim for injuries or damages arising from  
15 actions taken to assist a student with the student's needs  
16 related to epilepsy or a seizure disorder.>

17 2. Title page, line 1, after <relating to> by inserting  
18 <school and student health care-related activities including>

19 3. Title page, line 2, by striking <exemptions> and  
20 inserting <exemptions, and school personnel training, emergency  
21 care planning, authorizations for assisting, and limitations  
22 of liability concerning students with epilepsy or a seizure  
23 disorder>

S-5166 FILED APRIL 16, 2024

SENATE FILE 2368

S-5165

1 Amend Senate File 2368 as follows:

2 1. By striking page 1, line 1, through page 2, line 7.

3 2. Page 2, by striking lines 10 through 18.

4 3. By striking page 2, line 30, through page 3, line 16.

5 4. By striking page 3, line 30, through page 4, line 8, and  
6 inserting:

7 <Sec. \_\_\_\_ . NEW SECTION. 297.24 Sale of real property to  
8 other educational institutions.>

9 5. Page 4, line 9, by striking <2.> and inserting <1.>

10 6. Page 4, by striking lines 11 through 22 and inserting  
11 <property to an educational institution.>

12 7. By striking page 4, line 23, through page 5, line 6, and  
13 inserting:

14 <2. If the board of directors of a school district offers  
15 to sell real property that contains a building or structure,  
16 and an educational institution offers to purchase such real  
17 property for a purchase price that represents the highest bid  
18 the board of directors of the school district received for  
19 the real property, then the board of directors of the school  
20 district shall sell the real property to the educational  
21 institution for such purchase price.

22 3. For purposes of this section, "*educational institution*"  
23 means all of the following:

24 a. A school district.

25 b. A nonpublic school.

26 c. A charter school established pursuant to chapter 256E.

27 d. A charter school or innovation zone school established  
28 pursuant to chapter 256F.

29 e. An institution of higher education under the control of  
30 the state board of regents.

31 f. A community college established under chapter 260C.

32 g. The state training school established under chapter 233A.

33 h. An accredited private institution as defined in section  
34 256.183.>

35 8. By striking page 5, line 9, through page 6, line 6.

1 9. Page 6, after line 15 by inserting:

2 <DIVISION \_\_\_\_  
3 CHARTER SCHOOL STUDENTS — PARTICIPATION IN ATHLETICS  
4 Sec. \_\_\_\_ . NEW SECTION. 256E.13 Students receiving  
5 instruction over the internet — participation in activities in  
6 district of residence.

7 1. A student enrolled in a charter school who receives  
8 educational instruction and course content primarily over the  
9 internet may participate in any cocurricular or extracurricular  
10 activities offered to children in the student's grade or group  
11 and sponsored by the district of residence under the same  
12 conditions and requirements as the students enrolled in the  
13 district of residence. The student may participate in not more  
14 than two cocurricular or extracurricular activities during a  
15 school year unless the resident district approves the student's  
16 participation in additional activities. The student shall  
17 comply with the eligibility, conduct, and other requirements  
18 relating to the activity that are established by the district  
19 of residence for any student who applies to participate or who  
20 is participating in the activity.

21 2. If a student participates in a cocurricular or  
22 extracurricular activity in accordance with this section,  
23 the district of residence may charge the charter school  
24 up to two hundred dollars per activity, for up to two  
25 activities. For a cocurricular activity, one semester shall  
26 equal one activity. Extracurricular activities for which a  
27 resident district may charge up to two hundred dollars per  
28 activity for up to two activities under this section include  
29 interscholastic athletics, music, drama, and any other activity  
30 with a general fund expenditure exceeding five thousand  
31 dollars annually. A student may participate in additional  
32 extracurricular activities at the discretion of the resident  
33 district. The resident district may charge the student a fee  
34 for participation in such cocurricular or extracurricular  
35 activities equivalent to the fee charged to and paid in the

1 same manner by other resident students.

2 Sec. \_\_\_\_\_. Section 280.13A, subsection 1, Code 2024, is  
3 amended to read as follows:

4 1. If a school district, ~~or nonpublic school, or charter~~  
5 school operating under section 256E.5 does not provide an  
6 interscholastic activity for its students, the board of  
7 directors of that school district, ~~or the authorities in~~  
8 charge of the nonpublic school, or governing board of the  
9 charter school may complete an agreement with another school  
10 district, ~~or nonpublic school, or charter school operating~~  
11 under section 256E.5 to provide for the eligibility of its  
12 students in interscholastic activities provided by that other  
13 school district, ~~or nonpublic school, or charter school~~. A  
14 copy of each agreement completed under this section shall be  
15 filed with the appropriate organization as organization is  
16 defined in section 280.13 not later than April 30 of the school  
17 year preceding the school year in which the agreement takes  
18 effect, unless an exception is granted by the organization  
19 for good cause. An agreement completed under this section  
20 shall be deemed approved unless denied by the organization  
21 within ten days after its receipt. The organization shall  
22 determine whether an agreement would substantially prejudice  
23 the interscholastic activities of other schools. An agreement  
24 denied by the organization under this section may be appealed  
25 to the state board of education under chapter 290.>

26 10. Title page, by striking lines 1 through 5 and inserting  
27 <An Act relating to education, including by modifying  
28 provisions related to the sale of real property by school  
29 districts, charter school board member requirements, and the  
30 participation in school activities by students enrolled in  
31 charter schools.>

32 11. By renumbering as necessary.

By KERRY GRUENHAGEN



S-5165 (Continued)

S-5165 FILED APRIL 16, 2024

HOUSE AMENDMENT TO  
SENATE FILE 2385

S-5170

1 Amend Senate File 2385, as amended, passed, and reprinted by  
2 the Senate, as follows:

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

5 <DIVISION I

6 SOIL CONSERVATION AND WATER QUALITY COMMITTEE

7 Section 1. Section 159.5, subsection 12, Code 2024, is  
8 amended to read as follows:

9 12. Create and maintain a division of soil conservation  
10 and water quality as provided in chapter 161A. The division's  
11 director shall be appointed by the secretary ~~from a list of~~  
12 ~~names of persons recommended by the soil conservation and water~~  
13 ~~quality committee, pursuant to section 161A.4,~~ and shall serve  
14 at the pleasure of the secretary. The director shall be the  
15 administrator responsible for carrying out the provisions of  
16 chapters 207 and 208.

17 Sec. 2. Section 161A.3, subsection 4, Code 2024, is amended  
18 to read as follows:

19 4. "Committee" means the state soil conservation and water  
20 quality committee established in section ~~161A.4~~ 161A.4A.

21 Sec. 3. Section 161A.4, subsections 1, 6, and 7, Code 2024,  
22 are amended to read as follows:

23 1. The division of soil conservation and water quality  
24 created within the department pursuant to section 159.5 shall  
25 perform the functions conferred upon it in this chapter and  
26 chapters 161C, 161E, 161F, 207, and 208, and 466B. ~~The division~~  
27 ~~shall be administered in accordance with the policies of the~~  
28 ~~committee, which shall advise the division and which shall~~  
29 ~~approve administrative rules proposed by the division for~~  
30 ~~the administration of this chapter and chapters 161C, 161E,~~  
31 ~~161F, 207, and 208 before the rules are adopted pursuant to~~  
32 ~~section 17A.5. If a difference exists between the committee~~  
33 ~~and secretary regarding the content of a proposed rule, the~~  
34 ~~secretary shall notify the chairperson of the committee of~~  
35 ~~the difference within thirty days from the committee's action~~

1 ~~on the rule. The secretary and the committee shall meet to~~  
2 ~~resolve the difference within thirty days after the secretary~~  
3 ~~provides the committee with notice of the difference.~~

4 6. ~~a.~~ The committee division may perform acts, hold public  
5 hearings, and propose and approve rules pursuant to chapter 17A  
6 as necessary for the execution of its functions.

7 ~~b.~~ ~~The committee shall recommend to the secretary each year~~  
8 ~~a budget for the division. The secretary, at the earliest~~  
9 ~~opportunity and prior to formulating a budget, shall meet with~~  
10 ~~representatives of the committee to discuss the committee's~~  
11 ~~recommendation.~~

12 ~~c.~~ ~~The committee shall recommend three persons to the~~  
13 ~~secretary of agriculture who shall appoint from the persons~~  
14 ~~recommended a director to head the division and serve at~~  
15 ~~the pleasure of the secretary. After reviewing the names~~  
16 ~~submitted, the secretary may request that the committee submit~~  
17 ~~additional names for consideration.~~

18 7. ~~The committee or division may call upon the attorney~~  
19 ~~general of the state for necessary legal services. The~~  
20 ~~committee may delegate to its chairperson, to one or more of~~  
21 ~~its members, or to one or more agents or employees, powers and~~  
22 ~~duties as it deems proper. Upon request of the committee, for~~  
23 ~~the purpose of carrying out any of the functions assigned the~~  
24 ~~committee or the department by law, the supervising officer~~  
25 ~~of any state agency, or of any state institution of learning~~  
26 ~~shall, insofar as possible under available appropriations,~~  
27 ~~and having due regard to the needs of the agency to which the~~  
28 ~~request is directed, assign or detail the request to the staff~~  
29 ~~or personnel of the agency or institution of learning, and~~  
30 ~~make the special reports, surveys, or studies as the committee~~  
31 ~~requests.~~

32 Sec. 4. Section 161A.4, subsections 4 and 5, Code 2024, are  
33 amended by striking the subsections.

34 Sec. 5. NEW SECTION. 161A.4A State soil conservation and  
35 water quality committee.

1 1. A state soil conservation and water quality committee  
2 is established within the department. The committee exists to  
3 provide expert advice and consultation related to technical  
4 and financial assistance programs administered by the division  
5 and promote the installation of soil and water conservation  
6 practices to the citizens of the state of Iowa.

7 a. The members of the committee shall be appointed by the  
8 secretary of agriculture and shall include the following:

9 (1) Six of the members shall be persons engaged in actual  
10 farming operations, each of whom shall be a resident of one  
11 of six different geographic regions in the state, including  
12 northwest, southwest, north central, south central, northeast,  
13 and southeast Iowa. One member shall be actively engaged in  
14 tree farming. The boundaries of the geographic regions shall  
15 be established by the department by rule.

16 (2) One member shall be an elected commissioner from a soil  
17 and water conservation district.

18 (3) One member shall be a representative of the mining  
19 industry.

20 (4) One member shall be a representative of cities and  
21 towns.

22 (5) One member shall be a representative of an organization  
23 working in conservation or outdoor recreation.

24 (6) One member shall be a representative of agribusiness.

25 (7) One member shall be a representative of an engineering  
26 or contracting business engaged in conservation work.

27 b. The following shall serve as ex officio, nonvoting  
28 members of the committee:

29 (1) The director of the Iowa cooperative extension service  
30 in agriculture and home economics, or the director's designee.

31 (2) The director of the department of natural resources, or  
32 the director's designee.

33 (3) The state conservationist for the state of Iowa of the  
34 natural resources conservation service.

35 2. a. The committee shall designate its chairperson, and

1 may change the designation. The members appointed by the  
2 secretary of agriculture shall serve for a period of two years.  
3 Members designated to represent the director of the department  
4 of natural resources and the director of the Iowa cooperative  
5 extension service in agriculture and home economics shall serve  
6 at the pleasure of the officer making the designation.

7 *b.* Members are entitled to actual expenses necessarily  
8 incurred in the discharge of their duties as members of the  
9 committee. The expenses paid to the committee members shall be  
10 paid from moneys appropriated to the department. Each member  
11 of the committee may also be eligible to receive compensation  
12 as provided in section 7E.6. The committee shall provide for  
13 the keeping of a full and accurate record of all proceedings.

14 Sec. 6. Section 161A.5, subsection 1, Code 2024, is amended  
15 to read as follows:

16 1. The one hundred soil and water conservation districts  
17 established in the manner which was prescribed by law prior to  
18 July 1, 1975 shall continue in existence with the boundaries  
19 and the names in effect on July 1, 1975. If the existence of  
20 a district so established is discontinued pursuant to section  
21 161A.10, a petition for reestablishment of the district or for  
22 annexation of the former district's territory to any other  
23 abutting district may be submitted to, and shall be acted upon  
24 by, the ~~committee~~ division in substantially the manner provided  
25 by section 467A.5, Code 1975.

26 Sec. 7. Section 161A.5, subsection 2, paragraph c, Code  
27 2024, is amended to read as follows:

28 *c.* If a commissioner is absent for sixty or more percent  
29 of monthly meetings during any twelve-month period, the other  
30 commissioners by their unanimous vote may declare the member's  
31 office vacant. A vacancy in the office of commissioner shall  
32 be filled by appointment of the ~~committee~~ remaining members  
33 of the district until the next succeeding general election,  
34 at which time the balance of the unexpired term shall be  
35 filled as provided by section 69.12. Within thirty days of

1 an appointment pursuant to this paragraph, the district shall  
2 notify the division of any change to its membership.

3 Sec. 8. Section 161A.7, subsection 1, paragraph k, Code  
4 2024, is amended to read as follows:

5 k. Subject to the approval of the ~~committee~~ division, to  
6 change the name of the soil and water conservation district.

7 Sec. 9. Section 161A.7, subsection 1, paragraph n,  
8 subparagraph (1), unnumbered paragraph 1, Code 2024, is amended  
9 to read as follows:

10 The district plan shall contain a comprehensive long-range  
11 assessment of soil and surface water resources in the district  
12 consistent with rules approved by the ~~committee~~ division under  
13 section 161A.4. In developing the plan the district may  
14 receive technical support from the United States department  
15 of agriculture natural resources conservation service and the  
16 county board of supervisors in the county where the district  
17 is located. The division and the Iowa cooperative extension  
18 service in agriculture and home economics may provide technical  
19 support to the district. The support may include but is not  
20 limited to the following:

21 Sec. 10. Section 161A.7, subsection 1, paragraph n,  
22 subparagraph (2), Code 2024, is amended to read as follows:

23 (2) The title page of the district plan and a notification  
24 stating where the plan may be reviewed shall be recorded with  
25 the recorder in the county in which the district is located,  
26 and updated as necessary, after the ~~committee~~ director of the  
27 division approves and ~~the director of the division~~ signs the  
28 district plan. The commissioners shall provide notice of the  
29 recording and may provide a copy of the approved district plan  
30 to the county board of supervisors in the county where the  
31 district is located. The district plan shall be filed with  
32 the division as part of the state soil and water resource  
33 conservation plan provided in section 161A.4.

34 Sec. 11. Section 161A.7, subsection 3, Code 2024, is amended  
35 to read as follows:

1 3. The commissioners, as a condition for the receipt of  
2 any state cost-sharing funds for permanent soil conservation  
3 practices, shall require the owner of the land on which the  
4 practices are to be established to covenant and file, in the  
5 office of the district of the county in which the land is  
6 located, an agreement identifying the particular lands upon  
7 which the practices for which state cost-sharing funds are to  
8 be received will be established, and providing that the project  
9 will not be removed, altered, or modified so as to lessen  
10 its effectiveness without the consent of the commissioners,  
11 obtained in advance and based on guidelines drawn up by the  
12 ~~committee~~ division, for a period not to exceed twenty years  
13 after the date of receiving payment. The commissioners shall  
14 assist the division in the enforcement of this subsection.  
15 The agreement does not create a lien on the land, but is a  
16 charge personally against the owner of the land at the time of  
17 removal, alteration, or modification if an administrative order  
18 is made under section 161A.61, subsection 3.

19 Sec. 12. Section 161A.10, Code 2024, is amended to read as  
20 follows:

21 **161A.10 Discontinuance of districts.**

22 1. At any time after five years after the organization of  
23 a district under this chapter, any twenty-five owners of land  
24 lying within the boundaries of the district, but in no case  
25 less than twenty percent of the owners of land lying within  
26 the district, may file a petition with the ~~committee~~ division  
27 asking that the operations of the district be terminated and  
28 the existence of the district discontinued. The ~~committee~~  
29 division may conduct public meetings and public hearings upon  
30 the petition as necessary to assist in the consideration of  
31 the petition. Within sixty days after a petition has been  
32 received by the ~~committee~~ division, the division shall give  
33 due notice of the holding of a referendum, shall supervise the  
34 referendum, and shall issue appropriate rules governing the  
35 conduct of the referendum. The question is to be submitted by

1 ballots upon which the words "For terminating the existence of  
2 the ..... (name of the soil and water conservation district to  
3 be here inserted)" and "Against terminating the existence of  
4 the ..... (name of the soil and water conservation district to  
5 be here inserted)" shall be printed, with a square before each  
6 proposition and a direction to insert an X mark in the square  
7 before one or the other of the propositions as the voter favors  
8 or opposes discontinuance of the district. All owners of lands  
9 lying within the boundaries of the district are eligible to  
10 vote in the referendum. No informalities in the conduct of  
11 the referendum or in any matters relating to the referendum  
12 invalidate the referendum or the result of the referendum if  
13 notice was given substantially as provided in this section and  
14 if the referendum was fairly conducted.

15 2. When sixty-five percent of the landowners vote to  
16 terminate the existence of the district, the ~~committee~~  
17 division shall advise the commissioners to terminate the  
18 affairs of the district. The commissioners shall dispose of  
19 all property belonging to the district at public auction and  
20 shall pay over the proceeds of the sale to be deposited into  
21 the state treasury. The commissioners shall then file an  
22 application, duly verified, with the secretary of state for the  
23 discontinuance of the district, and shall transmit with the  
24 application the certificate of the ~~committee~~ division setting  
25 forth the determination of the ~~committee~~ division that the  
26 continued operation of the district is not administratively  
27 practicable and feasible. The application shall recite that  
28 the property of the district has been disposed of and the  
29 proceeds paid over as provided in this section, and shall set  
30 forth a full accounting of the properties and proceeds of the  
31 sale. The secretary of state shall issue to the commissioners  
32 a certificate of dissolution and shall record the certificate  
33 in an appropriate book of record in the secretary of state's  
34 office.

35 3. Upon issuance of a certificate of dissolution under this



1 section, all ordinances and regulations previously adopted  
2 and in force within the districts are of no further force and  
3 effect. All contracts previously entered into, to which the  
4 district or commissioners are parties, remain in force and  
5 effect for the period provided in the contracts. The ~~committee~~  
6 division is substituted for the district or commissioners as  
7 party to the contracts. The ~~committee~~ division is entitled to  
8 all benefits and subject to all liabilities under the contracts  
9 and has the same right and liability to perform, to require  
10 performance, to sue and be sued, and to modify or terminate the  
11 contracts by mutual consent or otherwise, as the commissioners  
12 of the district would have had.

13 4. The ~~committee~~ division shall not entertain petitions for  
14 the discontinuance of any district nor conduct referenda upon  
15 discontinuance petitions nor make determinations pursuant to  
16 the petitions in accordance with this chapter, more often than  
17 once in five years.

18 Sec. 13. Section 161A.22, subsection 2, Code 2024, is  
19 amended to read as follows:

20 2. The governing body of the subdistrict, upon  
21 determination that benefits from works of improvement as set  
22 forth in the watershed work plan to be installed will exceed  
23 costs thereof, and that funds needed for purposes of the  
24 subdistrict require levy of a special benefit assessment as  
25 provided in section 161A.23, in lieu of the special annual  
26 tax as provided in section 161A.20, shall record its decision  
27 to use its taxing authority and, upon majority vote of the  
28 governing body and with the approval of the ~~committee~~ division,  
29 may issue warrants or bonds payable in not more than forty  
30 semiannual installments in connection with the special benefit  
31 assessment, and pledge and assign the proceeds of the special  
32 benefit assessment and other revenues of the subdistrict as  
33 security for the warrants or bonds. The warrants and bonds of  
34 indebtedness are general obligations of the subdistrict, exempt  
35 from all taxes, state and local, and are not indebtedness of

1 the district or the state of Iowa.

2 Sec. 14. Section 161A.42, subsection 9, paragraphs a and b,  
3 Code 2024, are amended to read as follows:

4 a. "*Permanent soil and water conservation practices*" means  
5 planting of perennial grasses, legumes, shrubs, or trees, the  
6 establishment of grassed waterways, and the construction of  
7 terraces, or other permanent soil and water practices approved  
8 by the ~~committee~~ division.

9 b. "*Temporary soil and water conservation practices*" means  
10 planting of annual or biennial crops, use of strip-cropping,  
11 contour planting, or minimum or mulch tillage, and any other  
12 cultural practices approved by the ~~committee~~ division.

13 Sec. 15. Section 161A.44, unnumbered paragraph 1, Code  
14 2024, is amended to read as follows:

15 The commissioners of each district shall, with approval  
16 of and within time limits set by administrative order of  
17 the ~~committee~~ division, adopt reasonable regulations as are  
18 deemed necessary to establish a soil loss limit or limits for  
19 the district and provide for the implementation of the limit  
20 or limits. A district may subsequently amend or repeal its  
21 regulations as it deems necessary. The ~~committee~~ division  
22 shall review the soil loss limit regulations adopted by the  
23 districts at least once every five years, and shall recommend  
24 changes in the regulations of a district which the ~~committee~~  
25 division deems necessary to assure that the district's soil  
26 loss limits are reasonable and attainable. The commissioners  
27 may:

28 Sec. 16. Section 161A.44, subsection 2, Code 2024, is  
29 amended to read as follows:

30 2. Establish different soil loss limits for different  
31 classes of land in the district if in their judgment and that  
32 of the ~~committee~~ division a lower soil loss limit should be  
33 applied to some land than can reasonably be applied to other  
34 land in the district, it being the intent of the general  
35 assembly that no land in the state be assigned a soil loss

1 limit that cannot reasonably be applied to such land.

2 Sec. 17. Section 161A.45, Code 2024, is amended to read as  
3 follows:

4 **161A.45 Submission of regulations to ~~committee~~ division —**  
5 **hearing.**

6 Regulations which the commissioners propose to adopt,  
7 amend, or repeal shall be submitted to the ~~committee~~ division,  
8 in a form prescribed by the ~~committee~~ division, for its  
9 approval. The ~~committee~~ division may approve the regulations  
10 as submitted, or with amendments as it deems necessary. The  
11 commissioners shall, after approval, publish notice of hearing  
12 on the proposed regulations, as approved, in a newspaper  
13 of general circulation in the district, setting a date and  
14 time not less than ten nor more than thirty days after the  
15 publication when a hearing on the proposed regulations will  
16 be held at a specified place. The notice shall include the  
17 full text of the proposed regulations or shall state that the  
18 proposed regulations are on file and available for review  
19 at the office of the affected soil and water conservation  
20 district.

21 Sec. 18. Section 161A.46, Code 2024, is amended to read as  
22 follows:

23 **161A.46 Conduct of hearing.**

24 At the hearing, the commissioners or their designees shall  
25 explain, in reasonable detail, the reasons why adoption,  
26 amendment, or repeal of the regulations is deemed necessary or  
27 advisable. Any landowner, or any occupant of land who would be  
28 affected by the regulations, shall be afforded an opportunity  
29 to be heard for or against the proposed regulations. At the  
30 conclusion of the hearing, the commissioners shall announce  
31 and enter of record their decision whether to adopt or modify  
32 the proposed regulations. Any modification must be approved  
33 by the ~~committee~~ division, which may at its discretion order  
34 the commissioners to republish the regulations and hold another  
35 hearing in the manner prescribed by this chapter.

1       Sec. 19. Section 161A.71, subsections 1 and 4, Code 2024,  
2 are amended to read as follows:

3       1. The division may establish a conservation practices  
4 revolving loan fund composed of any money appropriated by the  
5 general assembly for that purpose, and of any other moneys  
6 available to and obtained or accepted by the ~~committee~~ division  
7 from the federal government or private sources for placement  
8 in that fund. Except as otherwise provided by subsection 3,  
9 the assets of the conservation practices revolving loan fund  
10 shall be used only to make loans directly to owners of land in  
11 this state for the purpose of establishing on that land any  
12 new permanent soil and water conservation practice which the  
13 commissioners of the soil and water conservation district in  
14 which the land is located have found is necessary or advisable  
15 to meet the soil loss limits established for that land. A  
16 loan shall not be made for establishing a permanent soil and  
17 water conservation practice on land that is subject to the  
18 restriction on state cost-sharing funds of section 161A.76.  
19 Revolving loan funds and public cost-sharing funds may be  
20 used in combination for funding a particular soil and water  
21 conservation practice. Each loan made under this section  
22 shall be for a period not to exceed ten years, shall bear no  
23 interest, and shall be repayable to the conservation practices  
24 revolving loan fund in equal yearly installments due March 1 of  
25 each year the loan is in effect. The interest rate upon loans  
26 for which payment is delinquent shall accelerate immediately to  
27 the current legal usury limit. Applicants are eligible for no  
28 more than twenty thousand dollars in loans outstanding at any  
29 time under this program. "*Permanent soil and water conservation*  
30 *practices*" has the same meaning as defined in section 161A.42  
31 and those established under this program are subject to the  
32 requirements of section 161A.7, subsection 3. Loans made under  
33 this program shall come due for payment upon sale of the land  
34 on which those practices are established.

35       4. This section does not negate the provisions of

1 section 161A.48 that an owner or occupant of land in this  
2 state shall not be required to establish any new soil and  
3 water conservation practice unless public cost-sharing  
4 funds have been approved and are available for the land  
5 affected. However, the owner of land with respect to which an  
6 administrative order to establish soil and water conservation  
7 practices has been issued under section 161A.47 but not  
8 complied with for lack of public cost-sharing funds, may waive  
9 the right to await availability of such funds and instead apply  
10 for a loan under this section to establish any permanent soil  
11 and water conservation practices necessary to comply with the  
12 order. If a landowner does so, that loan application shall be  
13 given reasonable preference by the ~~committee~~ division if there  
14 are applications for more loans under this section than can be  
15 made from the money available in the conservation practices  
16 revolving loan fund. If it is found necessary to deny an  
17 application for a soil and water conservation practices loan to  
18 a landowner who has waived the right to availability of public  
19 cost-sharing funds before complying with an administrative  
20 order issued under section 161A.47, the landowner's waiver is  
21 void.

22 Sec. 20. Section 161A.71, subsection 3, paragraph a, Code  
23 2024, is amended to read as follows:

24 a. Contract, sue and be sued, and promulgate administrative  
25 rules necessary to carry out the provisions of this section,  
26 but the ~~committee~~ division shall not in any manner directly or  
27 indirectly pledge the credit of the state of Iowa.

28 Sec. 21. Section 161A.72, subsection 1, Code 2024, is  
29 amended to read as follows:

30 1. Financial incentives provided under this chapter shall  
31 be administered by the division. The incentives shall be  
32 supported with funds appropriated by the general assembly,  
33 and moneys available to or obtained by the division ~~or the~~  
34 ~~committee~~ from public or private sources, including but  
35 not limited to the United States, other states, or private

1 organizations. The division shall adopt all rules consistent  
2 with chapter 17A necessary to carry out the purpose of this  
3 subchapter as provided in section 161A.70.

4 Sec. 22. Section 161A.74, subsection 1, paragraph a, Code  
5 2024, is amended to read as follows:

6 a. The financial incentives shall not exceed more than fifty  
7 percent of the estimated cost of establishing the practices  
8 as determined by the commissioners, or fifty percent of the  
9 actual cost of establishing the practices, whichever is less.  
10 However, the commissioners may allocate an amount determined  
11 by the ~~committee~~ division for management of soil and water  
12 conservation practices, except as otherwise provided regarding  
13 land classified as agricultural land under conservation cover.

14 Sec. 23. Section 161A.74, subsection 2, Code 2024, is  
15 amended to read as follows:

16 2. The ~~committee~~ division shall review requirements of this  
17 section once each year. The ~~committee~~ division may authorize  
18 commissioners in districts to condition the establishment of a  
19 mandatory soil and water conservation practice in a specific  
20 case on a higher proportion of public cost-sharing than is  
21 required by this section. The commissioners shall determine  
22 the amount of cost-sharing moneys allocated to establish a  
23 specific soil and water conservation practice in accordance  
24 with an administrative order issued pursuant to section 161A.47  
25 by considering the extent to which the practice will contribute  
26 benefits to the individual owner or occupant of the land on  
27 which the practice is to be established.

28 Sec. 24. Section 161A.75, subsection 3, Code 2024, is  
29 amended to read as follows:

30 3. Following the disaster emergency, the commissioners  
31 shall submit a report to the ~~committee~~ division providing  
32 information regarding restoration projects and moneys allocated  
33 under this section for the projects.

34 Sec. 25. Section 161C.1, subsection 1, Code 2024, is amended  
35 by striking the subsection.

1     Sec. 26. Section 161C.4, subsection 1, Code 2024, is amended  
2 to read as follows:

3     1. A water protection fund is created within the division.  
4 The fund is composed of money appropriated by the general  
5 assembly for that purpose, and moneys available to and obtained  
6 or accepted by the ~~committee~~ division from the United States or  
7 private sources for placement in the fund. The fund shall be a  
8 revolving fund from which moneys may be used for loans, grants,  
9 administrative costs, and cost-sharing.

10    Sec. 27. Section 161C.4, subsection 3, paragraph a, Code  
11 2024, is amended to read as follows:

12    a. Contract, sue and be sued, and adopt rules necessary to  
13 carry out the provisions of this section, but the division ~~or~~  
14 ~~committee~~ shall not in any manner directly or indirectly pledge  
15 the credit of this state.

16    Sec. 28. Section 207.2, subsection 2, Code 2024, is amended  
17 by striking the subsection.

18    Sec. 29. Section 207.3, subsections 2, 3, and 4, Code 2024,  
19 are amended to read as follows:

20    2. The division may, ~~after notification to the committee,~~  
21 commence proceedings to suspend, revoke, or refuse to renew a  
22 license of a licensee for repeated or willful violation of any  
23 of the provisions of this chapter or of the federal Coal Mine  
24 Health and Safety Act of 1969, 30 U.S.C. §801 et seq.

25    3. The hearing shall be held pursuant to chapter 17A not  
26 less than fifteen nor more than thirty days after the mailing  
27 or service of the notice. If the licensee is found to have  
28 willfully or repeatedly violated any of the provisions of this  
29 chapter or of the federal Coal Mine Health and Safety Act of  
30 1969, 30 U.S.C. §801 et seq., the ~~committee~~ division may affirm  
31 or modify the proposed suspension, revocation, or refusal to  
32 renew the license.

33    4. Suspension or revocation of a license shall become  
34 effective thirty days after the mailing or service of the  
35 decision to the licensee. If the ~~committee~~ division finds

1 the license should not be renewed, the renewal fee shall be  
2 refunded and the license shall expire on the expiration date  
3 or thirty days after mailing or service of the decision to the  
4 licensee, whichever is later.

5 Sec. 30. Section 207.9, subsection 5, Code 2024, is amended  
6 to read as follows:

7 5. Within sixty days a person having an interest which is  
8 or may be adversely affected may appeal to ~~the committee~~ the  
9 decision of the division granting or denying a permit as a  
10 contested case under chapter 17A.

11 Sec. 31. Section 207.14, subsection 4, paragraph a, Code  
12 2024, is amended to read as follows:

13 a. A permittee may request in writing an appeal to the  
14 ~~committee~~ division of a decision made in a hearing under  
15 subsection 3 within thirty days of the decision. The ~~committee~~  
16 division shall review the record made in the contested case  
17 hearing, and may hear additional evidence upon a showing of  
18 good cause for failure to present the evidence in the hearing,  
19 or if evidence concerning events occurring after the hearing  
20 is deemed relevant to the proceeding. However, the ~~committee~~  
21 division shall not review a decision in a proceeding if the  
22 division seeks to collect a civil penalty pursuant to section  
23 207.15, and those decisions are final agency actions subject to  
24 direct judicial review as provided in chapter 17A.

25 Sec. 32. Section 207.14, subsection 5, Code 2024, is amended  
26 to read as follows:

27 5. In any administrative proceeding under this chapter  
28 or judicial review, the amount of all reasonable costs and  
29 expenses, including reasonable attorney fees incurred by a  
30 person in connection with the person's participation in the  
31 proceedings or judicial review, may be assessed against either  
32 party as the court in judicial review or the ~~committee~~ division  
33 in administrative proceedings deems proper.

34 Sec. 33. Section 207.14, subsection 7, paragraph a, Code  
35 2024, is amended to read as follows:



1     a. A permittee issued a notice or order under this section  
2 or any person having an interest which is or may be adversely  
3 affected by the notice or order or by its modification,  
4 vacation, or termination may apply to the ~~committee~~ division  
5 for review within thirty days of receipt of the notice or  
6 order or within thirty days of its modification, vacation, or  
7 termination. The review shall be treated as a contested case  
8 under chapter 17A.

9     Sec. 34. Section 207.14, subsection 7, paragraph c,  
10 subparagraph (2), Code 2024, is amended to read as follows:

11     (2) The applicant shows that there is substantial  
12 likelihood that the findings of the ~~committee~~ division will be  
13 favorable to the applicant.

14     Sec. 35. Section 208.2, subsection 3, Code 2024, is amended  
15 by striking the subsection.

16     Sec. 36. Section 208.8, subsections 2, 4, 5, and 6, Code  
17 2024, are amended to read as follows:

18     2. The division shall, by certified mail or personal  
19 service, serve on the operator notice in writing of the charges  
20 and grounds upon which the license is to be suspended, revoked,  
21 or will not be issued. The notice shall include the time  
22 and the place at which a hearing shall be held before the  
23 ~~committee, a subcommittee appointed by the committee, or the~~  
24 ~~committee's designee,~~ division to determine whether to suspend,  
25 revoke, or refuse to issue the license. The hearing shall  
26 be not less than fifteen nor more than thirty days after the  
27 mailing or service of the notice.

28     4. If after full investigation and hearing the operator  
29 is found to have willfully or repeatedly violated any of the  
30 provisions of this chapter, the ~~committee or subcommittee~~  
31 division may affirm or modify the proposed suspension,  
32 revocation, or refusal to issue the license.

33     5. When the ~~committee or subcommittee~~ division finds that  
34 a license should be suspended or revoked or should not be  
35 issued, the division shall so notify the operator in writing by

1 certified mail or by personal service.

2     *a.* The suspension or revocation of a license shall become  
3 effective thirty days after notice to the operator.

4     *b.* If the license or renewal fee has been paid and the  
5 ~~committee or subcommittee~~ division finds that the license  
6 should not be issued, then the license shall expire thirty days  
7 after notice to the operator.

8     6. An action by the ~~committee or subcommittee~~ division  
9 to affirm or modify the proposed suspension, revocation, or  
10 refusal to issue a license constitutes a final agency action  
11 for purposes of judicial review pursuant to section 208.11 and  
12 chapter 17A.

13     Sec. 37. Section 208.9, subsection 3, Code 2024, is amended  
14 to read as follows:

15     3. The division shall automatically invalidate all  
16 registrations of an operator who fails to renew the operator's  
17 mining license within a time period set by the division,  
18 who has been denied license renewal by the ~~committee or~~  
19 ~~subcommittee~~ division, or whose license has been suspended or  
20 revoked by the ~~committee or subcommittee~~ division.

21     Sec. 38. Section 208.11, Code 2024, is amended to read as  
22 follows:

23     **208.11 Judicial review.**

24     Judicial review of the action of the ~~committee or~~ division  
25 may be sought in accordance with the terms of the Iowa  
26 administrative procedure Act, chapter 17A.

27     Sec. 39. Section 460.303, subsection 1, Code 2024, is  
28 amended to read as follows:

29     1. An agricultural drainage well water quality assistance  
30 fund is created in the state treasury under the control of  
31 the division. The fund is composed of moneys appropriated by  
32 the general assembly, and moneys available to and obtained or  
33 accepted by the division ~~or the state soil conservation and~~  
34 ~~water quality committee established in section 161A.4,~~ from the  
35 United States or private sources for placement in the fund.

1 Sec. 40. Section 461.11, subsection 1, Code 2024, is amended  
2 to read as follows:

3 1. When making decisions regarding the expenditure of  
4 trust fund moneys affecting soil and water conservation, the  
5 secretary of agriculture shall regularly consult with the soil  
6 conservation and water quality committee established in section  
7 ~~161A.4~~ 161A.4A. When making decisions regarding the expenditure  
8 of trust fund moneys affecting natural resources and outdoor  
9 recreation, the director of the department of natural resources  
10 shall regularly consult with the natural resource commission  
11 established pursuant to section 455A.5. When making decisions  
12 regarding the expenditure of trust fund moneys affecting  
13 trails, the department of transportation shall consult with the  
14 state transportation commission as provided in chapter 307A.

15 DIVISION II

16 PROFESSIONAL LAND SURVEYORS — LICENSING

17 Sec. 41. REPEAL. Section 542B.20, Code 2024, is repealed.

18 Sec. 42. TRANSITION PROVISIONS. A license issued pursuant  
19 to section 542B.20, Code 2024, prior to the effective date of  
20 this division of this Act shall continue in full force and  
21 effect until expiration or until suspension or revocation by  
22 the engineering and land surveying examining board pursuant to  
23 section 542B.21.

24 DIVISION III

25 ESTABLISHMENT AND REVIEW OF BOARDS, COMMISSIONS, COMMITTEES,  
26 AND COUNCILS

27 Sec. 43. NEW SECTION. **4A.1 Definitions.**

28 As used in this chapter, unless the context otherwise  
29 requires:

30 1. "Board" means any board, commission, committee, council,  
31 panel, review team, or foundation of this state.

32 2. "Committee" means the state government efficiency review  
33 committee established pursuant to this chapter.

34 3. "Nonhealth profession" means a profession regulated by  
35 this state other than as provided in Title IV, subtitle 3.

1 4. *“Regulated health profession”* means a profession  
2 regulated pursuant to Title IV, subtitle 3.

3 5. *“Unregulated health profession”* means a profession  
4 pursuant to Title IV, subtitle 3, that is not regulated by any  
5 entity of this state.

6 6. *“Unregulated nonhealth profession”* means a profession  
7 that is not regulated by any entity of this state and is not an  
8 unregulated health profession.

9 Sec. 44. NEW SECTION. **4A.2 Committee — duties.**

10 1. The committee shall carry out the functions provided in  
11 this chapter.

12 2. Administrative assistance shall be provided by the  
13 legislative services agency.

14 Sec. 45. NEW SECTION. **4A.3 Board reviews.**

15 1. The committee shall review the usefulness, performance,  
16 and efficacy of each board as provided in subsection 2. After  
17 completing a review, the committee shall prepare and publish  
18 a report of its findings and recommendations as provided in  
19 section 4A.4.

20 2. The committee shall establish a schedule for the  
21 committee to review each board such that the committee reviews  
22 approximately one-fourth of all boards each calendar year.  
23 Each board shall be reviewed once between the calendar years  
24 2025 and 2029, and once every four years thereafter. The  
25 committee may modify the schedule as necessary to facilitate  
26 the efficient administration of the committee.

27 3. A board that is scheduled for review shall submit a  
28 report to the committee thirty days prior to the date that it  
29 is scheduled for review that includes but is not limited to all  
30 of the following:

31 a. The board’s primary purpose and its goals and objectives.

32 b. The board’s past and anticipated workload, the number of  
33 staff required to complete that workload, and the board’s total  
34 number of staff.

35 c. The board’s past and anticipated budgets and its sources

1 of funding.

2 *d.* The number of members that compose the governing board or  
3 other governing entity of the board and member compensation,  
4 if any.

5 4. A board subject to review shall bear the burden of  
6 demonstrating to the committee a public need for its continued  
7 existence. In determining whether a board has met that burden,  
8 the committee shall consider the following, as applicable,  
9 in addition to any other information deemed relevant by the  
10 committee:

11 *a.* Whether continuation of the board is necessary to protect  
12 the health or safety of the public, and if so, whether the  
13 board's authority is narrowly tailored to protect against  
14 present, recognizable, and significant harms to the health or  
15 safety of the public.

16 *b.* Whether the public could be protected or served in an  
17 alternate or less restrictive manner.

18 *c.* Whether rules adopted by the board are consistent with  
19 the legislative mandate of the board as expressed in the  
20 statutes that created and empowered the board.

21 *d.* The extent to which the board's jurisdiction and programs  
22 overlap or duplicate those of other boards, the extent to which  
23 the board coordinates with those other boards, and the extent  
24 to which the board's programs could be consolidated with the  
25 programs of other state departments or boards.

26 *e.* The number of other states that regulate the occupation,  
27 whether a license is required to engage in the occupation in  
28 other states, whether the initial licensing and license renewal  
29 requirements for the occupation are substantially equivalent  
30 in every state, and the amount of regulation exercised by the  
31 board compared to the regulation, if any, in other states.

32 *f.* Whether the board recognizes national uniform licensure  
33 requirements for the occupation.

34 *g.* Whether private contractors could be used, in an  
35 effective and efficient manner, either to assist the board in

1 the performance of its duties or to perform the board's duties  
2 in place of the board.

3 *h.* The cost-effectiveness of the board in terms of the  
4 number of employees, services rendered, and administrative  
5 costs incurred, both past and present.

6 *i.* The efficiency with which formal public complaints filed  
7 with the board have been processed to completion.

8 *j.* Whether the purpose for which the board was created has  
9 been fulfilled, has changed, or no longer exists.

10 *k.* Whether federal law requires that the board exist in some  
11 form.

12 *l.* Whether the requirement for an occupational license  
13 is consistent with the principles expressed in section 4A.4,  
14 subsection 2, serves the public health or safety, and provides  
15 the least restrictive form of regulation that adequately  
16 protects the public health or safety.

17 *m.* The extent to which licensing ensures that practitioners  
18 have occupational skill sets or competencies that are  
19 substantially related to protecting consumers from present,  
20 significant, and substantiated harms that threaten the public  
21 health or safety, and the impact that those criteria have on  
22 applicants for a license, particularly those with moderate or  
23 low incomes, seeking to enter the occupation or profession.

24 *n.* The extent to which the requirement for the occupational  
25 license stimulates or restricts competition, affects consumer  
26 choice, and affects the cost of services.

27 Sec. 46. NEW SECTION. **4A.4 Reports.**

28 1. After completing a review of a board pursuant to section  
29 4A.3, the committee shall prepare and submit a report of its  
30 findings and recommendations by December 21 of each year.

31 A report may include findings and recommendations for more  
32 than one board. Copies of the report shall be submitted  
33 to the president of the senate, the speaker of the house  
34 of representatives, the governor, and each affected board,  
35 and shall be made publicly available on the internet site

1 of the general assembly. The committee shall present its  
2 recommendations to the general assembly.

3 2. Recommendations of the committee shall indicate how or  
4 whether implementation of the recommendations would do each of  
5 the following:

6 a. Improve efficiency in the management of state government.

7 b. Improve services rendered to citizens of the state.

8 c. Provide for the least restrictive regulations by  
9 repealing current regulations and replacing them with less  
10 restrictive regulations that adequately protect the public.

11 d. Improve the effectiveness of the services performed by  
12 the boards of the state.

13 e. Avoid duplication of effort by state agencies or boards.

14 Sec. 47. NEW SECTION. **4A.5 Boards and governmental entities**  
15 **— dissolution.**

16 1. Except as provided in subsection 2, a board established  
17 by an Act of the general assembly after the effective date of  
18 this division of this Act shall dissolve four years after the  
19 establishment of the board, unless the Act establishing the  
20 board expressly states an alternative dissolution date.

21 2. An Act of the general assembly establishing a board for  
22 the exclusive purpose of providing advice or recommendations  
23 after the effective date of this division of this Act shall  
24 include a dissolution date of the board not more than two years  
25 after the establishment of the board.

26 Sec. 48. NEW SECTION. **4A.6 State government efficiency**  
27 **review committee established.**

28 1. A state government efficiency review committee is  
29 established which shall meet as necessary to efficiently  
30 review all boards according to the schedule established by the  
31 committee pursuant to section 4A.3.

32 2. a. The committee shall consist of two members of the  
33 senate appointed by the majority leader of the senate, one  
34 member of the senate appointed by the minority leader of the  
35 senate, two members of the house of representatives appointed

1 by the speaker of the house of representatives, one member of  
2 the house of representatives appointed by the minority leader  
3 of the house of representatives, an employee of the office  
4 of the governor appointed by the governor, the director of  
5 the department of management or the director's designee, and  
6 the director of the department of inspections, appeals, and  
7 licensing, or the director's designee.

8     *b.* Members shall be appointed prior to January 31 of the  
9 first regular session of each general assembly and shall serve  
10 for terms ending upon the convening of the following general  
11 assembly or when their successors are appointed, whichever is  
12 later. A vacancy shall be filled in the same manner as the  
13 original appointment and shall be for the remainder of the  
14 unexpired term of the vacancy.

15     *c.* The committee shall elect a chairperson and vice  
16 chairperson.

17     3. The legislative members of the committee shall be  
18 reimbursed for actual and necessary expenses incurred in the  
19 performance of their duties and shall be paid a per diem as  
20 specified in section 2.10 for each day in which they engaged  
21 in the performance of their duties. However, per diem  
22 compensation and expenses shall not be paid to members of the  
23 general assembly when the general assembly is actually in  
24 session at the seat of government. Expenses and per diem shall  
25 be paid from moneys appropriated pursuant to section 2.12.

26     4. Administrative assistance shall be provided by the  
27 legislative services agency.

28     Sec. 49. NEW SECTION. **4A.7 Regulation of unregulated health**  
29 **professions.**

30     1. An unregulated health profession shall not be subject  
31 to regulation by any entity of this state for the purpose of  
32 prohibiting competition but may be subject to such regulation  
33 only for the exclusive purpose of protecting the public health  
34 or safety. All proposed legislation to create a board or  
35 commission to regulate an unregulated health profession shall



1 be reviewed by the general assembly to determine that all of  
2 the following conditions are met:

3     *a.* There is credible evidence that the unregulated practice  
4 of the unregulated health profession will clearly harm or  
5 endanger the public health or safety and the potential for harm  
6 is easily recognizable and not remote.

7     *b.* The public needs and can reasonably be expected  
8 to benefit from an assurance of initial and continuing  
9 professional ability.

10     2. Prior to considering proposed legislation to create  
11 a board or commission to regulate an unregulated health  
12 profession for passage to the floor of the senate or the  
13 house of representatives, a legislative standing committee to  
14 which proposed legislation to create a board or commission to  
15 regulate an unregulated health profession has been referred  
16 shall consider whether the conditions in subsection 1 have been  
17 met. If the committee finds that the conditions in subsection  
18 1 have been met, the committee shall consider whether the  
19 legislation is the least restrictive method of regulation, that  
20 adequately protects the public, to address the specific harm or  
21 danger identified in this subsection.

22     3. The legislative standing committee shall submit its  
23 findings regarding whether the proposed legislation meets  
24 the conditions in subsections 1 and 2 to the president of  
25 the senate or the speaker of the house of representatives,  
26 as applicable, who shall make the findings available to each  
27 member of the general assembly on the internet site of the  
28 general assembly.

29     4. This section does not allow a person to practice an  
30 unregulated health profession if the profession includes  
31 practices within the scope of practice of an existing regulated  
32 health profession.

33     Sec. 50. NEW SECTION. **4A.8 Proposed regulation of**  
34 **unregulated health professions — written reports.**

35     1. A member of the general assembly introducing proposed

1 legislation to create a board or commission to regulate an  
2 unregulated health profession shall submit with the legislation  
3 a report addressing the requirements contained in subsection 2.  
4 The report shall be submitted to the president of the senate  
5 or the speaker of the house of representatives, as applicable,  
6 prior to full consideration of the legislation by the senate or  
7 the house of representatives and made available on the internet  
8 site of the general assembly.

9     2. The report must address, at a minimum, all of the  
10 following and identify the source of all information contained  
11 in the report:

12     *a.* Why regulation is necessary, including the nature of the  
13 proven harm to the public if the unregulated health profession  
14 is not regulated and the extent to which there is a threat to  
15 the public health or safety.

16     *b.* The efforts made to address the problem the legislation  
17 is intended to solve.

18     *c.* The alternatives considered, including all of the  
19 following:

20         (1) Regulation of business employers or practitioners  
21 rather than employee practitioners.

22         (2) Voluntary efforts to regulate the profession.

23         (3) Registration of all practitioners.

24         (4) Certification of all practitioners.

25         (5) If licensing is sought, why licensing would serve to  
26 protect the public health or safety.

27     *d.* The benefit to the public health or safety if regulation  
28 is granted, including all of the following:

29         (1) The extent to which the incidence of specific problems  
30 present in the unregulated health profession can reasonably be  
31 expected to be reduced by regulation.

32         (2) The extent to which qualified practitioners are  
33 competent, including all of the following:

34             (a) The nature of the standards proposed for registration,  
35 certification, or licensure as compared with the standards in

1 other jurisdictions.

2 (b) Whether the proposed regulatory entity would be  
3 authorized to enter into reciprocity agreements with other  
4 jurisdictions.

5 (c) The nature and duration of any training and experience  
6 required, whether applicants will be required to pass an  
7 examination, and whether there will be alternative methods to  
8 enter the health profession.

9 (3) Assurances to the public that practitioners have  
10 maintained their competence, including all of the following:

11 (a) Whether a registration, certificate, or license will  
12 include an expiration date.

13 (b) Whether the renewal of a registration, certificate,  
14 or license will be based only on payment of a fee or whether  
15 renewal will involve reexamination, peer review, or other  
16 enforcement.

17 e. The maintenance of professional standards, including all  
18 of the following:

19 (1) Whether effective quality assurance standards exist  
20 in the profession such as legal requirements associated with  
21 specific programs that define or enforce standards or a code  
22 of ethics.

23 (2) How the proposed legislation will ensure quality,  
24 including whether a code of ethics will be adopted and the  
25 grounds for suspension or revocation of a registration,  
26 certificate, or license.

27 f. A description of the group proposed for regulation,  
28 including a list of associations, organizations, and other  
29 professional groups representing practitioners in this state,  
30 an estimate of the number of practitioners in each professional  
31 group, and whether the professional groups represent different  
32 levels of practice.

33 g. The expected costs of regulation, including the impact of  
34 costs on the public and costs imposed on this state.

35 Sec. 51. NEW SECTION. 4A.9 Regulation of unregulated

1 **nonhealth professions.**

2 1. An unregulated nonhealth profession shall not be  
3 regulated except for the exclusive purpose of protecting the  
4 public health or safety. All proposed legislation to create  
5 a board or commission to regulate an unregulated nonhealth  
6 profession shall be reviewed by the legislative standing  
7 committee to which the proposed legislation is referred to  
8 ensure that all of the following requirements are met:

9 a. The unregulated practice of the nonhealth profession can  
10 clearly harm the public health or safety.

11 b. The actual or anticipated public benefit of the  
12 regulation clearly exceeds the costs imposed by the regulation  
13 on consumers, businesses, and individuals.

14 c. The public cannot be effectively protected by private  
15 certification or other alternatives.

16 2. If a legislative standing committee finds that the  
17 proposed legislation satisfies the conditions in subsection  
18 1, the committee shall examine data from multiple sources and  
19 shall consider evidence of actual harm to the public related  
20 to the unregulated nonhealth profession being considered for  
21 regulation. The evidence may include industry association  
22 data; federal, state, and local government data; business  
23 reports; complaints to law enforcement, relevant state  
24 agencies, and the better business bureau; and data from  
25 agencies in other states with and without similar systems of  
26 regulation.

27 3. If, after consideration of evidence pursuant to  
28 subsection 2, the legislative standing committee finds that it  
29 is necessary to create a board or commission to regulate an  
30 unregulated nonhealth profession, the committee shall review  
31 the proposed legislation to determine whether it is the least  
32 restrictive regulation necessary to adequately protect the  
33 public and whether the regulation protects a discrete interest  
34 group from economic competition.

35 4. The legislative standing committee shall submit its

1 findings regarding whether the proposed legislation meets the  
2 requirements of subsections 1, 2, and 3, to the president of  
3 the senate or the speaker of the house of representatives,  
4 as applicable, who shall make the findings available to each  
5 member of the general assembly on the internet site of the  
6 general assembly.

7 5. This section does not allow a person to practice an  
8 unregulated nonhealth profession if the profession includes  
9 practices within the scope of practice of an existing regulated  
10 nonhealth profession.

11 **Sec. 52. NEW SECTION. 4A.10 Proposed regulation of**  
12 **unregulated nonhealth professions — written reports.**

13 1. A member of the general assembly introducing legislation  
14 to regulate an unregulated nonhealth profession shall submit  
15 with the legislation a report addressing the requirements  
16 contained in subsection 2. The report shall be submitted to  
17 the president of the senate or the speaker of the house of  
18 representatives, as applicable, prior to full consideration of  
19 the legislation by the senate or the house of representatives  
20 and made available on the internet site of the general  
21 assembly.

22 2. The report must address all of the following and identify  
23 the source of all information contained in the report:

24 a. Why regulation is necessary including what particular  
25 problem regulation would address.

26 b. The alternatives considered.

27 c. The benefit to the public health or safety of regulating  
28 the profession.

29 d. The extent to which regulation might harm the public.

30 e. The maintenance of professional standards, including all  
31 of the following:

32 (1) Whether effective quality assurance standards exist  
33 in the profession such as legal requirements associated with  
34 specific programs that define or enforce standards or a code  
35 of ethics.

1 (2) How the proposed legislation will assure quality  
2 including the extent to which a code of ethics will be  
3 adopted and the grounds for the suspension or revocation of a  
4 registration, certificate, or license.

5 f. A description of the profession proposed for regulation,  
6 including a list of associations, organizations, and other  
7 professional groups representing practitioners in this state,  
8 an estimate of the number of practitioners in each profession,  
9 and whether the professional groups represent different levels  
10 of practice.

11 g. The expected costs of regulation, including the impact of  
12 costs on the public and costs imposed on this state.

13 Sec. 54. REPEAL. Sections 2.69 and 3.20, Code 2024, are  
14 repealed.

15 Sec. 55. CODE EDITOR DIRECTIVE — TRANSFERS.

16 1. The Code editor is directed to make the following  
17 transfers:

18 a. Section 69.15 to section 4A.11.

19 b. Section 69.16 to section 4A.12.

20 c. Section 69.16B to section 4A.13.

21 d. Section 69.16C to section 4A.14.

22 e. Section 69.16D to section 4A.15.

23 f. Section 69.16E to section 4A.16.

24 g. Section 69.17 to section 4A.17.

25 2. The Code editor shall correct internal references in the  
26 Code and in any enacted legislation as necessary due to the  
27 enactment of this section.

28 DIVISION IV

29 PROFESSIONAL BOARDS

30 Sec. 56. Section 10A.503, subsection 1, Code 2024, is  
31 amended to read as follows:

32 1. Each board under chapter 100C, 103, 103A, 105, or 147  
33 that is under the administrative authority of the department  
34 shall receive ~~administrative and clerical~~ staff support from  
35 the department and may not employ its own support staff ~~for~~

1 ~~administrative and clerical duties. The executive director~~  
2 ~~of the board of nursing, board of medicine, dental board,~~  
3 ~~and board of pharmacy shall be appointed pursuant to section~~  
4 ~~10A.504.~~

5 Sec. 57. Section 10A.504, subsection 1, unnumbered  
6 paragraph 1, Code 2024, is amended to read as follows:

7 The director shall appoint and supervise ~~a full-time~~ an  
8 executive director for each of the following boards:

9 Sec. 58. Section 103.4, Code 2024, is amended to read as  
10 follows:

11 **103.4 ~~Executive secretary — staff and duties~~ Support staff.**

12 The director shall ~~appoint an executive secretary for the~~  
13 ~~board and shall hire and provide staff to assist the board~~  
14 ~~in administering this chapter. The executive secretary~~  
15 ~~shall report to the director for purposes of routine board~~  
16 ~~administrative functions, and shall report directly to~~  
17 ~~the board for purposes of execution of board policy such~~  
18 ~~as application of licensing criteria and processing of~~  
19 ~~applications.~~

20 Sec. 59. Section 103.34, subsection 1, Code 2024, is amended  
21 to read as follows:

22 1. Upon receipt of a notice of appeal filed pursuant  
23 to section 103.33, the chairperson or ~~executive secretary~~  
24 administrative staff of the board may designate a hearing  
25 officer from among the board members to hear the appeal or  
26 may set the matter for hearing before the full board at its  
27 next regular meeting. A majority of the board shall make the  
28 decision.

29 Sec. 60. Section 147.80, subsection 3, Code 2024, is amended  
30 by striking the subsection.

31 Sec. 61. Section 147.87, Code 2024, is amended to read as  
32 follows:

33 **147.87 Enforcement.**

34 1. A board shall enforce the provisions of this chapter and  
35 the board's enabling statute and for that purpose may request

1 the department of inspections, appeals, and licensing to make  
2 necessary investigations. Every licensee and member of a board  
3 shall furnish the board or the department of inspections,  
4 appeals, and licensing such evidence as the member or licensee  
5 may have relative to any alleged violation which is being  
6 investigated.

7 2. The department of inspections, appeals, and licensing  
8 may administratively close a complaint that does not allege a  
9 violation of this chapter, the board's enabling statute, or a  
10 rule of the board.

11 Sec. 62. Section 147.88, Code 2024, is amended to read as  
12 follows:

13 **147.88 Inspections and investigations.**

14 The department of inspections, appeals, and licensing may  
15 perform inspections and investigations as required by this  
16 subtitle, ~~except inspections and investigations for the board~~  
17 ~~of medicine, board of pharmacy, board of nursing, and the~~  
18 ~~dental board. The department of inspections, appeals, and~~  
19 ~~licensing shall employ personnel related to the inspection and~~  
20 ~~investigative functions.~~

21 Sec. 63. Section 152.2, Code 2024, is amended to read as  
22 follows:

23 **152.2 Executive director.**

24 ~~The board shall retain a full-time~~ An executive director,  
25 ~~who~~ shall be appointed pursuant to section 10A.504. The  
26 executive director shall be a registered nurse. The governor,  
27 with the approval of the executive council pursuant to section  
28 8A.413, subsection 3, under the pay plan for exempt positions  
29 in the executive branch of government, shall set the salary of  
30 the executive director.

31 Sec. 64. Section 152E.2, Code 2024, is amended to read as  
32 follows:

33 **152E.2 Compact administrator.**

34 ~~The executive director of the board of nursing, as~~  
35 ~~provided for in section 152.2,~~ director of the department



1 of inspections, appeals, and licensing, or the director's  
2 designee, shall serve as the compact administrator identified  
3 in article VII, paragraph "b", of the nurse licensure compact  
4 contained in section 152E.1 and as the compact administrator  
5 identified in article VIII, paragraph "a", of the advanced  
6 practice registered nurse compact contained in section 152E.3.

7 Sec. 65. Section 153.36, subsection 1, Code 2024, is amended  
8 to read as follows:

9 1. Sections 147.44, 147.48, 147.49, 147.53, and 147.55, ~~and~~  
10 ~~sections 147.87 through 147.92~~ shall not apply to the practice  
11 of dentistry.

12 Sec. 66. Section 272C.6, subsection 1, Code 2024, is amended  
13 to read as follows:

14 1. Disciplinary hearings held pursuant to this chapter  
15 shall be heard by the board sitting as the hearing panel, or  
16 by an administrative law judge, or by a panel of not less  
17 than three board members who are licensed in the profession,  
18 or by a panel of not less than three members appointed  
19 pursuant to subsection 2. Notwithstanding chapters 17A and  
20 21 a disciplinary hearing shall be open to the public at the  
21 discretion of the licensee.

22 Sec. 67. REPEAL. Sections 152.3 and 153.33B, Code 2024,  
23 are repealed.

24 DIVISION V

25 LICENSURE STUDIES

26 Sec. 68. LICENSURE RENEWAL CYCLES STUDY. The department of  
27 inspections, appeals, and licensing shall review all current  
28 licensure renewal cycles for professional and occupational  
29 licenses issued by a department, board, commission, or other  
30 governmental entity. The department shall submit a report,  
31 including proposed recommendations for a uniform renewal cycle  
32 for all professional and occupational licenses, to the governor  
33 and the general assembly by September 30, 2024.

34 Sec. 69. LICENSURE FEE STUDY.

35 1. The department of inspections, appeals, and licensing

1 shall review fees imposed by a department, board, commission,  
2 or other governmental entity for the issuance or renewal of a  
3 professional or occupational license. The department shall  
4 evaluate the fees based on the licensure fees imposed in  
5 surrounding states and the operational costs of the licensing  
6 functions of the entity.

7 2. The department shall submit a report, including proposed  
8 fees, to the governor and the general assembly by September 30,  
9 2024.

10 DIVISION VI

11 ADVISORY BODIES

12 Sec. 70. Section 7E.3, subsection 3, Code 2024, is amended  
13 by striking the subsection and inserting in lieu thereof the  
14 following:

15 3. *Advisory bodies.* In addition to any boards, commissions,  
16 committees, or councils specifically created by law, establish  
17 and utilize other ad hoc advisory committees as determined  
18 necessary by the head of the department or independent  
19 agency. The department or independent agency shall establish  
20 appointment provisions, membership terms, operating guidelines,  
21 and any other operational requirements for committees  
22 established pursuant to this subsection. Members of committees  
23 under this general authority shall serve without compensation  
24 but may be reimbursed for actual expenses.

25 Sec. 71. Section 15.105, Code 2024, is amended by adding the  
26 following new subsection:

27 NEW SUBSECTION. 12. The authority may establish and utilize  
28 such ad hoc advisory committees as determined necessary by  
29 the authority. The authority shall establish appointment  
30 provisions, membership terms, operating guidelines, and any  
31 other operational requirements for committees established  
32 pursuant to this subsection. Members of committees established  
33 pursuant to this subsection shall serve without compensation  
34 but may be reimbursed for actual expenses.

35 Sec. 72. NEW SECTION. 152.3A **Advisory committees.**

1 The board may establish and utilize such ad hoc advisory  
2 committees as determined necessary by the board. The board  
3 shall establish appointment provisions, membership terms,  
4 operating guidelines, and any other operational requirements  
5 for committees established pursuant to this section. Members  
6 of committees established pursuant to this section shall serve  
7 without compensation but may be reimbursed for actual expenses.

8 Sec. 73. Section 153.33, subsection 1, Code 2024, is amended  
9 by adding the following new paragraph:

10 NEW PARAGRAPH. *f.* To establish and utilize such ad hoc  
11 advisory committees as determined necessary by the board,  
12 including an advisory committee on the practice of dental  
13 hygiene. The board 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. 74. Section 256.7, Code 2024, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 35. Establish and utilize such ad hoc  
22 advisory committees as determined necessary by the state  
23 board. The state board shall establish appointment provisions,  
24 membership terms, operating guidelines, and any other  
25 operational requirements for committees established pursuant to  
26 this subsection. Members of committees established pursuant  
27 to this subsection shall serve without compensation but may be  
28 reimbursed for actual expenses.

29 Sec. 75. Section 307A.2, Code 2024, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 7. Establish and utilize such ad hoc  
32 advisory committees as determined necessary by the commission.  
33 The commission shall establish appointment provisions,  
34 membership terms, operating guidelines, and any other  
35 operational requirements for committees established pursuant to

1 this subsection. Members of committees established pursuant  
2 to this subsection shall serve without compensation but may be  
3 reimbursed for actual expenses.

4 Sec. 76. Section 455A.5, subsection 6, Code 2024, is amended  
5 by adding the following new paragraph:

6 NEW PARAGRAPH. *g.* Establish and utilize such ad hoc  
7 advisory committees as determined necessary by the commission.  
8 The commission 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. 77. Section 455A.6, subsection 6, Code 2024, is amended  
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *e.* Establish and utilize such ad hoc  
17 advisory committees as determined necessary by the commission.  
18 The commission shall establish appointment provisions,  
19 membership terms, operating guidelines, and any other  
20 operational requirements for committees established pursuant  
21 to this paragraph. Members of committees established pursuant  
22 to this paragraph shall serve without compensation but may be  
23 reimbursed for actual expenses.

24 Sec. 78. Section 904.105, Code 2024, is amended by adding  
25 the following new subsection:

26 NEW SUBSECTION. 9A. Establish and utilize such ad hoc  
27 advisory committees as determined necessary by the board. The  
28 board shall establish appointment provisions, membership terms,  
29 operating guidelines, and any other operational requirements  
30 for committees established pursuant to this subsection.  
31 Members of committees established pursuant to this subsection  
32 shall serve without compensation but may be reimbursed for  
33 actual expenses.

34  
35

DIVISION VII  
ELECTRONIC MEETINGS

1     Sec. 79. Section 21.8, subsection 1, unnumbered paragraph  
2 1, Code 2024, is amended to read as follows:

3     A governmental body ~~may conduct a meeting by electronic~~  
4 ~~means only in circumstances where such a meeting in person is~~  
5 ~~impossible or impractical and only if the governmental body~~  
6 complies shall provide for hybrid meetings, teleconference  
7 participation, virtual meetings, remote participation, and  
8 other hybrid options for the members of the governmental body  
9 to participate in official meetings. A governmental body  
10 conducting a meeting pursuant to this subsection shall comply  
11 with all of the following:

12     Sec. 80. Section 21.8, subsection 1, paragraph c, Code 2024,  
13 is amended to read as follows:

14     c. Minutes are kept of the meeting. ~~The minutes shall~~  
15 ~~include a statement explaining why a meeting in person was~~  
16 ~~impossible or impractical.~~

17     Sec. 81. Section 21.8, Code 2024, is amended by adding the  
18 following new subsection:

19     NEW SUBSECTION. 4. For the purposes of this section:

20     a. *"Hybrid meeting"* means a meeting involving both remote  
21 participation and in-person participation by members.

22     b. *"Remote participation"* means real-time participation by  
23 a remotely located individual in a meeting which is being held  
24 in a different physical location using integrated audio, video,  
25 and other digital tools.

26     c. *"Teleconference participation"* means participation using  
27 audio conference tools involving multiple participants in at  
28 least two separate locations.

29     d. *"Virtual meeting"* means a meeting involving real-time  
30 interaction using integrated audio, video, and other digital  
31 tools, in which participants do not share a physical location.

32                                   DIVISION VIII

33                                   MEETINGS — GENERAL

34     Sec. 82. Section 5.3, Code 2024, is amended to read as  
35 follows:

1       **5.3 Organization.**

2       The commissioners shall meet at the state capitol ~~at least~~  
3 ~~once in two years~~ as necessary and shall organize by the  
4 election of one of their number as chairperson and another  
5 as secretary, who shall hold their respective offices for a  
6 term of two years and until their successors are elected and  
7 qualified.

8       Sec. 85. Section 8A.606, Code 2024, is amended to read as  
9 follows:

10       **8A.606 Meetings.**

11       The commission shall have its offices at the seat of  
12 government but may hold meetings in other locations. The  
13 commission shall meet ~~quarterly and~~ at the call of the  
14 chairperson.

15       Sec. 86. Section 8A.616, subsection 4, Code 2024, is amended  
16 to read as follows:

17       4. *Meetings.* The board shall meet ~~at least three times~~  
18 ~~annually and~~ at the call of the chair. ~~At least one meeting~~  
19 ~~annually shall be held outside the state capital or in~~  
20 ~~conjunction with a meeting of a relevant statewide professional~~  
21 ~~organization.~~

22       Sec. 87. Section 10A.601, subsection 3, Code 2024, is  
23 amended to read as follows:

24       3. The members of the appeal board shall select a  
25 chairperson and vice chairperson from their membership. The  
26 appeal board ~~shall meet at least once per month but~~ may meet  
27 as often as necessary. Meetings shall be set by a majority of  
28 the appeal board or upon the call of the chairperson, or in the  
29 chairperson's absence, upon the call of the vice chairperson.  
30 The employment appeal board, subject to the approval of the  
31 director, may appoint personnel necessary for carrying out its  
32 functions and duties.

33       Sec. 88. Section 13A.5, Code 2024, is amended to read as  
34 follows:

35       **13A.5 Meetings.**

1     The council ~~shall meet at least four times each year and~~  
2 shall hold meetings when called by the chairperson, or in the  
3 absence of the chairperson, by the vice chairperson or when  
4 called by the chairperson upon the written request of three  
5 members of the council. The council shall establish its own  
6 procedures and requirements with respect to quorum, place, and  
7 conduct of its meetings and other matters.

8     Sec. 89. Section 23.3, subsection 7, Code 2024, is amended  
9 to read as follows:

10    7. The board shall meet ~~at least quarterly and~~ at the call  
11 of the chairperson.

12    Sec. 90. Section 24.26, subsection 2, Code 2024, is amended  
13 to read as follows:

14    2. ~~The annual meeting of the state board shall be held on~~  
15 ~~the second Tuesday of January in each year~~ meet as necessary.  
16 ~~At each annual meeting the~~ The state board shall organize by  
17 the election from its members of a chairperson and a vice  
18 chairperson; and by appointing a secretary. Two members of  
19 the state board constitute a quorum for the transaction of any  
20 business.

21    Sec. 91. Section 47.8, subsection 1, unnumbered paragraph  
22 1, Code 2024, is amended to read as follows:

23    A state voter registration commission is established which  
24 shall meet ~~at least quarterly~~ as necessary to make and review  
25 policy, adopt rules, and establish procedures to be followed by  
26 the registrar in discharging the duties of that office, and to  
27 promote interagency cooperation and planning.

28    Sec. 92. Section 80B.9, Code 2024, is amended to read as  
29 follows:

30    **80B.9 Meetings.**

31    The council ~~shall meet at least four times each year and~~  
32 shall hold ~~special~~ meetings when called by the chairperson or,  
33 in the absence of the chairperson, by the vice chairperson,  
34 or by the chairperson upon written request of five members  
35 of the council. The council shall establish procedures and

1 requirements with respect to quorum, place, and conduct of  
2 meetings.

3 Sec. 93. Section 99D.6, subsection 1, Code 2024, is amended  
4 to read as follows:

5 1. The commission shall have its headquarters in the city of  
6 Des Moines and shall meet ~~in July of each year and at other~~ such  
7 times and places as it finds necessary for the discharge of its  
8 duties. The commission shall elect in July of each year one of  
9 its members as chairperson for the succeeding year.

10 Sec. 94. Section 99G.8, subsection 11, Code 2024, is amended  
11 to read as follows:

12 11. The board shall meet ~~at least quarterly and at such~~  
13 ~~other times~~ upon call of the chairperson or the chief executive  
14 officer. Notice of the time and place of each board meeting  
15 shall be given to each member. The board shall also meet upon  
16 call of three or more of the board members. The board shall  
17 keep accurate and complete records of all its meetings.

18 Sec. 95. Section 103.2, subsection 3, paragraph b, Code  
19 2024, is amended to read as follows:

20 ~~b. The board shall hold at least one meeting quarterly at~~  
21 ~~the location of the board's principal office, and meetings~~  
22 Meetings shall be called ~~at other times~~ as needed by the  
23 chairperson or four members of the board. At any meeting of  
24 the board, a majority of members constitutes a quorum.

25 Sec. 96. Section 103.34, subsection 1, Code 2024, is amended  
26 to read as follows:

27 1. Upon receipt of a notice of appeal filed pursuant to  
28 section 103.33, the chairperson or executive secretary of the  
29 board may designate a hearing officer from among the board  
30 members to hear the appeal or may set the matter for hearing  
31 before the full board at its next ~~regular~~ scheduled meeting. A  
32 majority of the board shall make the decision.

33 Sec. 97. Section 123.6, Code 2024, is amended to read as  
34 follows:

35 **123.6 Commission meetings.**



1 The commission shall meet on or before July 1 of each year  
2 for the purpose of selecting one of its members as chairperson  
3 for the succeeding year. The commission shall ~~otherwise~~ meet  
4 ~~quarterly or~~ at the call of the chairperson or director or when  
5 three members file a written request for a meeting. Written  
6 notice of the time and place of each meeting shall be given to  
7 each member of the commission. A majority of the commission  
8 members shall constitute a quorum.

9 Sec. 98. Section 124E.5, subsection 2, Code 2024, is amended  
10 to read as follows:

11 2. The medical cannabidiol board shall convene ~~at least~~  
12 ~~twice per year~~ as necessary.

13 Sec. 99. Section 169.5, subsections 3 and 4, Code 2024, are  
14 amended to read as follows:

15 3. ~~The board shall meet at least once each year as~~  
16 ~~determined by the board. Other necessary~~ Necessary meetings  
17 may be called by the president of the board by giving  
18 proper notice. Except as provided, a majority of the board  
19 constitutes a quorum. Meetings shall be open and public except  
20 that the board may meet in closed session to prepare, approve,  
21 administer, or grade examinations, or to deliberate the  
22 qualifications of an applicant for license or the disposition  
23 of a proceeding to discipline a licensed veterinarian.

24 4. ~~At its annual meeting, the~~ The board shall organize  
25 by electing a president and such other officers as may be  
26 necessary. Officers of the board serve for terms of one year  
27 and until a successor is elected, without limitation on the  
28 number of terms an officer may serve. The president shall  
29 serve as chairperson of board meetings. The person designated  
30 as the state veterinarian shall serve as secretary of the  
31 board.

32 Sec. 100. Section 182.13, Code 2024, is amended to read as  
33 follows:

34 **182.13 Compensation — meetings.**

35 Members of the board may receive payment for their

1 actual expenses and travel in performing official board  
2 functions. Payment shall be made from amounts collected from  
3 the assessment. No member of the board shall be a salaried  
4 employee of the board or any organization or agency receiving  
5 funds from the board. The board shall meet at ~~least once every~~  
6 ~~three months, and at other~~ such times as it deems necessary.

7 Sec. 101. Section 184.7, subsection 4, Code 2024, is amended  
8 to read as follows:

9 4. The council shall meet at ~~least once every three~~  
10 ~~months and at other~~ such times as the council determines are  
11 necessary.

12 Sec. 102. Section 185.14, Code 2024, is amended to read as  
13 follows:

14 **185.14 Compensation — meetings.**

15 Each director of the board shall receive a per diem of one  
16 hundred dollars and actual expenses in performing official  
17 board functions, notwithstanding section 7E.6. A director of  
18 the board shall not be a salaried employee of the board or  
19 any organization or agency which is receiving moneys from the  
20 board. The board shall meet at ~~least four times each year~~ as  
21 necessary.

22 Sec. 103. Section 185C.14, subsection 3, Code 2024, is  
23 amended to read as follows:

24 3. The board shall meet at ~~least three times each year, and~~  
25 at such ~~other~~ times as deemed necessary by the board.

26 Sec. 104. Section 186.1, Code 2024, is amended to read as  
27 follows:

28 **186.1 Meetings and organization of society.**

29 The Iowa state horticulture society shall hold meetings each  
30 ~~year, at times as it may fix,~~ as necessary for the transaction  
31 of business. The officers and board of directors of the  
32 society shall be chosen as provided for in the constitution  
33 of the society, for the period and in the manner prescribed  
34 therein, but the secretary of agriculture or the secretary's  
35 designee shall be a member of the board of directors and of

1 the executive committee. Any vacancy in the offices filled by  
2 the society may be filled by the executive committee for the  
3 unexpired portion of the term.

4 Sec. 105. Section 217.4, Code 2024, is amended to read as  
5 follows:

6 **217.4 Meetings of council.**

7 ~~The council shall meet at least monthly. Additional~~  
8 ~~meetings~~ Meetings shall be called by the chairperson or upon  
9 written request of any three council members as necessary to  
10 carry out the duties of the council. The chairperson shall  
11 preside at all meetings or in the absence of the chairperson  
12 the vice chairperson shall preside. The members of the council  
13 shall be paid a per diem as specified in section 7E.6 and their  
14 reasonable and necessary expenses.

15 Sec. 106. Section 237.16, subsection 2, Code 2024, is  
16 amended to read as follows:

17 2. The members of the state board shall annually select a  
18 chairperson, vice chairperson, and other officers the members  
19 deem necessary. The members may be entitled to receive  
20 reimbursement for actual and necessary expenses incurred in  
21 the performance of their duties, subject to available funding.  
22 Each member of the board may also be eligible to receive  
23 compensation as provided in section 7E.6. The state board  
24 shall meet ~~at least twice a year~~ as necessary.

25 Sec. 107. Section 256.32, subsection 3, Code 2024, is  
26 amended to read as follows:

27 3. The duties of the council are to review, develop,  
28 and recommend standards for secondary and postsecondary  
29 agricultural education. The council shall annually issue a  
30 report to the state board of education and the chairpersons  
31 of the house and senate agriculture and education committees  
32 regarding both short-term and long-term curricular standards  
33 for agricultural education and the council's activities. The  
34 council shall meet ~~a minimum of twice annually~~ as necessary,  
35 and must have a quorum consisting of a majority of voting

S-5170 (Continued)

1 members present to hold an official meeting and to take any  
2 final council action. However, hearings may be held without  
3 a quorum. The chairperson shall be elected annually by and  
4 from the voting membership. The initial organizational meeting  
5 shall be called by the director of the department of education.

6 Sec. 108. Section 256.83, subsection 1, Code 2024, is  
7 amended to read as follows:

8 1. The board shall elect from among its members a president  
9 and a vice president to serve a one-year term. The board  
10 shall ~~meet at least four times annually and shall~~ hold special  
11 meetings at the call of the president or in the absence of  
12 the president by the vice president or by the president upon  
13 written request of four members. The board shall establish  
14 procedures and requirements relating to quorum, place, and  
15 conduct of meetings.

16 Sec. 109. Section 256I.3, subsection 4, Code 2024, is  
17 amended to read as follows:

18 4. The state board shall elect a chairperson from among the  
19 citizen members and may select other officers from the voting  
20 members as determined to be necessary by the board. The board  
21 shall meet ~~regularly~~ as determined by the board, upon the call  
22 of the board's chairperson, or upon the call of a majority of  
23 voting members. ~~The board shall meet at least quarterly.~~

24 Sec. 110. Section 262.8, Code 2024, is amended to read as  
25 follows:

26 **262.8 Meetings.**

27 ~~The board shall meet four times a year. Special meetings~~  
28 Meetings may be called by the board, by the president of the  
29 board, or by the executive director of the board upon written  
30 request of any five members thereof.

31 Sec. 111. Section 267.5, subsection 2, Code 2024, is amended  
32 to read as follows:

33 2. ~~Hold a meeting twice each year~~ Meet as necessary at Iowa  
34 state university of science and technology. The council shall  
35 meet with the faculty of the college of veterinary medicine.

1 The council may hold other such meetings as the council may  
2 determine necessary, or as required by section 267.6. An  
3 action taken by the council shall not be valid unless agreed to  
4 by a majority of the council members.

5 Sec. 112. Section 455A.5, subsection 4, Code 2024, is  
6 amended to read as follows:

7 4. The commission shall hold an organizational meeting  
8 within thirty days of the beginning of a new regular term for  
9 one or more of its members. The commission shall organize by  
10 electing a chairperson, vice chairperson, secretary, and any  
11 other officers deemed necessary or desirable. The commission  
12 shall also meet ~~at least quarterly throughout the year~~ as  
13 necessary.

14 Sec. 113. Section 455A.6, subsection 4, Code 2024, is  
15 amended to read as follows:

16 4. The commission shall hold an organizational meeting  
17 within thirty days of the beginning of a new regular term for  
18 one or more of its members. The commission shall organize by  
19 electing a chairperson, vice chairperson, secretary, and any  
20 other officers deemed necessary or desirable. The commission  
21 shall also meet ~~at least quarterly throughout the year~~ as  
22 necessary.

23 Sec. 114. Section 465C.5, Code 2024, is amended to read as  
24 follows:

25 **465C.5 Organization.**

26 The board shall organize annually by the election of a  
27 chairperson. The board shall meet ~~annually and~~ at such ~~other~~  
28 times as it deems necessary. Meetings may be called by the  
29 chairperson, and shall be called by the chairperson on the  
30 request of three members of the board.

31 Sec. 115. Section 466B.3, subsection 5, paragraph a, Code  
32 2024, is amended to read as follows:

33 a. The council shall be convened by the secretary of  
34 agriculture ~~at least quarterly~~ as necessary.

35 Sec. 116. Section 481A.10A, subsection 3, Code 2024, is

1 amended to read as follows:

2 3. The committee shall meet with a representative of the  
3 department of natural resources ~~on a semiannual basis~~ as  
4 necessary. The committee shall serve without compensation or  
5 reimbursement for expenses.

6 Sec. 117. Section 524.205, subsection 5, Code 2024, is  
7 amended to read as follows:

8 5. The state banking council shall meet ~~at least once each~~  
9 ~~calendar quarter on such date and at such place as the council~~  
10 ~~may decide, and shall meet~~ at such other times as may be deemed  
11 necessary by the superintendent or a majority of the council  
12 members.

13 Sec. 118. Section 533.107, subsection 3, Code 2024, is  
14 amended to read as follows:

15 3. The review board ~~shall meet at least four times each year~~  
16 ~~and~~ shall hold ~~special~~ meetings at the call of the chairperson.  
17 Four members constitute a quorum.

18 Sec. 119. Section 542B.9, Code 2024, is amended to read as  
19 follows:

20 **542B.9 Organization of the board — staff.**

21 The board shall elect annually from its members a  
22 chairperson and a vice chairperson. The director of the  
23 department of inspections, appeals, and licensing shall  
24 hire and provide staff to assist the board in implementing  
25 this chapter. ~~The board shall hold at least one meeting at~~  
26 ~~the location of the board's principal office, and meetings~~  
27 Meetings shall be called ~~at other times~~ by the director or the  
28 director's designee at the request of the chairperson or four  
29 members of the board. At any meeting of the board, a majority  
30 of members constitutes a quorum.

31 Sec. 120. Section 543B.50, Code 2024, is amended to read as  
32 follows:

33 **543B.50 Meetings.**

34 The real estate commission shall ~~hold at least one meeting~~  
35 ~~per year~~ meet as necessary at the location of the commission's

S-5170 (Continued)

1 principal office and shall elect a chairperson annually. A  
2 majority of the members of the commission shall constitute a  
3 quorum.

4 Sec. 121. Section 543D.4, subsection 7, Code 2024, is  
5 amended to read as follows:

6 7. The board shall meet ~~at least once each calendar quarter~~  
7 as necessary to conduct its business.

8 Sec. 122. Section 904.106, Code 2024, is amended to read as  
9 follows:

10 **904.106 Meetings — expenses.**

11 ~~The board shall meet at least quarterly throughout the year.~~  
12 ~~Special meetings~~ Meetings may be called by the chairperson  
13 or upon written request of any three members of the board.  
14 The chairperson shall preside at all meetings or in the  
15 chairperson's absence, the vice chairperson shall preside. The  
16 members of the board shall be paid their actual expenses while  
17 attending the meetings. Each member of the board may also be  
18 able to receive compensation as provided in section 7E.6.

19 Sec. 123. Section 905.3, subsection 1, paragraph b, Code  
20 2024, is amended to read as follows:

21 b. The district advisory board shall meet ~~not more often~~  
22 ~~than quarterly during the calendar year~~ as necessary.

23 DIVISION IX

24 REORGANIZATION

25 Sec. 124. Section 7E.5, subsection 2, paragraph a, Code  
26 2024, is amended to read as follows:

27 a. There is a civil rights commission, ~~a public employment~~  
28 ~~relations board, an interstate cooperation commission,~~ an Iowa  
29 ethics and campaign disclosure board, an Iowa utilities board,  
30 and an Iowa law enforcement academy.

31 Sec. 125. Section 8A.201, subsection 3, paragraph b, Code  
32 2024, is amended to read as follows:

33 b. Materials excluded from this definition by ~~the commission~~  
34 ~~through the adoption and enforcement of rules~~ rule.

35 Sec. 126. Section 8A.203, subsections 3 and 4, Code 2024,

1 are amended to read as follows:

2 3. The commission shall ~~adopt~~ provide advice and  
3 recommendations on the adoption of rules under chapter 17A by  
4 the department for carrying out the responsibilities of the  
5 department as it relates to library services duties of the  
6 department.

7 4. ~~Advise~~ The commission shall advise the department and the  
8 state librarian concerning the library services duties of the  
9 department.

10 Sec. 127. Section 8A.206, subsection 2, paragraphs a and d,  
11 Code 2024, are amended to read as follows:

12 a. Operate the law library which shall be maintained in the  
13 state capitol or in rooms convenient to the state supreme court  
14 and which shall be available for free use by the residents of  
15 Iowa under rules the ~~commission~~ department adopts.

16 d. Perform other duties imposed by law or by the rules of  
17 the ~~commission~~ department.

18 Sec. 128. Section 8A.207, subsection 1, Code 2024, is  
19 amended to read as follows:

20 1. Manage the state data center program to make United  
21 States census data available to the residents of Iowa under  
22 rules the ~~commission~~ department adopts.

23 Sec. 129. Section 8A.209, subsection 1, Code 2024, is  
24 amended to read as follows:

25 1. An enrich Iowa program is established in the department  
26 to provide direct state assistance to public libraries, to  
27 support the open access and access plus programs, to provide  
28 public libraries with an incentive to improve library services  
29 that are in compliance with performance measures, and to  
30 reduce inequities among communities in the delivery of library  
31 services based on performance measures adopted by rule by the  
32 ~~commission~~ department. The ~~commission~~ department shall adopt  
33 rules governing the allocation of ~~funds~~ moneys appropriated by  
34 the general assembly for purposes of this section to provide  
35 direct state assistance to eligible public libraries. A public



1 library is eligible for ~~funds~~ moneys under this subchapter  
2 if it is in compliance with the ~~commission's~~ department's  
3 performance measures.

4 Sec. 130. Section 8A.412, subsection 11, Code 2024, is  
5 amended to read as follows:

6 11. Professional employees under the supervision of the  
7 attorney general, the state public defender, the secretary of  
8 state, the auditor of state, and the treasurer of state, ~~and~~  
9 ~~the public employment relations board.~~

10 Sec. 131. Section 8A.415, subsection 1, paragraph b, Code  
11 2024, is amended to read as follows:

12 b. If not satisfied, the employee may, within thirty  
13 calendar days following the director's response, file an appeal  
14 with the ~~public~~ employment relations appeal board. The hearing  
15 shall be conducted in accordance with the rules of the ~~public~~  
16 employment relations appeal board and the Iowa administrative  
17 procedure Act, chapter 17A. Decisions rendered shall be based  
18 upon a standard of substantial compliance with this subchapter  
19 and the rules of the department. Decisions by the ~~public~~  
20 employment relations appeal board constitute final agency  
21 action.

22 Sec. 132. Section 8A.415, subsection 2, paragraph b, Code  
23 2024, is amended to read as follows:

24 b. If not satisfied, the employee may, within thirty  
25 calendar days following the director's response, file an  
26 appeal with the ~~public~~ employment relations appeal board. The  
27 employee has the right to a hearing closed to the public,  
28 unless a public hearing is requested by the employee. The  
29 hearing shall otherwise be conducted in accordance with the  
30 rules of the ~~public~~ employment relations appeal board and the  
31 Iowa administrative procedure Act, chapter 17A. If the ~~public~~  
32 employment relations appeal board finds that the action taken  
33 by the appointing authority was for political, religious,  
34 racial, national origin, sex, age, or other reasons not  
35 constituting just cause, the employee may be reinstated without

1 loss of pay or benefits for the elapsed period, or the ~~public~~  
2 employment ~~relations~~ appeal board may provide other appropriate  
3 remedies. Decisions by the ~~public~~ employment ~~relations~~ appeal  
4 board constitute final agency action.

5 Sec. 133. Section 8A.703, subsection 1, Code 2024, is  
6 amended to read as follows:

7 1. A state historical society board of trustees is  
8 established consisting of ~~twelve~~ seven members selected as  
9 follows:

10 *a.* ~~Three~~ Two members shall be elected by the members of the  
11 state historical society according to rules established by the  
12 board of trustees.

13 ~~*b.* The governor shall appoint one member from each of the~~  
14 ~~state's congressional districts established under section 40.1.~~

15 ~~*e.*~~ *b.* The governor shall appoint five members from the  
16 state at large, considering but not requiring geographical  
17 diversity, at least ~~two~~ one of whom shall be on the faculty of  
18 a college or university in the state engaged in a discipline  
19 related to the activities of the historical society.

20 Sec. 134. Section 8A.707, subsection 1, Code 2024, is  
21 amended by adding the following new paragraphs:

22 NEW PARAGRAPH. *f.* Serve as the central advisory body for  
23 historical records planning in the state and as a coordinating  
24 body to facilitate cooperation among historical records  
25 repositories and other information agencies within the state.

26 NEW PARAGRAPH. *g.* Serve as a state level review body  
27 for grant proposals submitted to the national historical  
28 publications and records commission.

29 Sec. 135. Section 8A.707, Code 2024, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 4. The state historical society board of  
32 trustees may:

33 *a.* Serve in an advisory capacity to the state records  
34 commission, the state archives and records program, and other  
35 statewide archival or records agencies.

1     *b.* Seek moneys from the national historical publications  
2 and records commission or other grant-funding bodies for  
3 sponsoring and publishing surveys of the conditions and needs  
4 of historical records in the state; for developing, revising,  
5 and distributing funding priorities for historical records  
6 projects in Iowa; for implementing projects to be carried out  
7 in the state for the preservation of historical records and  
8 publications; or for reviewing, through reports and otherwise,  
9 the operation and progress of records projects in the state.

10     Sec. 136. Section 8D.3, subsection 3, paragraphs b and d,  
11 Code 2024, are amended to read as follows:

12     ~~*b.* Adopt rules pursuant to chapter 17A as deemed appropriate  
13 and necessary, and directly related to the implementation  
14 and administration of the duties of the commission.~~

15 ~~The commission, in consultation with the department of  
16 administrative services, shall also adopt and provide for  
17 standard communications procedures and policies relating to  
18 the use of the network which recognize, at a minimum, the need  
19 for reliable communications services. Provide advice and  
20 recommendations to the director for the adoption of rules as  
21 provided in section 8D.4.~~

22     ~~*d.* Review and approve for adoption, rules as proposed  
23 and submitted by an authorized user group necessary for the  
24 authorized user group's access and use of the network. The  
25 commission may refuse to approve and adopt a proposed rule,  
26 and upon such refusal, shall return the proposed rule to the  
27 respective authorized user group proposing the rule with a  
28 statement indicating the commission's reason for refusing to  
29 approve and adopt the rule. Provide advice and recommendations  
30 to the director for the review and adoption of rules proposed  
31 and submitted by an authorized user group.~~

32     Sec. 137. Section 8D.4, Code 2024, is amended to read as  
33 follows:

34     **8D.4 Executive director appointed.**

35     1. The ~~commission~~ governor shall appoint an executive

1 director of the commission, subject to confirmation by the  
2 senate. Such individual shall not serve as a member of the  
3 commission. The executive director shall serve at the pleasure  
4 of the ~~commission~~ governor. The executive director shall be  
5 selected primarily for administrative ability and knowledge  
6 in the field, without regard to political affiliation. The  
7 governor shall establish the salary of the executive director  
8 within the applicable salary range as established by the  
9 general assembly. The salary and support of the executive  
10 director shall be paid from ~~funds~~ moneys deposited in the Iowa  
11 communications network fund.

12 2. The director shall adopt rules pursuant to chapter 17A  
13 for the implementation and administration of the duties of the  
14 commission. The director, in consultation with the department  
15 of administrative services, shall also adopt and provide for  
16 standard communications procedures and policies relating to the  
17 use of the network which recognize, at a minimum, the need for  
18 reliable communications services. The director shall review  
19 and approve for adoption rules as proposed and submitted by  
20 an authorized user group necessary for the authorized user  
21 group's access and use of the network. The director may refuse  
22 to approve and adopt a proposed rule, and upon such refusal,  
23 shall return the proposed rule to the respective authorized  
24 user group proposing the rule with a statement indicating the  
25 director's reason for refusing to approve and adopt the rule.

26 Sec. 138. Section 8D.9, subsection 2, paragraph b, Code  
27 2024, is amended to read as follows:

28 *b.* A private or public agency, other than an institution  
29 under the control of the state board of regents, a private  
30 college or university, or a nonpublic school, shall petition  
31 the commission for a waiver of the requirement to use the  
32 network as provided in paragraph "a", if the agency determines  
33 that paragraph "a", subparagraph (1) or (2), applies. The  
34 ~~commission~~ director shall establish by rule a review process  
35 for determining, upon application of an authorized user,

1 whether paragraph "a", subparagraph (1) or (2), applies. An  
2 authorized user found by the commission to be under contract  
3 for such services as provided in paragraph "a", subparagraph  
4 (2), shall not enter into another contract upon the expiration  
5 of such contract, but shall utilize the network for such  
6 services as provided in this section unless paragraph "a",  
7 subparagraph (1), applies. A waiver approved by the commission  
8 may be for a period as requested by the private or public  
9 agency of up to three years.

10 Sec. 139. Section 10A.104, subsection 2, Code 2024, is  
11 amended to read as follows:

12 2. Appoint the administrators of the divisions within  
13 the department and all other personnel deemed necessary for  
14 the administration of this chapter, except the state public  
15 defender, assistant state public defenders, administrator of  
16 the racing and gaming commission, labor commissioner, workers'  
17 compensation commissioner, director of the Iowa state office of  
18 civil rights commission, and members of the employment appeal  
19 board. All persons appointed and employed in the department  
20 are covered by the provisions of chapter 8A, subchapter IV, but  
21 persons not appointed by the director are exempt from the merit  
22 system provisions of chapter 8A, subchapter IV.

23 Sec. 140. Section 12.72, subsection 1, Code 2024, is amended  
24 to read as follows:

25 1. A vision Iowa fund is created and established as a  
26 separate and distinct fund in the state treasury. The moneys  
27 in the fund are appropriated to the ~~enhance Iowa economic~~  
28 development authority board for purposes of the vision Iowa  
29 program established in section 15F.302. Moneys in the fund  
30 shall not be subject to appropriation for any other purpose by  
31 the general assembly, but shall be used only for the purposes  
32 of the vision Iowa fund. The treasurer of state shall act as  
33 custodian of the fund and disburse moneys contained in the  
34 fund as directed by the ~~enhance Iowa economic development~~  
35 authority board, including automatic disbursements of funds

1 received pursuant to the terms of bond indentures and documents  
2 and security provisions to trustees. The fund shall be  
3 administered by the ~~enhance-Iowa~~ economic development authority  
4 board which shall make expenditures from the fund consistent  
5 with the purposes of the vision Iowa program without further  
6 appropriation. An applicant under the vision Iowa program  
7 shall not receive more than seventy-five million dollars in  
8 financial assistance from the fund.

9 Sec. 141. Section 12.75, subsection 1, Code 2024, is amended  
10 to read as follows:

11 1. The ~~enhance-Iowa~~ economic development authority board  
12 may undertake a project for two or more applicants jointly  
13 or for any combination of applicants, and may combine for  
14 financing purposes, with the consent of all of the applicants  
15 which are involved, the project and some or all future projects  
16 of any applicant, and section 12.71, Code 2020, sections 12.72  
17 and 12.74, this section, and sections 12.76 and 12.77 apply to  
18 and for the benefit of the ~~enhance-Iowa~~ economic development  
19 authority board and the joint applicants. However, the money  
20 set aside in a fund or funds pledged for any series or issue  
21 of bonds or notes shall be held for the sole benefit of the  
22 series or issue separate and apart from money pledged for  
23 another series or issue of bonds or notes of the treasurer  
24 of state. To facilitate the combining of projects, bonds or  
25 notes may be issued in series under one or more resolutions or  
26 trust agreements and may be fully open-ended, thus providing  
27 for the unlimited issuance of additional series, or partially  
28 open-ended, limited as to additional series.

29 Sec. 142. Section 12C.6, subsection 2, paragraphs a, c, d,  
30 e, and f, Code 2024, are amended to read as follows:

31 ~~a. A committee composed of the superintendent of banking,~~  
32 ~~the superintendent of credit unions, the auditor of state or~~  
33 ~~a designee, and the treasurer of state shall meet on or about~~  
34 ~~the first of each month or at other times as the committee~~  
35 ~~may prescribe and by majority action~~ The treasurer of state,

1 in consultation with subject matter experts as needed, shall  
2 establish a minimum rate to be earned on state funds placed in  
3 time deposits.

4 c. An interest rate established by the ~~committee~~ treasurer  
5 of state under this section shall be in effect commencing  
6 on the eighth calendar day following the day the rate is  
7 established and until a different rate is established and takes  
8 effect.

9 d. The ~~committee~~ treasurer of state shall give advisory  
10 notice of an interest rate established under this section.  
11 This notice may be given by publication in one or more  
12 newspapers, by publication in the Iowa administrative bulletin,  
13 by ordinary mail to persons directly affected, by any other  
14 method determined by the ~~committee~~ treasurer of state, or by  
15 a combination of these. In all cases, the notice shall be  
16 published in the Iowa administrative bulletin.

17 e. The notice shall contain the following words:

18 The rate of interest has been determined by ~~a committee~~ the  
19 treasurer of state of the state of Iowa to be the minimum  
20 interest rate that shall be paid on public funds deposited in  
21 approved financial institutions. To be eligible to accept  
22 deposits of public funds of the state of Iowa, a financial  
23 institution shall demonstrate a commitment to serve the  
24 needs of the local community in which it is chartered to do  
25 business. These needs include credit services as well as  
26 deposit services. All such financial institutions are required  
27 to provide the ~~committee~~ treasurer of state with a written  
28 description of their commitment to provide credit services in  
29 the community. This statement is available for examination by  
30 citizens.

31 f. The notice shall also provide the name and address of a  
32 state official to whom inquiries can be sent. Actions of the  
33 ~~committee~~ treasurer of state under this section and section  
34 12C.6A are exempt from chapter 17A.

35 Sec. 143. Section 12C.6A, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. In addition to establishing a minimum interest rate for  
3 public funds pursuant to section 12C.6, ~~the committee composed~~  
4 ~~of the superintendent of banking, the superintendent of credit~~  
5 ~~unions, the auditor of state or a designee, and the treasurer~~  
6 of state, in consultation with subject matter experts as  
7 needed, shall develop a list of financial institutions eligible  
8 to accept state public funds. The ~~committee~~ treasurer of state  
9 shall require that a financial institution seeking to qualify  
10 for the list shall annually provide the ~~committee~~ treasurer  
11 of state a written statement that the financial institution  
12 has complied with the requirements of this chapter and has a  
13 commitment to community reinvestment consistent with the safe  
14 and sound operation of a financial institution, unless the  
15 financial institution has received a rating of satisfactory  
16 or higher pursuant to the federal Community Reinvestment  
17 Act, 12 U.S.C. §2901 et seq., and such rating is certified  
18 to the ~~committee~~ treasurer of state by the superintendent of  
19 banking. To qualify for the list, a financial institution must  
20 demonstrate a continuing commitment to meet the credit needs of  
21 the local community in which it is chartered.

22 Sec. 144. Section 12C.6A, subsection 3, unnumbered  
23 paragraph 1, Code 2024, is amended to read as follows:

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

33 Sec. 145. Section 12C.6A, subsection 4, unnumbered  
34 paragraph 1, Code 2024, is amended to read as follows:

35 At least once a year the ~~committee~~ treasurer of state



1 shall review any challenges that have been filed pursuant  
2 to subsection 3. The ~~committee~~ treasurer of state may hold  
3 a public hearing to consider the challenge. In considering  
4 a challenge, the ~~committee~~ treasurer of state shall review  
5 documents filed with federal regulatory authorities pursuant to  
6 the Community Reinvestment Act, 12 U.S.C. §2901 et seq., and  
7 regulations adopted pursuant to the Act, as amended to January  
8 1, 1990. In addition, consistent with the confidentiality of  
9 financial institution records the ~~committee~~ treasurer of state  
10 shall consider other factors including, but not limited to, the  
11 following:

12     Sec. 146. Section 12C.6A, subsection 5, Code 2024, is  
13 amended to read as follows:

14     5. *a.* A person who believes a bank has failed to meet its  
15 community reinvestment responsibility may file a complaint with  
16 the ~~committee~~ treasurer of state detailing the basis for that  
17 belief.

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

28     *c.* ~~A majority of the committee~~ The treasurer of state may  
29 order a bank against which a complaint has been filed pursuant  
30 to this subsection, to disclose such additional information  
31 relating to community reinvestment as required by the order of  
32 the ~~majority of the committee~~ treasurer of state.

33     *d.* This subsection does not preempt any other remedies  
34 available under statutory or common law available to the  
35 ~~committee~~ treasurer of state, the superintendent of banking, or

1 aggrieved persons to cure violations of this section or chapter  
2 524, or rules adopted pursuant to this section or chapter 524.  
3 The ~~committee~~ treasurer of state may conduct a public hearing  
4 as provided in subsection 4 based upon the same complaint. An  
5 order finding merit in a complaint and ordering a meeting is  
6 not an election of remedies.

7 Sec. 147. Section 15.105, subsection 1, paragraph a,  
8 subparagraph (1), Code 2024, is amended to read as follows:

9 (1) The powers of the authority are vested in and shall  
10 be exercised by a board of eleven voting members selected at  
11 large and appointed by the governor subject to confirmation  
12 by the senate. ~~The voting members shall be comprised of the~~  
13 ~~following:~~

14 ~~(a) Two members from each United States congressional~~  
15 ~~district established under section 40.1 in the state.~~

16 ~~(b) Three members selected at large.~~

17 Sec. 148. Section 15.108, subsection 5, paragraph c, Code  
18 2024, is amended to read as follows:

19 c. Coordinate and develop with the department of  
20 transportation, the department of natural resources, ~~the~~  
21 ~~enhance Iowa board~~, other state agencies, and local and  
22 regional entities public interpretation, marketing, and  
23 education programs that encourage Iowans and out-of-state  
24 visitors to participate in the recreational and leisure  
25 opportunities available in Iowa. The authority shall establish  
26 and administer a program that helps connect both Iowa residents  
27 and residents of other states to new and existing Iowa  
28 experiences as a means to enhance the economic, social, and  
29 cultural well-being of the state. The program shall include  
30 a broad range of new opportunities, both rural and urban,  
31 including main street destinations, green space initiatives,  
32 and artistic and cultural attractions.

33 Sec. 149. Section 15.108, subsection 8, paragraph b,  
34 subparagraphs (4) and (5), Code 2024, are amended to read as  
35 follows:

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

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

14 Sec. 150. Section 15.116, Code 2024, is amended to read as  
15 follows:

16 **15.116 Technology commercialization committee.**

17 To evaluate and make recommendations to the authority  
18 on appropriate funding for the projects and programs  
19 applying for financial assistance from the innovation  
20 and commercialization development fund created in section  
21 15.412, the economic development authority shall create a  
22 technology commercialization committee composed of members  
23 with expertise in the areas of biosciences, engineering,  
24 manufacturing, pharmaceuticals, materials, information  
25 solutions, software, and energy. At least one member of the  
26 technology commercialization committee shall be a member of the  
27 economic development authority. An organization designated by  
28 the authority, composed of members from both the public and  
29 private sectors and composed of subunits or subcommittees in  
30 the areas of already identified bioscience platforms, education  
31 and workforce development, commercialization, communication,  
32 policy and governance, and finance, shall provide funding  
33 recommendations to the technology commercialization committee.  
34 Members of the committee shall be eligible for a per diem as  
35 specified in section 7E.6 for each day spent in performance of

1 duties as members, and shall receive compensation for mileage  
2 to and from meetings.

3 Sec. 151. Section 15.117A, subsection 2, paragraph a,  
4 unnumbered paragraph 1, Code 2024, is amended to read as  
5 follows:

6 ~~Twenty-nine~~ Nine voting members as follows:

7 Sec. 152. Section 15.117A, subsection 2, paragraph a,  
8 subparagraphs (1), (3), and (9), Code 2024, are amended to read  
9 as follows:

10 (1) ~~Twenty~~ Three members selected by the board to serve  
11 staggered, two-year terms beginning and ending as provided  
12 in section 69.19. ~~Of the members selected by the board,~~  
13 ~~fourteen shall be representatives from businesses in the~~  
14 ~~targeted industries and six shall be individuals who serve~~  
15 ~~on the technology commercialization committee created in~~  
16 ~~section 15.116, or other committees of the board, and who~~  
17 ~~have expertise with the targeted industries. At least ten of~~  
18 ~~the members selected pursuant to this subparagraph shall be~~  
19 ~~executives actively engaged in the management of a business in~~  
20 ~~a targeted industry. The members selected pursuant to this~~  
21 ~~paragraph~~ subparagraph shall have expertise in the targeted  
22 industries and reflect the size and diversity of businesses in  
23 the targeted industries ~~and of the various geographic areas of~~  
24 ~~the state.~~

25 (3) The director of the authority, ~~or the director's~~  
26 ~~designee.~~

27 (9) ~~Two~~ One community college ~~presidents from~~  
28 ~~geographically diverse areas of the state~~ president, selected  
29 by the Iowa association of community college trustees.

30 Sec. 153. Section 15.117A, subsection 2, paragraph a,  
31 subparagraphs (2) and (4), Code 2024, are amended by striking  
32 the subparagraphs.

33 Sec. 154. Section 15.117A, subsection 4, Code 2024, is  
34 amended to read as follows:

35 4. ~~The chief technology officer appointed pursuant to~~

1 ~~section 15.117~~ council shall ~~be select~~ the chairperson of the  
2 council ~~and, who~~ shall be responsible for convening meetings of  
3 the council and coordinating its activities ~~and shall convene~~  
4 ~~the council at least annually~~. The council shall annually  
5 elect one of the voting members to serve as vice chairperson.  
6 A majority of the members of the council constitutes a quorum.  
7 However, ~~the chief technology officer~~ chairperson shall not  
8 convene a meeting of the council unless the director of the  
9 authority, or the director's designee, is present at the  
10 meeting.

11 Sec. 155. Section 15.117A, subsection 6, paragraphs a, b,  
12 and d, Code 2024, are amended by striking the paragraphs.

13 Sec. 156. Section 15.117A, Code 2024, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 7. A committee appointed by the  
16 director and the chairperson of the council shall review and  
17 make recommendations on all applications received by the  
18 authority for financial assistance under the Iowa strategic  
19 infrastructure program pursuant to section 15.313. Persons  
20 appointed to a committee pursuant to this subsection are not  
21 required to be members of the council.

22 Sec. 157. Section 15.439, subsection 1, paragraphs a, c, d,  
23 and e, Code 2024, are amended to read as follows:

24 a. The authority shall establish and administer an Iowa  
25 great places program for purposes of combining resources of  
26 state government in an effort to showcase the unique and  
27 authentic qualities of communities, regions, neighborhoods, and  
28 districts that make such places exceptional places to work and  
29 live. ~~The authority shall provide administrative assistance to~~  
30 ~~the Iowa great places board~~. The authority shall coordinate  
31 ~~the efforts of the Iowa great places board with the efforts of~~  
32 other state agencies participating in the program which shall  
33 include but not be limited to the Iowa finance authority, the  
34 department of health and human services, the department of  
35 natural resources, the state department of transportation, and

1 the department of workforce development.

2 ~~c. Initially, three Iowa great places projects shall be~~  
3 ~~identified by the Iowa great places board. The board authority~~  
4 may identify additional Iowa great places for participation  
5 under the program when places develop dimensions and meet  
6 readiness criteria for participation under the program.

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

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

14 Sec. 158. Section 15.439, subsection 2, Code 2024, is  
15 amended by striking the subsection.

16 Sec. 159. Section 15.439, subsections 3 and 4, Code 2024,  
17 are amended to read as follows:

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

19 ~~a. Organize.~~

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

22 ~~e. b.~~ Identify a combination of state resources which can  
23 be provided to Iowa great places.

24 4. Notwithstanding any restriction, requirement, or  
25 duty to the contrary, in considering an application for a  
26 grant, loan, or other financial or technical assistance for a  
27 project identified in an Iowa great places agreement developed  
28 pursuant to this section, a state agency shall give additional  
29 consideration or additional points in the application of rating  
30 or evaluation criteria to such applications. This subsection  
31 applies to applications filed within three years of the Iowa  
32 ~~great places board's authority's~~ identification of the project  
33 for participation in the program.

34 Sec. 160. Section 15.478, subsection 1, Code 2024, is  
35 amended by striking the subsection.

1     Sec. 161. Section 15.479, subsection 4, Code 2024, is  
2 amended to read as follows:

3     4. The treasurer of state shall act as custodian of the  
4 fund, shall invest moneys in the trust fund, and shall transfer  
5 the interest attributable to the investment of trust fund  
6 moneys to the grant account created in section 15.482. The  
7 trust fund's principal shall not be used or accessed by the  
8 ~~department or the board~~ authority for any purpose.

9     Sec. 162. Section 15.481, unnumbered paragraph 1, Code  
10 2024, is amended to read as follows:

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

12     Sec. 163. Section 15.481, subsections 2 and 3, Code 2024,  
13 are amended to read as follows:

14     2. Approve or disapprove the grants recommended for  
15 approval by the director, in consultation with the Iowa arts  
16 council and the state historical society of Iowa, in accordance  
17 with section 15.108, subsection 8, paragraph "b". The ~~board~~  
18 authority may remove any recommendation from the list, but  
19 shall not add to or otherwise amend the list of recommended  
20 grants.

21     3. Upon approving a grant, the ~~board~~ authority shall certify  
22 to the treasurer of state the amount of financial assistance  
23 payable from the grant account to the qualified organization  
24 whose grant application is approved.

25     Sec. 164. Section 15.482, subsections 1 and 3, Code 2024,  
26 are amended to read as follows:

27     1. An Iowa cultural trust grant account is created in  
28 the office of the treasurer of state under the control of  
29 the ~~board~~ authority to receive interest attributable to the  
30 investment of trust fund moneys as required by section 15.479,  
31 subsection 4. The moneys in the grant account are appropriated  
32 to the ~~board~~ authority for purposes of the Iowa cultural trust  
33 created in section 15.479. Moneys in the grant account shall  
34 not be subject to appropriation for any other purpose by the  
35 general assembly, but shall be used only for the purposes of

1 the Iowa cultural trust. The treasurer of state shall act as  
2 custodian of the grant account and disburse moneys contained  
3 in the grant account as directed by the ~~board~~ authority. The  
4 ~~board~~ authority shall make expenditures from the grant account  
5 consistent with the purposes of the Iowa cultural trust.

6 3. At any time when the principal balance in the trust fund  
7 equals or exceeds three million dollars, the ~~board~~ authority  
8 may use moneys in the grant account for a statewide educational  
9 program to promote participation in, expanded support of, and  
10 local endowment building for, Iowa nonprofit arts, history, and  
11 sciences and humanities organizations.

12 Sec. 165. Section 15F.101, subsection 2, Code 2024, is  
13 amended to read as follows:

14 2. "*Board*" means the ~~enhance Iowa~~ economic development  
15 authority board as created in section ~~15F.102~~ 15.105.

16 Sec. 166. Section 15F.203, subsection 2, Code 2024, is  
17 amended to read as follows:

18 2. A review committee composed of five members of the  
19 board shall review community attraction and tourism program  
20 applications forwarded to the board and make recommendations  
21 regarding the applications to the board. ~~The review committee~~  
22 ~~shall consist of members of the board, with one member from~~  
23 ~~each congressional district under section 15F.102, subsection~~  
24 ~~2, paragraph "a", and one member from the state at large under~~  
25 ~~section 15F.102, subsection 2, paragraph "b".~~

26 Sec. 167. Section 15F.304, subsection 2, Code 2024, is  
27 amended to read as follows:

28 2. A review committee composed of six members of the  
29 board shall review vision Iowa program applications and  
30 river enhancement community attraction and tourism project  
31 applications forwarded to the board and make recommendations  
32 regarding the applications to the board. ~~The review committee~~  
33 ~~shall consist of members of the board, with one member from~~  
34 ~~each congressional district under section 15F.102, subsection~~  
35 ~~2, paragraph "a", and two members from the state at large under~~



1 ~~section 15F.102, subsection 2, paragraph "b".~~

2 Sec. 168. Section 15F.402, subsection 2, Code 2024, is  
3 amended to read as follows:

4 2. A review committee composed of five members of the  
5 board shall review sports tourism marketing and infrastructure  
6 program applications forwarded to the board and make  
7 recommendations regarding the applications to the authority.  
8 ~~The review committee shall consist of members of the board,~~  
9 ~~with one member from each congressional district under section~~  
10 ~~15F.102, subsection 2, paragraph "a", and one member from the~~  
11 ~~state at large under section 15F.102, subsection 2, paragraph~~  
12 ~~"b".~~

13 Sec. 169. Section 15H.3, subsection 1, paragraphs e and k,  
14 Code 2024, are amended by striking the paragraphs.

15 Sec. 170. Section 16.2D, subsections 1, 2, 3, 4, 5, and 6,  
16 Code 2024, are amended by striking the subsections.

17 Sec. 171. Section 16.2D, subsection 7, unnumbered paragraph  
18 1, Code 2024, is amended to read as follows:

19 The duties of the ~~council~~ authority under this section shall  
20 include but are not limited to the following:

21 Sec. 172. Section 16.2D, subsection 7, paragraph e, Code  
22 2024, is amended to read as follows:

23 e. Advise the governor's office, ~~the authority,~~ state  
24 agencies, and private organizations on strategies to prevent  
25 and eliminate homelessness.

26 Sec. 173. Section 16.2D, subsections 8, 9, and 10, Code  
27 2024, are amended to read as follows:

28 8. The ~~council~~ authority shall file a point-in-time report  
29 on homelessness in Iowa with the governor and the general  
30 assembly on or before December 1 of each year.

31 9. a. The authority, ~~in consultation with the council,~~  
32 shall adopt rules pursuant to chapter 17A for carrying out the  
33 duties of the ~~council~~ authority pursuant to this section.

34 b. The ~~council~~ authority shall establish internal rules of  
35 procedure consistent with the provisions of this section.

1 c. Rules adopted or internal rules of procedure established  
2 pursuant to paragraph "a" or "b" shall be consistent with the  
3 requirements of the federal McKinney-Vento Homeless Assistance  
4 Act, 42 U.S.C. §11301 et seq.

5 10. The ~~council~~ authority shall comply with the  
6 requirements of chapters 21 and 22. ~~The authority shall be the~~  
7 ~~official repository of council records.~~

8 Sec. 174. Section 20.1, subsection 2, unnumbered paragraph  
9 1, Code 2024, is amended to read as follows:

10 The general assembly declares that the purposes of the  
11 ~~public employment relations board established by employment~~  
12 appeal board with respect to this chapter are to implement  
13 the provisions of this chapter and adjudicate and conciliate  
14 employment-related cases involving the state of Iowa and  
15 other public employers and employee organizations. For these  
16 purposes the powers and duties of the board include but are not  
17 limited to the following:

18 Sec. 175. Section 20.3, subsection 2, Code 2024, is amended  
19 to read as follows:

20 2. "Board" means the ~~public employment relations~~ appeal  
21 board established under section 20.5 10A.601.

22 Sec. 176. Section 20.6, subsection 1, Code 2024, is amended  
23 to read as follows:

24 1. Administer the provisions of this chapter and delegate  
25 the powers and duties of the board to ~~the executive director or~~  
26 persons employed by the board, as appropriate.

27 Sec. 177. Section 22.7, subsection 69, Code 2024, is amended  
28 to read as follows:

29 69. The evidence of public employee support for  
30 the certification, retention and recertification, or  
31 decertification of an employee organization as defined in  
32 section 20.3 that is submitted to the ~~public employment~~  
33 relations appeal board as provided in section 20.14 or 20.15.

34 Sec. 178. Section 23A.2, subsection 6, paragraph a, Code  
35 2024, is amended to read as follows:

S-5170 (Continued)

1     a. The director of the department of corrections, ~~with the~~  
2 ~~advice of the state prison industries advisory board,~~ may, by  
3 rule, provide for exemptions from this chapter.

4     Sec. 179. Section 35A.2, subsection 2, Code 2024, is amended  
5 to read as follows:

6     2. Ten commissioners shall be honorably discharged members  
7 of the armed forces of the United States. The American  
8 legion ~~of Iowa,~~ disabled American veterans ~~department of Iowa,~~  
9 veterans of foreign wars ~~department of Iowa,~~ American veterans  
10 ~~of World War II, Korea, and Vietnam,~~ the Vietnam veterans of  
11 America, the military order of the purple heart, the paralyzed  
12 veterans of America, and the Iowa association of county  
13 commissioners and veteran service officers, through their  
14 department commanders, shall submit two names respectively from  
15 their organizations to the governor. The adjutant general and  
16 the Iowa affiliate of the reserve officers association ~~shall~~  
17 may submit names to the governor of persons to represent the  
18 Iowa national guard and the association reserve organization  
19 of America. The governor shall appoint from the group of  
20 names submitted by the adjutant general and reserve officers  
21 association two representatives and from each of the other  
22 organizations one representative to serve as a member of the  
23 commission, unless the appointments would conflict with the  
24 bipartisan and gender balance provisions of sections 69.16 and  
25 69.16A. In addition, the governor shall appoint one member  
26 of the public, knowledgeable in the general field of veterans  
27 affairs, to serve on the commission. If an organization fails  
28 to submit a recommendation pursuant to this subsection, the  
29 governor may appoint any person to fill the vacancy.

30     Sec. 180. Section 68B.2, subsection 23, Code 2024, is  
31 amended to read as follows:

32     23. "*Regulatory agency*" means the department of agriculture  
33 and land stewardship, department of workforce development,  
34 department of insurance and financial services, department  
35 of public safety, department of education, state board of

S-5170 (Continued)

1 regents, department of health and human services, department  
2 of revenue, department of inspections, appeals, and licensing,  
3 department of administrative services, ~~public~~ employment  
4 ~~relations~~ appeal board, state department of transportation,  
5 ~~civil rights commission~~ office of civil rights, department of  
6 public defense, department of homeland security and emergency  
7 management, Iowa ethics and campaign disclosure board,  
8 utilities board, and department of natural resources.

9       Sec. 181. Section 68B.35, subsection 2, paragraph e, Code  
10 2024, is amended to read as follows:

11       e. Members of the state banking council, the Iowa ethics and  
12 campaign disclosure board, the credit union review board, the  
13 economic development authority, the employment appeal board,  
14 the environmental protection commission, the health facilities  
15 council, the Iowa finance authority, the Iowa public employees'  
16 retirement system investment board, the Iowa lottery board  
17 created in section 99G.8, the natural resource commission,  
18 the board of parole, the petroleum underground storage tank  
19 fund board, ~~the public employment relations board~~, the state  
20 racing and gaming commission, the state board of regents, the  
21 transportation commission, the office of consumer advocate, the  
22 utilities board, the Iowa telecommunications and technology  
23 commission, and any full-time members of other boards and  
24 commissions as defined under section 7E.4 who receive an annual  
25 salary for their service on the board or commission. The Iowa  
26 ethics and campaign disclosure board shall conduct an annual  
27 review to determine if members of any other board, commission,  
28 or authority should file a statement and shall require the  
29 filing of a statement pursuant to rules adopted pursuant to  
30 chapter 17A.

31       Sec. 182. Section 70A.28, subsection 6, Code 2024, is  
32 amended to read as follows:

33       6. Subsection 2 may also be enforced by an employee through  
34 an administrative action pursuant to the requirements of this  
35 subsection if the employee is not a merit system employee or

1 an employee covered by a collective bargaining agreement. An  
2 employee eligible to pursue an administrative action pursuant  
3 to this subsection who is discharged, suspended, demoted,  
4 or otherwise receives a reduction in pay and who believes  
5 the adverse employment action was taken as a result of the  
6 employee's disclosure of information that was authorized  
7 pursuant to subsection 2, may file an appeal of the adverse  
8 employment action with the ~~public employment relations~~ appeal  
9 board within thirty calendar days following the later of the  
10 effective date of the action or the date a finding is issued  
11 to the employee by the office of ombudsman pursuant to section  
12 2C.11A. The findings issued by the ombudsman may be introduced  
13 as evidence before the ~~public employment relations~~ appeal  
14 board. The employee has the right to a hearing closed to  
15 the public, but may request a public hearing. The hearing  
16 shall otherwise be conducted in accordance with the rules of  
17 the ~~public employment relations~~ appeal board and the Iowa  
18 administrative procedure Act, chapter 17A. If the ~~public~~  
19 ~~employment relations~~ appeal board finds that the action taken  
20 in regard to the employee was in violation of subsection 2, the  
21 employee may be reinstated without loss of pay or benefits for  
22 the elapsed period, or the ~~public employment relations~~ appeal  
23 board may provide other appropriate remedies. Decisions by  
24 the ~~public employment relations~~ appeal board constitute final  
25 agency action.

26 Sec. 183. Section 80.28, subsections 2 and 3, Code 2024, are  
27 amended to read as follows:

28 2. The board shall consist of ~~nineteen voting members, as~~  
29 ~~follows~~ the following members, selected by the governor after  
30 considering recommendations from professional or volunteer  
31 organizations:

32 ~~a. The following members representing state agencies:~~

33 ~~(1) One member representing the department of public~~  
34 ~~safety.~~

35 ~~(2) One member representing the state department of~~

1 ~~transportation.~~

2 ~~(3) One member representing the department of homeland~~  
3 ~~security and emergency management.~~

4 ~~(4) One member representing the department of corrections.~~

5 ~~(5) One member representing the department of natural~~  
6 ~~resources.~~

7 ~~(6) One member representing the department of health and~~  
8 ~~human services.~~

9 ~~(7) One member representing the office of the chief~~  
10 ~~information officer created in section 8B.2.~~

11 ~~(8) One member representing the Iowa law enforcement~~  
12 ~~academy created in section 80B.4.~~

13 ~~b. The governor shall solicit and consider recommendations~~  
14 ~~from professional or volunteer organizations in appointing the~~  
15 ~~following members:~~

16 ~~(1) Two members who are representatives~~ One member who is a  
17 representative from a municipal police departments department.

18 ~~(2) b. Two members who are representatives~~ One member who  
19 is a representative of a sheriff's offices office.

20 ~~(3) c. Two members who are representatives~~ One member who  
21 is a representative from a fire departments department. ~~One~~  
22 ~~of the members shall be a volunteer fire fighter and the other~~  
23 ~~member shall be a paid fire fighter.~~

24 ~~(4) d. Two members who are~~ One member who is a law  
25 communication center managers manager employed by a state or  
26 local government agencies agency.

27 ~~(5) e. One member representing local emergency management~~  
28 ~~coordinators.~~

29 ~~(6) f. One member representing emergency medical service~~  
30 ~~providers.~~

31 ~~(7) g. One at-large member.~~

32 3. In addition to the ~~voting~~ members listed in subsection  
33 2, the board membership shall include four members of the  
34 general assembly with one member designated by each of  
35 the following: the majority leader of the senate, the

1 minority leader of the senate, the speaker of the house of  
2 representatives, and the minority leader of the house of  
3 representatives. A legislative member serves for a term as  
4 provided in section 69.16B in an ex officio, nonvoting capacity  
5 and is eligible for per diem and expenses as provided in  
6 section 2.10.

7 Sec. 184. Section 84A.1A, subsection 1, unnumbered  
8 paragraph 1, Code 2024, is amended to read as follows:

9 An Iowa workforce development board is created, consisting  
10 of ~~thirty-three voting members and thirteen nonvoting~~ the  
11 following members.

12 Sec. 185. Section 84A.1A, subsection 1, paragraph a,  
13 subparagraph (5), Code 2024, is amended by striking the  
14 subparagraph.

15 Sec. 186. Section 84A.1A, subsection 1, paragraph a,  
16 subparagraph (8), unnumbered paragraph 1, Code 2024, is amended  
17 to read as follows:

18 The following ~~twenty-six~~ members who shall be appointed by  
19 the governor for staggered terms of four years beginning and  
20 ending as provided in section 69.19, subject to confirmation  
21 by the senate:

22 Sec. 187. Section 84A.1A, subsection 1, paragraph a,  
23 subparagraph (8), subparagraph division (a), unnumbered  
24 paragraph 1, Code 2024, is amended to read as follows:

25 Seventeen Ten members who shall be representatives of  
26 businesses in the state to whom each of the following applies,  
27 and at least one of whom shall represent small businesses as  
28 defined by the United States small business administration:

29 Sec. 188. Section 84A.1A, subsection 1, paragraph a,  
30 subparagraph (8), subparagraph division (b), Code 2024, is  
31 amended to read as follows:

32 (b) ~~Seven~~ Four members who shall be representatives of  
33 the workforce in the state and who shall include all of the  
34 following:

35 (i) ~~Four~~ At least two representatives of labor

1 organizations who have been nominated by state labor  
2 federations.

3 (ii) ~~One~~ At least one representative of a joint  
4 labor-management apprenticeship program in the state who shall  
5 be a member of a labor organization or a training director. If  
6 such a joint program does not exist in the state, the member  
7 shall instead be a representative of an apprenticeship program  
8 in the state.

9 ~~(iii) Two representatives of community-based organizations~~  
10 ~~that have demonstrated experience and expertise in addressing~~  
11 ~~the employment, training, or education needs of individuals~~  
12 ~~with barriers to employment as defined in the federal Workforce~~  
13 ~~Innovation and Opportunity Act, Pub. L. No. 113-128, §3(24),~~  
14 ~~including but not limited to organizations that serve veterans~~  
15 ~~or that provide or support competitive, integrated employment~~  
16 ~~for individuals with disabilities; or that serve eligible~~  
17 ~~youth, as defined in the federal Workforce Innovation and~~  
18 ~~Opportunity Act, Pub. L. No. 113-128, §3(18), including~~  
19 ~~representatives of organizations that serve out-of-school~~  
20 ~~youth, as defined in the federal Workforce Innovation and~~  
21 ~~Opportunity Act, Pub. L. No. 113-128, §129(a)(1)(B).~~

22 Sec. 189. Section 84A.1A, subsection 1, paragraph b, Code  
23 2024, is amended by striking the paragraph and inserting in  
24 lieu thereof the following:

25 *b.* The director of the department of education or the  
26 director's designee shall serve as an ex officio, nonvoting  
27 member.

28 Sec. 190. 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



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. 191. 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. 192. Section 100B.1, subsection 3, Code 2024, is

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. 193. 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. 194. 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. 195. 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. 196. Section 123.8, subsection 1, Code 2024, is amended

1 to read as follows:

2 1. The commission, in addition to the duties specifically  
3 enumerated in this chapter, shall ~~act as a policy-making body~~  
4 ~~under this chapter and~~ serve in an advisory capacity to the  
5 director and department.

6 Sec. 197. Section 123.8, subsection 2, unnumbered paragraph  
7 1, Code 2024, is amended to read as follows:

8 The commission may ~~review and affirm, reverse, or amend all~~  
9 provide advice and make recommendations regarding the actions  
10 of the director under this chapter, including but not limited  
11 to the following instances:

12 Sec. 198. Section 123.10, unnumbered paragraph 1, Code  
13 2024, is amended to read as follows:

14 The director, with the ~~approval~~ advice of the commission and  
15 subject to chapter 17A, may adopt rules as necessary to carry  
16 out this chapter. The director's authority under this chapter  
17 extends to, but is not limited to, the following:

18 Sec. 199. Section 123.49, subsection 2, paragraph f,  
19 subparagraph (4), Code 2024, is amended to read as follows:

20 (4) If a person employed under this paragraph reports an  
21 incident of workplace harassment to the employer or if the  
22 employer otherwise becomes aware of such an incident, the  
23 employer shall report the incident to the employee's parent,  
24 guardian, or legal custodian and to the Iowa office of civil  
25 ~~rights commission~~, which shall determine if any action is  
26 necessary or appropriate under chapter 216.

27 Sec. 200. Section 124.551, subsection 1, Code 2024, is  
28 amended to read as follows:

29 1. Contingent upon the receipt of funds pursuant to  
30 section 124.557 sufficient to carry out the purposes of  
31 this subchapter, the board, in conjunction with the advisory  
32 ~~council~~ committee created in section 124.555, shall establish  
33 and maintain an information program for drug prescribing and  
34 dispensing.

35 Sec. 201. Section 124.553, subsection 1, paragraph b, Code

1 2024, is amended to read as follows:

2 *b.* An individual who requests the individual's own program  
3 information in accordance with the procedure established in  
4 rules of the board ~~and advisory council~~ adopted under section  
5 124.554.

6 Sec. 202. Section 124.554, subsection 1, unnumbered  
7 paragraph 1, Code 2024, is amended to read as follows:

8 The board ~~and advisory council~~ shall jointly adopt rules in  
9 accordance with chapter 17A to carry out the purposes of, and  
10 to enforce the provisions of, this subchapter. The rules shall  
11 include but not be limited to the development of procedures  
12 relating to:

13 Sec. 203. Section 124.554, subsection 1, paragraphs f, g,  
14 and h, Code 2024, are amended to read as follows:

15 *f.* Use by the board or advisory ~~council~~ committee of the  
16 program request records required by section 124.553, subsection  
17 2, to document and report statistical information.

18 *g.* Including all schedule II, schedule III, and schedule  
19 IV controlled substances, schedule V controlled substances  
20 including when dispensed by a pharmacist without a prescription  
21 except for sales of pseudoephedrine that are reported to the  
22 real-time electronic repository, opioid antagonists, and other  
23 prescription substances that the advisory ~~council~~ committee and  
24 board determine can be addictive or fatal if not taken under  
25 the proper care and direction of a prescribing practitioner.

26 *h.* Access by a pharmacist or prescribing practitioner to  
27 information in the program pursuant to a written agreement with  
28 the board ~~and advisory council~~.

29 Sec. 204. Section 124.554, subsection 2, unnumbered  
30 paragraph 1, Code 2024, is amended to read as follows:

31 Beginning February 1, 2021, and annually by February 1  
32 thereafter, the board ~~and advisory council~~ shall present to the  
33 general assembly and the governor a report prepared consistent  
34 with section 124.555, subsection 3, paragraph "d", which shall  
35 include but not be limited to the following:

1       Sec. 205. Section 124.554, subsection 2, paragraphs b and c,  
2 Code 2024, are amended to read as follows:

3       *b.* Information from pharmacies, prescribing practitioners,  
4 the board, the advisory ~~council~~ committee, and others regarding  
5 the benefits or detriments of the program.

6       *c.* Information from pharmacies, prescribing practitioners,  
7 the board, the advisory ~~council~~ committee, and others regarding  
8 the board's effectiveness in providing information from the  
9 program.

10       Sec. 206. Section 124.554, subsection 3, paragraph a,  
11 subparagraph (6), Code 2024, is amended to read as follows:

12       (6) Other pertinent information identified by the board and  
13 ~~advisory council~~ by rule.

14       Sec. 207. Section 124.555, unnumbered paragraph 1, Code  
15 2024, is amended to read as follows:

16       An advisory ~~council~~ committee shall be established to  
17 ~~provide oversight to assist~~ assist the board and in the management of  
18 the program and ~~to manage~~ program activities.

19       Sec. 208. Section 124.555, subsections 1 and 2, Code 2024,  
20 are amended to read as follows:

21       1. The ~~council~~ committee shall consist of five members  
22 appointed by the board. The members shall include at least  
23 one ~~licensed pharmacist prescribing practitioner licensed~~  
24 by the board, one physician licensed under chapter 148, one  
25 prescribing practitioner licensed by the board of nursing, and  
26 one licensed prescribing practitioner who is not a physician,  
27 and other members as determined by the board. The board  
28 shall adopt rules in accordance with chapter 17A on matters  
29 pertaining to the ~~council~~ committee membership, including the  
30 terms of appointment and quorum. The board shall solicit  
31 recommendations for ~~council~~ committee members from Iowa health  
32 professional licensing boards, associations, and societies.  
33 The license of each member appointed to and serving on the  
34 advisory ~~council~~ committee shall be current and in good  
35 standing with the professional's licensing board.

1     2. The ~~council~~ committee shall advance the goals of the  
2 program, which include identification of misuse and diversion  
3 of controlled substances identified pursuant to section  
4 124.554, subsection 1, paragraph "g", and enhancement of the  
5 quality of health care delivery in this state.

6     Sec. 209. Section 124.555, subsection 3, unnumbered  
7 paragraph 1, Code 2024, is amended to read as follows:

8     Duties of the ~~council~~ committee shall include but not be  
9 limited to the following:

10     Sec. 210. Section 124.555, subsection 3, paragraph d, Code  
11 2024, is amended to read as follows:

12     d. Making recommendations regarding the continued benefits  
13 of maintaining the program in relationship to cost and other  
14 burdens to the patient, prescribing practitioner, pharmacist,  
15 and the board. The ~~council's~~ committee's recommendations shall  
16 be included in reports required by section 124.554, subsection  
17 2.

18     Sec. 211. Section 124.555, subsection 4, Code 2024, is  
19 amended to read as follows:

20     4. Members of the advisory ~~council~~ committee shall  
21 be eligible to request and receive actual expenses for  
22 their duties as members of the advisory ~~council~~ committee,  
23 subject to reimbursement limits imposed by the department of  
24 administrative services, and shall also be eligible to receive  
25 a per diem compensation as provided in section 7E.6, subsection  
26 1.

27     Sec. 212. Section 124.556, Code 2024, is amended to read as  
28 follows:

29     **124.556 Education and treatment.**

30     The program shall include education initiatives and outreach  
31 to consumers, prescribing practitioners, and pharmacists, and  
32 shall also include assistance for identifying substance use  
33 disorder treatment programs and providers. The program shall  
34 also include educational updates and information on general  
35 patient risk factors for prescribing practitioners. The board

1 ~~and advisory council~~ shall adopt rules, as provided under  
2 section 124.554, to implement this section.

3 Sec. 213. Section 135.11, subsection 22, Code 2024, is  
4 amended to read as follows:

5 22. ~~In consultation with the advisory committee for~~  
6 ~~perinatal guidelines, develop~~ Develop and maintain the  
7 statewide perinatal program based on the recommendations of  
8 the American academy of pediatrics and the American college  
9 of obstetricians and gynecologists contained in the most  
10 recent edition of the guidelines for perinatal care, and  
11 adopt rules in accordance with chapter 17A to implement those  
12 recommendations. Hospitals within the state shall determine  
13 whether to participate in the statewide perinatal program,  
14 and select the hospital's level of participation in the  
15 program. A hospital having determined to participate in the  
16 program shall comply with the guidelines appropriate to the  
17 level of participation selected by the hospital. Perinatal  
18 program surveys and reports are privileged and confidential  
19 and are not subject to discovery, subpoena, or other means  
20 of legal compulsion for their release to a person other than  
21 the affected hospital, and are not admissible in evidence in a  
22 judicial or administrative proceeding other than a proceeding  
23 involving verification of the participating hospital under this  
24 subsection.

25 Sec. 214. Section 135.43, subsections 1 and 2, Code 2024,  
26 are amended to read as follows:

27 1. ~~An Iowa child death~~ A state mortality review team  
28 committee is established in the department. The department  
29 shall provide staffing and administrative support to the ~~team~~  
30 committee.

31 2. The membership of the review ~~team~~ committee is subject  
32 to the provisions of sections 69.16 and 69.16A, relating  
33 to political affiliation and gender balance. Review ~~team~~  
34 committee members who are not designated by another appointing  
35 authority shall be appointed by the director. Membership terms

1 shall be for three years. A membership vacancy shall be filled  
2 in the same manner as the original appointment. The review  
3 ~~team~~ committee shall elect a chairperson and other officers  
4 as deemed necessary by the review ~~team~~ committee. The review  
5 ~~team~~ committee shall meet upon the call of the director or  
6 as determined by the review ~~team~~ committee. The review ~~team~~  
7 committee shall include the following:

8     *a.* The state medical examiner or the state medical  
9 examiner's designee.

10    ~~*b.* A certified or licensed professional who is knowledgeable  
11 concerning sudden infant death syndrome.~~

12    ~~*c.* A pediatrician who is knowledgeable concerning deaths of  
13 children.~~

14    ~~*d.* A family practice physician who is knowledgeable  
15 concerning deaths of children.~~

16    ~~*e.* One mental health professional who is knowledgeable  
17 concerning deaths of children.~~

18    ~~*f.* One social worker who is knowledgeable concerning deaths  
19 of children.~~

20    ~~*g.* A certified or licensed professional who is knowledgeable  
21 concerning domestic violence.~~

22    ~~*h.* A professional who is knowledgeable concerning substance  
23 use disorder.~~

24    ~~*i.* A local law enforcement official.~~

25    ~~*j.* A county attorney.~~

26    ~~*k.* An emergency room nurse who is knowledgeable concerning  
27 the deaths of children.~~

28    ~~*l.* A perinatal expert.~~

29    ~~*m.* A representative of the health insurance industry.~~

30    ~~*n.* One other member who is appointed at large.~~

31    *b.* A licensed physician knowledgeable concerning the causes  
32 of death.

33    *c.* A certified or licensed professional knowledgeable  
34 regarding substance use disorder.

35    *d.* An attorney experienced in prosecuting domestic abuse



1 cases.

2 e. An expert in unexpected or unexplained infant deaths.

3 f. A clerk of a district court, to be appointed by the chief  
4 justice of the supreme court.

5 g. A judicial officer, to be appointed by the chief justice  
6 of the supreme court.

7 h. A local law enforcement official.

8 i. A social worker knowledgeable about deaths of children.

9 j. Additional members as determined by the director.

10 Sec. 215. Section 135.43, subsection 3, unnumbered  
11 paragraph 1, Code 2024, is amended to read as follows:

12 The review ~~team~~ committee shall perform the following  
13 duties:

14 Sec. 216. Section 135.43, subsection 3, paragraphs a, c, e,  
15 f, and g, Code 2024, are amended to read as follows:

16 a. Collect, review, and analyze child death certificates and  
17 child death data, including patient records or other pertinent  
18 confidential information concerning the deaths of children  
19 under age eighteen, and other information as the review ~~team~~  
20 committee deems appropriate for use in preparing an annual  
21 report to the governor and the general assembly concerning the  
22 causes and manner of child deaths. The report shall include  
23 analysis of factual information obtained through review and  
24 recommendations regarding prevention of child deaths.

25 c. Recommend to the agencies represented on the review ~~team~~  
26 committee changes which may prevent child deaths.

27 e. Recommend to the department, appropriate law enforcement  
28 agencies, and any other person involved with child protection,  
29 interventions that may prevent harm to a child who is related  
30 to or is living in the same home as a child whose case is  
31 reviewed by the ~~team~~ committee.

32 f. If the sharing of information is necessary to assist in  
33 or initiate a child death investigation or criminal prosecution  
34 and the office or agency receiving the information does not  
35 otherwise have access to the information, share information

1 possessed by the review ~~team~~ committee with the office of the  
2 attorney general, a county attorney's office, or an appropriate  
3 law enforcement agency. The office or agency receiving  
4 the information shall maintain the confidentiality of the  
5 information in accordance with this section. Unauthorized  
6 release or disclosure of the information received is subject to  
7 penalty as provided in this section.

8 *g.* In order to assist the department in performing the  
9 department's duties, if the department does not otherwise have  
10 access to the information, share information possessed by the  
11 review ~~team~~ committee. The recipient of the information shall  
12 maintain the confidentiality of the information in accordance  
13 with this section. Unauthorized release or disclosure of the  
14 information received is subject to penalty as provided in this  
15 section.

16 Sec. 217. Section 135.43, subsection 4, unnumbered  
17 paragraph 1, Code 2024, is amended to read as follows:

18 The department shall develop protocols for ~~a child fatality~~  
19 ~~review committee, to be appointed by the director on an ad hoc~~  
20 ~~basis, the state mortality review committee to immediately~~  
21 review the child abuse assessments which involve the fatality  
22 of a child under age eighteen. ~~The director shall appoint a~~  
23 ~~medical examiner, a pediatrician, and a person involved with~~  
24 ~~law enforcement to the committee.~~

25 Sec. 218. Section 135.43, subsection 4, paragraph a, Code  
26 2024, is amended to read as follows:

27 *a.* The purpose of the review shall be to determine whether  
28 the department and others involved with the case of child abuse  
29 responded appropriately. The protocols shall provide for  
30 the committee to consult with any multidisciplinary team, as  
31 defined in section 235A.13, that is operating in the area in  
32 which the fatality occurred. The protocols shall also ensure  
33 that a member of the ~~child fatality review~~ committee does not  
34 have a conflict of interest regarding the child fatality under  
35 review.

1     Sec. 219. Section 135.43, subsection 5, paragraph a,  
2 unnumbered paragraph 1, Code 2024, is amended to read as  
3 follows:

4     The following individuals shall designate a liaison  
5 to assist the review ~~team~~ committee in fulfilling its  
6 responsibilities:

7     Sec. 220. Section 135.43, subsection 5, paragraph b, Code  
8 2024, is amended to read as follows:

9     **b.** In addition, the department shall designate a liaison  
10 from the public at large to assist the review ~~team~~ committee in  
11 fulfilling its responsibilities.

12     Sec. 221. Section 135.43, subsections 6, 7, and 8, Code  
13 2024, are amended to read as follows:

14     6. The review ~~team~~ committee may establish subcommittees to  
15 which the ~~team~~ committee may delegate some or all of the ~~team's~~  
16 committee's responsibilities under subsection 3.

17     7. **a.** The department shall adopt rules providing for  
18 disclosure of information which is confidential under chapter  
19 22 or any other provision of state law, to the review ~~team~~  
20 committee for purposes of performing its child death and child  
21 abuse review responsibilities.

22     **b.** A person in possession or control of medical,  
23 investigative, assessment, or other information pertaining to a  
24 child death and child abuse review shall allow the inspection  
25 and reproduction of the information by the department  
26 upon the request of the department, to be used only in the  
27 administration and for the duties of the ~~Iowa child death~~  
28 state mortality review ~~team~~ committee. Except as provided  
29 for a report on a child fatality by an ~~ad hoc child fatality~~  
30 review ~~the~~ committee under subsection 4, information and  
31 records produced under this section which are confidential  
32 under section 22.7 and chapter 235A, and information or records  
33 received from the confidential records, remain confidential  
34 under this section. A person does not incur legal liability by  
35 reason of releasing information to the department as required

1 under and in compliance with this section.

2 8. Review ~~team~~ committee members and their agents are immune  
3 from any liability, civil or criminal, which might otherwise  
4 be incurred or imposed as a result of any act, omission,  
5 proceeding, decision, or determination undertaken or performed,  
6 or recommendation made as a review ~~team~~ committee member or  
7 agent provided that the review ~~team~~ committee members or agents  
8 acted in good faith and without malice in carrying out their  
9 official duties in their official capacity. The department  
10 shall adopt rules pursuant to chapter 17A to administer  
11 this subsection. A complainant bears the burden of proof in  
12 establishing malice or lack of good faith in an action brought  
13 against review ~~team~~ committee members involving the performance  
14 of their duties and powers under this section.

15 Sec. 222. Section 135.108, Code 2024, is amended by adding  
16 the following new subsection:

17 NEW SUBSECTION. 01. "*Committee*" or "*review committee*" means  
18 the state mortality review committee established in section  
19 135.43.

20 Sec. 223. Section 135.108, subsection 4, Code 2024, is  
21 amended by striking the subsection.

22 Sec. 224. Section 135.110, subsection 1, unnumbered  
23 paragraph 1, Code 2024, is amended to read as follows:

24 The review ~~team~~ committee shall perform the following  
25 duties:

26 Sec. 225. Section 135.110, subsection 1, paragraphs b and c,  
27 Code 2024, are amended to read as follows:

28 *b.* Advise and consult ~~the agencies represented on the team~~  
29 ~~and other~~ state agencies regarding program and regulatory  
30 changes that may prevent domestic abuse deaths.

31 *c.* Develop protocols for domestic abuse death investigations  
32 and ~~team~~ committee review.

33 Sec. 226. Section 135.110, subsections 2, 3, 4, 5, and 6,  
34 Code 2024, are amended to read as follows:

35 2. In performing duties pursuant to subsection 1, the

1 review ~~team~~ committee shall review the relationship between the  
2 decedent victim and the alleged or convicted perpetrator from  
3 the point where the abuse allegedly began, until the domestic  
4 abuse death occurred, and shall review all relevant documents  
5 pertaining to the relationship between the parties, including  
6 but not limited to protective orders and dissolution, custody,  
7 and support agreements and related court records, in order to  
8 ascertain whether a correlation exists between certain events  
9 in the relationship and any escalation of abuse, and whether  
10 patterns can be established regarding such events in relation  
11 to domestic abuse deaths in general. The review ~~team~~ committee  
12 shall consider such conclusions in making recommendations  
13 pursuant to subsection 1.

14 3. The ~~team~~ committee shall meet upon the call of the  
15 chairperson, upon the request of a state agency, or as  
16 determined by a majority of the ~~team~~ committee.

17 4. The ~~team~~ committee shall annually elect a chairperson and  
18 other officers as deemed necessary by the ~~team~~ committee.

19 5. The ~~team~~ committee may establish ~~committees~~  
20 subcommittees or panels to whom the ~~team~~ committee may assign  
21 some or all of the ~~team's~~ committee's responsibilities.

22 6. Members of the ~~team~~ committee who are currently  
23 practicing attorneys or current employees of the judicial  
24 branch of state government shall not participate in the  
25 following:

26 a. An investigation by the ~~team~~ committee that involves a  
27 case in which the ~~team~~ committee member is presently involved  
28 in the member's professional capacity.

29 b. Development of protocols by the ~~team~~ committee for  
30 domestic abuse death investigations and ~~team~~ committee review.

31 c. Development of regulatory changes related to domestic  
32 abuse deaths.

33 Sec. 227. Section 135.111, subsection 1, Code 2024, is  
34 amended to read as follows:

35 1. A person in possession or control of medical,

1 investigative, or other information pertaining to a domestic  
2 abuse death and related incidents and events preceding the  
3 domestic abuse death, shall allow for the inspection and review  
4 of written or photographic information related to the death,  
5 whether the information is confidential or public in nature, by  
6 the department upon the request of the department and the ~~team~~  
7 committee, to be used only in the administration and for the  
8 official duties of the ~~team~~ committee. Information and records  
9 produced under this section that are confidential under the law  
10 of this state or under federal law, or because of any legally  
11 recognized privilege, and information or records received  
12 from the confidential records, remain confidential under this  
13 section.

14 Sec. 228. Section 135.112, Code 2024, is amended to read as  
15 follows:

16 **135.112 Rulemaking.**

17 The department shall adopt rules pursuant to chapter 17A  
18 relating to the administration of the ~~domestic abuse death~~  
19 ~~review team~~ committee and sections 135.108 through 135.111.

20 Sec. 229. Section 147.13, subsection 21, Code 2024, is  
21 amended by striking the subsection.

22 Sec. 230. Section 147.14, subsection 1, paragraphs b, d, e,  
23 n, and s, Code 2024, are amended to read as follows:

24 *b.* For nursing, ~~four~~ three registered nurses, ~~two~~ one of  
25 whom shall be actively engaged in practice, ~~two~~ one of whom  
26 shall be a nurse educators educator from a nursing education  
27 ~~programs; of these, one in higher education and one in area~~  
28 ~~community and vocational-technical registered nurse education~~  
29 program, and one of whom shall be an advanced registered  
30 nurse practitioner; one licensed practical nurse actively  
31 engaged in practice; and ~~two members~~ one member who is not a  
32 ~~registered nurses nurse~~ nurse or licensed practical ~~nurses nurse~~  
33 who shall represent the general public. The ~~representatives~~  
34 representative of the general public shall not be ~~members a~~  
35 member of a health care delivery systems system.

1     *d.* For pharmacy, ~~five~~ four members licensed to practice  
2 pharmacy, one member registered as a certified pharmacy  
3 technician as defined by the board by rule, and ~~two members~~  
4 one member who ~~are~~ is not licensed to practice pharmacy or  
5 registered as a certified pharmacy technician and who shall  
6 represent the general public.

7     *e.* For optometry, ~~five~~ four members licensed to practice  
8 optometry and ~~two members~~ one member who ~~are~~ is not licensed to  
9 practice optometry and who shall represent the general public.

10    *n.* For mortuary science, ~~four~~ three members licensed to  
11 practice mortuary science, one member owning, operating,  
12 or employed by a crematory, and ~~two members~~ one member not  
13 licensed to practice mortuary science and not a crematory  
14 owner, operator, or employee who shall represent the general  
15 public.

16    *s.* For sign language interpreting and transliterating,  
17 ~~four~~ three members licensed to practice interpreting and  
18 transliterating, ~~three~~ two of whom shall be practicing  
19 interpreters and transliterators at the time of appointment  
20 to the board and at least one of whom is employed in an  
21 educational setting; and ~~three~~ two members who are consumers of  
22 interpreting or transliterating services as defined in section  
23 154E.1, each of whom shall be deaf or hard of hearing.

24    Sec. 231. Section 147.14, subsection 1, paragraph t, Code  
25 2024, is amended by striking the paragraph.

26    Sec. 232. Section 148.2A, subsection 2, unnumbered  
27 paragraph 1, Code 2024, is amended to read as follows:

28    Notwithstanding sections 17A.11, 69.16, 69.16A, 147.12,  
29 147.14, and 147.19, the board may have a pool of up to ~~ten~~ three  
30 alternate members, including members licensed to practice under  
31 this chapter and members not licensed to practice under this  
32 chapter, to substitute for board members who are disqualified  
33 or become unavailable for any other reason for contested case  
34 hearings.

35    Sec. 233. Section 148.2A, subsection 2, paragraph a, Code

1 2024, is amended to read as follows:

2     a. The board may recommend, subject to approval by  
3 the governor, up to ~~ten~~ three people to serve in a pool of  
4 alternate members.

5     Sec. 234. Section 154A.1, subsection 1, Code 2024, is  
6 amended by striking the subsection.

7     Sec. 235. Section 154A.1, subsection 6, Code 2024, is  
8 amended to read as follows:

9     6. "*Hearing aid specialist*" means any person engaged in the  
10 fitting, dispensing, and sale of hearing aids and providing  
11 hearing aid services or maintenance, by means of procedures  
12 stipulated by this chapter or the ~~board~~ department.

13     Sec. 236. Section 154A.10, subsection 3, Code 2024, is  
14 amended to read as follows:

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

16     Sec. 237. Section 154A.12, subsection 2, Code 2024, is  
17 amended to read as follows:

18     2. The ~~board~~ department shall not require the applicant to  
19 possess the degree of professional competence normally expected  
20 of physicians.

21     Sec. 238. Section 154A.13, Code 2024, is amended to read as  
22 follows:

23     **154A.13 Temporary permit.**

24     A person who has not been licensed as a hearing aid  
25 specialist may obtain a temporary permit from the department  
26 upon completion of the application accompanied by the written  
27 verification of employment from a licensed hearing aid  
28 specialist. The department shall issue a temporary permit for  
29 ~~one year~~ two years which shall not be renewed or reissued.  
30 The fee for issuance of the temporary permit shall be set  
31 by the ~~board~~ department in accordance with the provisions  
32 for establishment of fees by boards in section 147.80. The  
33 temporary permit entitles an applicant to engage in the fitting  
34 or selection and sale of hearing aids under the supervision of  
35 a person holding a valid license.



1     Sec. 239. Section 154A.19, subsection 1, Code 2024, is  
2 amended to read as follows:

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

18     Sec. 240. Section 154A.19, Code 2024, is amended by adding  
19 the following new subsection:

20     NEW SUBSECTION. 4. This chapter shall not apply to a person  
21 who engages in practices covered by this chapter if the person  
22 is licensed as an audiologist pursuant to chapter 154F.

23     Sec. 241. Section 154A.23, Code 2024, is amended to read as  
24 follows:

25     **154A.23 Disciplinary orders — attorney general.**

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

32     Sec. 242. Section 154A.24, unnumbered paragraph 1, Code  
33 2024, is amended to read as follows:

34     The ~~board~~ department may revoke or suspend a license or  
35 temporary permit permanently or for a fixed period for any of

1 the following causes:

2 Sec. 243. Section 154A.24, subsection 2, paragraphs e and s,  
3 Code 2024, are amended to read as follows:

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

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

19 Sec. 244. Section 169.5, subsection 1, paragraph a, Code  
20 2024, is amended to read as follows:

21 a. The governor shall appoint, subject to confirmation  
22 by the senate pursuant to section 2.32, a board of five  
23 individuals, three of whom shall be licensed veterinarians  
24 and two of whom shall not be licensed veterinarians and shall  
25 represent the general public, one of whom shall be a farmer  
26 involved in the production of agricultural animals. The board  
27 shall be known as the Iowa board of veterinary medicine.

28 Sec. 245. Section 170.1, subsection 2, Code 2024, is amended  
29 by striking the subsection.

30 Sec. 246. Section 170.3B, Code 2024, is amended to read as  
31 follows:

32 **170.3B Farm deer administration fee.**

33 The department may establish a farm deer administration fee  
34 which shall be annually imposed on each landowner who keeps  
35 farm deer in this state. The amount of the fee shall not exceed

1 two hundred dollars per year. The fee shall be collected  
2 by the department in a manner specified by rules adopted by  
3 the department ~~after consulting with the farm deer council~~  
4 ~~established in section 170.2~~. The collected fees shall be  
5 credited to the farm deer administration fund created pursuant  
6 to section 170.3C.

7 Sec. 247. Section 190C.1, subsection 2, Code 2024, is  
8 amended by striking the subsection.

9 Sec. 248. Section 190C.2B, subsection 1, Code 2024, is  
10 amended to read as follows:

11 1. The department shall implement and administer the  
12 provisions of this chapter for agricultural products that have  
13 been produced and handled within this state using organic  
14 methods as provided in this chapter. ~~The department may~~  
15 ~~consult with the council in implementing and administering this~~  
16 ~~chapter~~. The department may certify agricultural products that  
17 have been produced and handled outside this state using an  
18 organic method as provided in this chapter.

19 Sec. 249. Section 190C.3, subsection 2, Code 2024, is  
20 amended to read as follows:

21 2. The department may request assistance from ~~the council~~  
22 ~~as provided in section 190C.2A or from one or more regional~~  
23 organic associations as provided in section 190C.6.

24 Sec. 250. Section 203.11A, subsection 2, Code 2024, is  
25 amended to read as follows:

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

34 Sec. 251. Section 203.16, subsection 8, Code 2024, is  
35 amended by striking the subsection.

1     Sec. 252. Section 203C.24, subsection 8, Code 2024, is  
2 amended by striking the subsection.

3     Sec. 253. Section 203C.36A, subsection 2, Code 2024, is  
4 amended to read as follows:

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

14     Sec. 254. Section 206.19, subsection 5, Code 2024, is  
15 amended by adding the following new paragraph:

16     NEW PARAGRAPH. c. (1) A person subject to a civil penalty  
17 pursuant to this subsection may submit an appeal to the  
18 department. The appeal shall be referred to an administrative  
19 law judge for hearing as a contested case pursuant to chapter  
20 17A.

21     (2) This paragraph does not apply to a license revocation  
22 proceeding. This paragraph does not require the department  
23 to delay the prosecution of a case if immediate action is  
24 necessary to reduce the risk of harm to the environment or  
25 public health or safety. This section also does not require a  
26 review or response if the department refers a violation of this  
27 chapter for criminal prosecution, or for an action involving a  
28 stop order issued pursuant to section 206.16.

29     (3) An available response by the department may be used as  
30 evidence in an administrative hearing, or a civil or criminal  
31 case, except to the extent that information is considered  
32 confidential pursuant to section 22.7.

33     Sec. 255. Section 216.2, Code 2024, is amended by adding the  
34 following new subsections:

35     NEW SUBSECTION. 01. "Agency" means the administrative

1 function of the Iowa office of civil rights, including the  
2 director and staff. "Agency" does not include a member of the  
3 Iowa state civil rights commission.

4 NEW SUBSECTION. 4A. "Director" means the director of the  
5 Iowa office of civil rights.

6 NEW SUBSECTION. 11A. "Office" means the Iowa office of  
7 civil rights.

8 Sec. 256. Section 216.2, subsection 1, Code 2024, is amended  
9 to read as follows:

10 1. "Commission" means the Iowa state civil rights commission  
11 ~~created by this chapter~~ within the Iowa office of civil rights.

12 Sec. 257. Section 216.3, subsections 1 and 3, Code 2024, are  
13 amended to read as follows:

14 1. The Iowa state civil rights commission is created  
15 ~~within the department of inspections, appeals, and licensing~~  
16 consisting of ~~seven~~ five members appointed by the governor  
17 subject to confirmation by the senate. Appointments shall be  
18 made to provide geographical area representation insofar as  
19 practicable. No more than ~~four~~ three members of the commission  
20 shall belong to the same political party. Members appointed  
21 to the commission shall serve for four-year staggered terms  
22 beginning and ending as provided by section 69.19.

23 3. The governor subject to confirmation by the senate shall  
24 appoint a director who shall serve as the ~~executive officer~~  
25 ~~of the commission~~ head of the agency. The governor shall set  
26 the salary of the director within the applicable salary range  
27 established by the general assembly. The director shall adopt  
28 rules pursuant to chapter 17A consistent with and necessary for  
29 the enforcement of this chapter. The director shall advise and  
30 support the commission in fulfilling the commission's duties  
31 and responsibilities under section 216.5A.

32 Sec. 258. Section 216.4, Code 2024, is amended to read as  
33 follows:

34 **216.4 Compensation and expenses — rules procedures.**

35 Commissioners shall be paid a per diem as specified in

1 section 7E.6 and shall be reimbursed for actual and necessary  
2 expenses incurred while on official commission business. All  
3 per diem and expense moneys paid to commissioners shall be  
4 paid from funds appropriated to the ~~commission~~ office. The  
5 commission shall adopt, amend, or rescind ~~rules~~ procedures as  
6 necessary for the conduct of its meetings. A quorum shall  
7 consist of ~~four~~ three commissioners.

8 Sec. 259. Section 216.5, Code 2024, is amended by striking  
9 the section and inserting in lieu thereof the following:

10 **216.5 Powers and duties of agency.**

11 The agency shall have the following powers and duties:

12 1. To receive, investigate, mediate, conciliate,  
13 and determine the merits of complaints alleging illegal  
14 discriminatory practices. The agency shall not disclose the  
15 filing of a complaint, the information gathered during the  
16 investigation, or the endeavors to eliminate such illegal  
17 discriminatory practice by mediation or conciliation, unless  
18 such disclosure is made in connection with the agency's  
19 investigation.

20 2. To investigate compliance with conciliation agreements  
21 and pursue appropriate remedies up to and including filing in  
22 district court.

23 3. To investigate, study, and report on the existence,  
24 causes, and extent of illegal discrimination, as deemed  
25 necessary by the director.

26 4. To provide education and outreach regarding illegal  
27 discrimination, including individuals and organizations.

28 5. To seek a temporary injunction against a respondent when  
29 it appears that a complainant may suffer irreparable injury  
30 as a result of an alleged violation of this chapter. Unless  
31 otherwise specified in this chapter, a temporary injunction  
32 may be issued only after the respondent has been notified and  
33 afforded an opportunity to be heard.

34 6. To hold contested case hearings upon any complaint made  
35 against a respondent, and all of the following:

- 1     *a.* To subpoena witnesses and compel their attendance.
- 2     *b.* To administer oaths and take the testimony of any person  
3 under oath.
- 4     *c.* To compel a respondent to produce for examination any  
5 books and papers relating to the complaint.
- 6     7. To issue subpoenas at the request of a party in contested  
7 hearings.
- 8     8. To petition the district court for issuance of a subpoena  
9 and the court, in a proper case, shall issue the subpoena for  
10 contested case hearings. Refusal to obey a district court  
11 subpoena shall be subject to punishment for contempt.
- 12    9. To pursue the entry of a consent decree in district court  
13 for conciliation agreements.
- 14    10. To petition and appear before the district court for  
15 the enforcement of office orders following a contested case  
16 hearing.
- 17    11. To provide education opportunities and informal  
18 technical advice to local commissions regarding legal  
19 developments, case process improvements, and cooperation for  
20 cross-filing.
- 21    12. To prepare and transmit to the governor and the general  
22 assembly an annual report describing performance outcomes of  
23 the agency.
- 24    13. To make recommendations to the governor and general  
25 assembly for such further legislation concerning illegal  
26 discrimination as deemed necessary by the director.
- 27    14. To adopt, publish, amend, and rescind office rules  
28 pursuant to chapter 17A consistent with and necessary for the  
29 enforcement of this chapter.
- 30    15. To receive, administer, dispense, and account for any  
31 moneys that may be granted or voluntarily contributed to the  
32 office for furthering the purposes of this chapter.
- 33    16. To utilize volunteers to aid in the conduct of the  
34 agency's duties as deemed necessary by the director.
- 35    17. To issue a copy of the case file to any party following

1 the issuance of a right to sue letter, the filing of a  
2 contested case, or the filing of an action for judicial review.

3 18. To issue protective orders in case files when necessary.

4 Sec. 260. NEW SECTION. **216.5A Powers and duties of**  
5 **commission.**

6 The commission shall have the following powers and duties:

7 1. To adopt, amend, or rescind procedures as necessary for  
8 the conduct of commission meetings.

9 2. To sit as the final reviewing body for decisions issued  
10 by an administrative law judge following an appeal from a  
11 contested case hearing.

12 3. To make policy recommendations to the director for  
13 consideration to be incorporated with any recommendations from  
14 the agency to the governor and general assembly.

15 Sec. 261. Section 216.8C, subsections 3 and 4, Code 2024,  
16 are amended to read as follows:

17 3. The ~~commission~~ agency, in consultation with the consumer  
18 protection division of the office of the attorney general,  
19 shall adopt rules regarding the making of a written finding  
20 by licensees under this section. The rules shall include a  
21 form for licensees to document the licensees' written finding.  
22 The form shall recite this section's requirements and comply  
23 with the federal Fair Housing Act, 42 U.S.C. §3601 et seq., as  
24 amended, and section 504 of the federal Rehabilitation Act of  
25 1973, 29 U.S.C. §794, as amended. The form must contain only  
26 two questions regarding the qualifications of the patient or  
27 client, which shall be whether a person has a disability and  
28 whether the need for an assistance animal or service animal is  
29 related to the disability. The form must indicate that the  
30 responses must be limited to "yes" or "no". The form must not  
31 allow for additional detail.

32 4. A person who, in the course of employment, is asked  
33 to make a finding of disability and disability-related need  
34 for an assistance animal or service animal shall utilize the  
35 form created by the ~~commission~~ agency to document the person's



1 written finding.

2 Sec. 262. Section 216.12, subsection 1, paragraph d,  
3 unnumbered paragraph 1, Code 2024, is amended to read as  
4 follows:

5 Discrimination on the basis of familial status involving  
6 dwellings provided under any state or federal program  
7 specifically designed and operated to assist elderly persons,  
8 as defined in the state or federal program that the ~~commission~~  
9 agency determines to be consistent with determinations made by  
10 the United States secretary of housing and urban development,  
11 and housing for older persons. As used in this paragraph,  
12 "*housing for older persons*" means housing communities consisting  
13 of dwellings intended for either of the following:

14 Sec. 263. Section 216.15, Code 2024, is amended to read as  
15 follows:

16 **216.15 Complaint — hearing.**

17 1. Any person claiming to be aggrieved by a discriminatory  
18 or unfair practice may, in person or by an attorney, make,  
19 sign, and file with the ~~commission~~ agency a verified, written  
20 complaint which shall state the name and address of the person,  
21 employer, employment agency, or labor organization alleged  
22 to have committed the discriminatory or unfair practice of  
23 which complained, shall set forth the particulars thereof,  
24 and shall contain such other information as may be required  
25 by the ~~commission~~ agency. ~~The commission~~ Agency staff, a  
26 commissioner, or the attorney general may in like manner make,  
27 sign, and file such complaint.

28 2. Any place of public accommodation, employer, labor  
29 organization, or other person who has any employees or members  
30 who refuse or threaten to refuse to comply with the provisions  
31 of this chapter may file with the ~~commission~~ agency a verified  
32 written complaint in triplicate asking the ~~commission~~ agency  
33 for assistance to obtain their compliance by conciliation or  
34 other remedial action.

35 3. a. After the filing of a verified complaint, a true

1 copy shall be served within twenty days on the person against  
2 whom the complaint is filed, except as provided in subsection  
3 4. ~~An authorized member of the commission~~ Agency staff shall  
4 make a prompt investigation and shall issue a recommendation  
5 to an administrative law judge employed by the division of  
6 administrative hearings created by section 10A.801, who shall  
7 then issue a determination of probable cause or no probable  
8 cause.

9 *b.* For purposes of this chapter, an administrative law judge  
10 issuing a determination of probable cause or no probable cause  
11 under this section is exempt from section 17A.17.

12 *c.* If the administrative law judge concurs with the  
13 investigating official that probable cause exists regarding  
14 the allegations of the complaint, the staff of the ~~commission~~  
15 agency shall promptly endeavor to eliminate the discriminatory  
16 or unfair practice by conference, conciliation, and persuasion.  
17 If the administrative law judge finds that no probable cause  
18 exists, the administrative law judge shall issue a final order  
19 dismissing the complaint and shall promptly mail a copy to the  
20 complainant and to the respondent. A finding of probable cause  
21 shall not be introduced into evidence in an action brought  
22 under section 216.16.

23 *d.* The ~~commission~~ agency staff must endeavor to eliminate  
24 the discriminatory or unfair practice by conference,  
25 conciliation, and persuasion for a period of thirty days  
26 following the initial conciliation meeting between the  
27 respondent and the ~~commission~~ agency staff after a finding  
28 of probable cause. After the expiration of thirty days, the  
29 director may order the conciliation conference and persuasion  
30 procedure provided in this section to be bypassed when the  
31 director determines the procedure is unworkable by reason of  
32 past patterns and practices of the respondent, or a statement  
33 by the respondent that the respondent is unwilling to continue  
34 with the conciliation. ~~The director must have the approval of~~  
35 ~~a commissioner before bypassing the conciliation, conference~~

1 ~~and persuasion procedure.~~ Upon the bypassing of conciliation,  
2 the director shall state in writing the reasons for bypassing.

3 4. a. The ~~commission~~ agency may permit service of a  
4 complaint on a respondent by regular or electronic mail. If  
5 the respondent does not respond to the service by regular or  
6 electronic mail after ninety days, the ~~commission~~ agency shall  
7 serve the complaint on the respondent by certified mail within  
8 twenty days after the expiration of the ninety-day response  
9 period to service by regular or electronic mail.

10 b. The ~~commission~~ agency may also permit a party to file  
11 a response to a complaint, a document, information, or other  
12 material, by electronic mail.

13 c. The ~~commission~~ agency may issue a notice, determination,  
14 order, subpoena, request, correspondence, or any other document  
15 issued by the ~~commission~~ agency, by electronic mail.

16 5. The members of the commission and ~~its~~ agency staff  
17 shall not disclose the filing of a complaint, the information  
18 gathered during the investigation, or the endeavors to  
19 eliminate such discriminatory or unfair practice by mediation,  
20 conference, conciliation, and persuasion, unless such  
21 disclosure is made in connection with the conduct of such  
22 investigation.

23 6. When the director is satisfied that further endeavor to  
24 settle a complaint by conference, conciliation, and persuasion  
25 is unworkable and should be bypassed, and the thirty-day period  
26 provided for in subsection 3 has expired without agreement, the  
27 director ~~with the approval of a commissioner,~~ shall issue and  
28 cause to be served a written notice specifying the charges in  
29 the complaint as they may have been amended and the reasons for  
30 bypassing conciliation, if the conciliation is bypassed, and  
31 requiring the respondent to answer the charges of the complaint  
32 at a hearing before the ~~commission~~ agency, a commissioner, or  
33 a person designated by the ~~commission~~ agency to conduct the  
34 hearing, hereafter referred to as the administrative law judge,  
35 and at a time and place to be specified in the notice.

1 7. The case in support of such complaint shall be presented  
2 at the hearing by one of the ~~commission's~~ agency's attorneys  
3 or agents. The investigating official shall not participate  
4 in the hearing except as a witness nor participate in the  
5 deliberations of the ~~commission~~ agency in such case.

6 8. The hearing shall be conducted in accordance with the  
7 provisions of chapter 17A for contested cases. The burden of  
8 proof in such a hearing shall be on the ~~commission~~ agency.

9 9. If upon taking into consideration all of the evidence  
10 at a hearing, the ~~commission~~ agency determines that the  
11 respondent has engaged in a discriminatory or unfair practice,  
12 the ~~commission~~ agency shall state its findings of fact and  
13 conclusions of law and shall issue an order requiring the  
14 respondent to cease and desist from the discriminatory or  
15 unfair practice and to take the necessary remedial action  
16 as in the judgment of the ~~commission~~ agency will carry out  
17 the purposes of this chapter. A copy of the order shall be  
18 delivered to the respondent, the complainant, and to any other  
19 public officers and persons as the ~~commission~~ agency deems  
20 proper.

21 a. For the purposes of this subsection and pursuant to the  
22 provisions of this chapter "remedial action" includes but is  
23 not limited to the following:

24 (1) Hiring, reinstatement or upgrading of employees  
25 with or without pay. Interim earned income and unemployment  
26 compensation shall operate to reduce the pay otherwise  
27 allowable.

28 (2) Admission or restoration of individuals to a labor  
29 organization, admission to or participation in a guidance  
30 program, apprenticeship training program, on-the-job training  
31 program or other occupational training or retraining program,  
32 with the utilization of objective criteria in the admission of  
33 individuals to such programs.

34 (3) Admission of individuals to a public accommodation or an  
35 educational institution.

1 (4) Sale, exchange, lease, rental, assignment or sublease  
2 of real property to an individual.

3 (5) Extension to all individuals of the full and equal  
4 enjoyment of the advantages, facilities, privileges, and  
5 services of the respondent denied to the complainant because of  
6 the discriminatory or unfair practice.

7 (6) Reporting as to the manner of compliance.

8 (7) Posting notices in conspicuous places in the  
9 respondent's place of business in form prescribed by the  
10 ~~commission~~ agency and inclusion of notices in advertising  
11 material.

12 (8) Payment to the complainant of damages for an injury  
13 caused by the discriminatory or unfair practice which damages  
14 shall include but are not limited to actual damages, court  
15 costs and reasonable attorney fees.

16 (9) For an unfair or discriminatory practice relating  
17 to wage discrimination pursuant to section 216.6A, payment  
18 to the complainant of damages for an injury caused by the  
19 discriminatory or unfair practice which damages shall include  
20 but are not limited to court costs, reasonable attorney fees,  
21 and either of the following:

22 (a) An amount equal to two times the wage differential  
23 paid to another employee compared to the complainant for the  
24 period of time for which the complainant has been discriminated  
25 against.

26 (b) In instances of willful violation, an amount equal to  
27 three times the wage differential paid to another employee as  
28 compared to the complainant for the period of time for which  
29 the complainant has been discriminated against.

30 *b.* In addition to the remedies provided in the preceding  
31 provisions of this subsection, the ~~commission~~ agency may issue  
32 an order requiring the respondent to cease and desist from the  
33 discriminatory or unfair practice and to take such affirmative  
34 action as in the judgment of the ~~commission~~ agency will carry  
35 out the purposes of this chapter as follows:

1       (1) In the case of a respondent operating by virtue of  
2 a license issued by the state or a political subdivision  
3 or agency, if the ~~commission~~ agency, upon notice to the  
4 respondent with an opportunity to be heard, determines that the  
5 respondent has engaged in a discriminatory or unfair practice  
6 and that the practice was authorized, requested, commanded,  
7 performed or knowingly or recklessly tolerated by the board  
8 of directors of the respondent or by an officer or executive  
9 agent acting within the scope of the officer's or agent's  
10 employment, the ~~commission~~ agency shall so certify to the  
11 licensing agency. Unless the ~~commission~~ agency finding of a  
12 discriminatory or unfair practice is reversed in the course of  
13 judicial review, the finding of discrimination is binding on  
14 the licensing agency. If a certification is made pursuant to  
15 this subsection, the licensing agency may initiate licensee  
16 disciplinary procedures.

17       (2) In the case of a respondent who is found by the  
18 ~~commission~~ agency to have engaged in a discriminatory or  
19 unfair practice in the course of performing under a contract  
20 or subcontract with the state or political subdivision or  
21 agency, if the practice was authorized, requested, commanded,  
22 performed, or knowingly or recklessly tolerated by the board  
23 of directors of the respondent or by an officer or executive  
24 agent acting within the scope of the officer's or agent's  
25 employment, the ~~commission~~ agency shall so certify to the  
26 contracting agency. Unless the ~~commission's~~ agency's finding  
27 of a discriminatory or unfair practice is reversed in the  
28 course of judicial review, the finding of discrimination is  
29 binding on the contracting agency.

30       (3) Upon receiving a certification made under this  
31 subsection, a contracting agency may take appropriate action  
32 to terminate a contract or portion thereof previously entered  
33 into with the respondent, either absolutely or on condition  
34 that the respondent carry out a program of compliance with  
35 the provisions of this chapter; and assist the state and all

1 political subdivisions and agencies thereof to refrain from  
2 entering into further contracts.

3 *c.* The election of an affirmative order under paragraph "b"  
4 of this subsection shall not bar the election of affirmative  
5 remedies provided in paragraph "a" of this subsection.

6 10. *a.* The terms of a conciliation or mediation agreement  
7 reached with the respondent may require the respondent to  
8 refrain in the future from committing discriminatory or  
9 unfair practices of the type stated in the agreement, to take  
10 remedial action as in the judgment of the ~~commission~~ agency  
11 will carry out the purposes of this chapter, and to consent  
12 to the entry in an appropriate district court of a consent  
13 decree embodying the terms of the conciliation or mediation  
14 agreement. Violation of such a consent decree may be punished  
15 as contempt by the court in which it is filed, upon a showing  
16 by the ~~commission~~ agency of the violation at any time within  
17 six months of its occurrence. At any time in its discretion,  
18 the ~~commission~~ agency may investigate whether the terms of the  
19 agreement are being complied with by the respondent.

20 *b.* Upon a finding that the terms of the conciliation  
21 or mediation agreement are not being complied with by the  
22 respondent, the ~~commission~~ agency shall take appropriate action  
23 to assure compliance.

24 11. If, upon taking into consideration all of the evidence  
25 at a hearing, the ~~commission~~ agency finds that a respondent  
26 has not engaged in any such discriminatory or unfair practice,  
27 the ~~commission~~ agency shall issue an order denying relief and  
28 stating the findings of fact and conclusions of the ~~commission~~  
29 agency, and shall cause a copy of the order dismissing the  
30 complaint to be served on the complainant and the respondent.

31 12. The ~~commission~~ agency shall establish rules to govern,  
32 expedite, and effectuate the procedures established by this  
33 chapter and its own actions thereunder.

34 13. Except as provided in section 614.8, a claim under this  
35 chapter shall not be maintained unless a complaint is filed

1 with the ~~commission~~ agency within three hundred days after the  
2 alleged discriminatory or unfair practice occurred.

3 14. The ~~commission~~ agency or a party to a complaint may  
4 request mediation of the complaint at any time during the  
5 ~~commission's~~ agency's processing of the complaint. If the  
6 complainant and respondent participate in mediation, any  
7 mediation agreement may be enforced pursuant to this section.  
8 Mediation may be discontinued at the request of any party or  
9 the ~~commission~~ agency.

10 Sec. 264. Section 216.15A, Code 2024, is amended to read as  
11 follows:

12 **216.15A Additional proceedings — housing discrimination.**

13 1. *a.* The ~~commission~~ agency may join a person not named  
14 in the complaint as an additional or substitute respondent  
15 if in the course of the investigation, the ~~commission~~ agency  
16 determines that the person should be alleged to have committed  
17 a discriminatory housing or real estate practice.

18 *b.* In addition to the information required in the notice,  
19 the ~~commission~~ agency shall include in a notice to a respondent  
20 joined under this subsection an explanation of the basis for  
21 the determination under this subsection that the person is  
22 properly joined as a respondent.

23 2. *a.* The ~~commission~~ agency shall, during the period  
24 beginning with the filing of a complaint and ending with the  
25 filing of a charge or a dismissal by the ~~commission~~ agency, to  
26 the extent feasible, engage in mediation with respect to the  
27 complaint.

28 *b.* A mediation agreement is an agreement between a  
29 respondent and the complainant and is subject to ~~commission~~  
30 agency approval.

31 *c.* A mediation agreement may provide for binding arbitration  
32 or other method of dispute resolution. Dispute resolution that  
33 results from a mediation agreement may authorize appropriate  
34 relief, including monetary relief.

35 *d.* A mediation agreement shall be made public unless



1 the complainant and respondent agree otherwise, and the  
2 ~~commission~~ agency determines that disclosure is not necessary  
3 to further the purposes of this chapter relating to unfair or  
4 discriminatory practices in housing or real estate.

5 e. The proceedings or results of mediation shall not be made  
6 public or used as evidence in a subsequent proceeding under  
7 this chapter without the written consent of the persons who are  
8 party to the mediation.

9 f. After the completion of the ~~commission's~~ agency's  
10 investigation, the ~~commission~~ agency shall make available to  
11 the aggrieved person and the respondent information derived  
12 from the investigation and the final investigation report  
13 relating to that investigation.

14 g. When the ~~commission~~ agency has reasonable cause to  
15 believe that a respondent has breached a mediation agreement,  
16 the ~~commission~~ agency shall refer this matter to an assistant  
17 attorney general with a recommendation that a civil action be  
18 filed for the enforcement of the agreement. The assistant  
19 attorney general may commence a civil action in the appropriate  
20 district court not later than the expiration of ninety days  
21 after referral of the breach.

22 3. a. If the ~~commission~~ agency concludes, following the  
23 filing of a complaint, that prompt judicial action is necessary  
24 to carry out the purposes of this chapter relating to unfair  
25 or discriminatory housing or real estate practices, the  
26 ~~commission~~ agency may authorize a civil action for appropriate  
27 temporary or preliminary relief pending final disposition of  
28 the complaint.

29 b. On receipt of the ~~commission's~~ agency's authorization,  
30 the attorney general shall promptly file the action.

31 c. A temporary restraining order or other order granting  
32 preliminary or temporary relief under this section is governed  
33 by the applicable Iowa rules of civil procedure.

34 d. The filing of a civil action under this section does  
35 not affect the initiation or continuation of administrative

1 proceedings in regard to an administrative hearing.

2 4. *a.* The ~~commission~~ agency shall prepare a final  
3 investigative report.

4 *b.* A final report under this section may be amended by the  
5 ~~commission~~ agency if additional evidence is discovered.

6 5. *a.* The ~~commission~~ agency shall determine based on  
7 the facts whether probable cause exists to believe that a  
8 discriminatory housing or real estate practice has occurred or  
9 is about to occur.

10 *b.* The ~~commission~~ agency shall make its determination under  
11 paragraph "a" not later than one hundred days after a complaint  
12 is filed unless any of the following applies:

13 (1) It is impracticable to make the determination within  
14 that time period.

15 (2) The ~~commission~~ agency has approved a mediation  
16 agreement relating to the complaint.

17 *c.* If it is impracticable to make the determination within  
18 the time period provided by paragraph "b", the ~~commission~~ agency  
19 shall notify the complainant and respondent in writing of the  
20 reasons for the delay.

21 *d.* If the ~~commission~~ agency determines that probable cause  
22 exists to believe that a discriminatory housing or real estate  
23 practice has occurred or is about to occur, the ~~commission~~  
24 agency shall immediately issue a determination unless the  
25 ~~commission~~ agency determines that the legality of a zoning or  
26 land use law or ordinance is involved as provided in subsection  
27 7.

28 6. *a.* A determination issued under subsection 5 must  
29 include all of the following:

30 (1) Must consist of a short and plain statement of the facts  
31 on which the ~~commission~~ agency has found probable cause to  
32 believe that a discriminatory housing or real estate practice  
33 has occurred or is about to occur.

34 (2) Must be based on the final investigative report.

35 (3) Need not be limited to the facts or grounds alleged in

1 the complaint.

2 *b.* Not later than twenty days after the ~~commission~~ agency  
3 issues a determination, the ~~commission~~ agency shall send a copy  
4 of the determination with information concerning the election  
5 under section 216.16A to all of the following persons:

6 (1) Each respondent, together with a notice of the  
7 opportunity for a hearing as provided under subsection 10.

8 (2) Each aggrieved person on whose behalf the complaint was  
9 filed.

10 7. If the ~~commission~~ agency determines that the matter  
11 involves the legality of a state or local zoning or other  
12 land use ordinance, the ~~commission~~ agency shall not issue a  
13 determination and shall immediately refer the matter to the  
14 attorney general for appropriate action.

15 8. *a.* If the ~~commission~~ agency determines that no probable  
16 cause exists to believe that a discriminatory housing or  
17 real estate practice has occurred or is about to occur, the  
18 ~~commission~~ agency shall promptly dismiss the complaint.

19 *b.* The ~~commission~~ agency shall make public disclosure of  
20 each dismissal under this section.

21 9. The ~~commission~~ agency shall not issue a determination  
22 under this section regarding an alleged discriminatory housing  
23 or real estate practice after the beginning of the trial of a  
24 civil action commenced by the aggrieved party under federal or  
25 state law seeking relief with respect to that discriminatory  
26 housing or real estate practice.

27 10. *a.* If a timely election is not made under section  
28 216.16A, the ~~commission~~ agency shall provide for a hearing on  
29 the charges in the complaint.

30 *b.* Except as provided by paragraph "c", the hearing shall be  
31 conducted in accordance with chapter 17A for contested cases.

32 *c.* A hearing under this section shall not be continued  
33 regarding an alleged discriminatory housing or real estate  
34 practice after the beginning of the trial of a civil action  
35 commenced by the aggrieved person under federal or state law

1 seeking relief with respect to that discriminatory housing or  
2 real estate practice.

3 11. *a.* If the ~~commission~~ agency determines at a hearing  
4 under subsection 10 that a respondent has engaged or is about  
5 to engage in a discriminatory housing or real estate practice,  
6 the ~~commission~~ agency may order the appropriate relief,  
7 including actual damages, reasonable attorney fees, court  
8 costs, and other injunctive or equitable relief.

9 *b.* To vindicate the public interest, the ~~commission~~ agency  
10 may assess a civil penalty against the respondent in an amount  
11 that does not exceed the following applicable amount:

12 (1) Ten thousand dollars if the respondent has not been  
13 adjudged by the order of the commission or agency or a court to  
14 have committed a prior discriminatory housing or real estate  
15 practice.

16 (2) Except as provided by paragraph "c", twenty-five  
17 thousand dollars if the respondent has been adjudged by order  
18 of the commission or agency or a court to have committed one  
19 other discriminatory housing or real estate practice during  
20 the five-year period ending on the date of the filing of the  
21 complaint.

22 (3) Except as provided by paragraph "c", fifty thousand  
23 dollars if the respondent has been adjudged by order of the  
24 commission or agency or a court to have committed two or more  
25 discriminatory housing or real estate practices during the  
26 seven-year period ending on the date of the filing of the  
27 complaint.

28 *c.* If the acts constituting the discriminatory housing or  
29 real estate practice that is the object of the complaint are  
30 committed by the same natural person who has been previously  
31 adjudged to have committed acts constituting a discriminatory  
32 housing or real estate practice, the civil penalties in  
33 paragraph "b", subparagraphs (2) and (3) may be imposed  
34 without regard to the period of time within which any other  
35 discriminatory housing or real estate practice occurred.

1     *d.* At the request of the ~~commission~~ agency, the attorney  
2 general shall initiate legal proceedings to recover a civil  
3 penalty due under this section. Funds collected under this  
4 section shall be paid to the treasurer of state for deposit in  
5 the state treasury to the credit of the general fund.

6     12. This section applies only to the following:

7     *a.* Complaints which allege a violation of the prohibitions  
8 contained in section 216.8 or 216.8A.

9     *b.* Complaints which allege a violation of section 216.11 or  
10 216.11A arising out of alleged violations of the prohibitions  
11 contained in section 216.8 or 216.8A.

12     13. If a provision of this section applies under the terms  
13 of subsection 12, and the provision of this section conflicts  
14 with a provision of section 216.15, then the provision  
15 contained within this section shall prevail. Similarly, if  
16 a provision of section 216.16A or 216.17A conflicts with a  
17 provision of section 216.16 or 216.17, then the provision  
18 contained in section 216.16A or 216.17A shall prevail.

19     Sec. 265. Section 216.15B, subsection 1, Code 2024, is  
20 amended to read as follows:

21     1. A mediator may be designated in writing by the ~~commission~~  
22 agency to conduct formal mediation of a complaint filed under  
23 this chapter. The written designation must specifically refer  
24 to this section.

25     Sec. 266. Section 216.16, subsections 1, 2, 3, 4, and 6,  
26 Code 2024, are amended to read as follows:

27     1. A person claiming to be aggrieved by an unfair or  
28 discriminatory practice must initially seek an administrative  
29 relief by filing a complaint with the ~~commission~~ agency in  
30 accordance with section 216.15. This provision also applies to  
31 persons claiming to be aggrieved by an unfair or discriminatory  
32 practice committed by the state or an agency or political  
33 subdivision of the state, notwithstanding the terms of the Iowa  
34 administrative procedure Act, chapter 17A.

35     2. After the proper filing of a complaint with the

1 ~~commission~~ agency, a complainant may subsequently commence an  
2 action for relief in the district court if all of the following  
3 conditions have been satisfied:

4     *a.* The complainant has timely filed the complaint with the  
5 ~~commission~~ agency as provided in section 216.15, subsection 13.

6     *b.* The complaint has been on file with the ~~commission~~ agency  
7 for at least sixty days and the ~~commission~~ agency has issued a  
8 release to the complainant pursuant to subsection 3.

9     3. *a.* Upon a request by the complainant, and after the  
10 expiration of sixty days from the timely filing of a complaint  
11 with the ~~commission~~ agency, the ~~commission~~ agency shall issue  
12 to the complainant a release stating that the complainant  
13 has a right to commence an action in the district court. A  
14 release under this subsection shall not be issued if any of the  
15 following apply:

16         (1) A finding of no probable cause has been made on the  
17 complaint by the administrative law judge charged with that  
18 duty under section 216.15, subsection 3.

19         (2) A conciliation agreement has been executed under  
20 section 216.15.

21         (3) The ~~commission~~ agency has served notice of hearing upon  
22 the respondent pursuant to section 216.15, subsection 6.

23         (4) The complaint is closed as an administrative closure and  
24 two years have elapsed since the issuance date of the closure.

25     *b.* Notwithstanding section 216.15, subsection 5, a party may  
26 obtain a copy of all documents contained in a case file where  
27 the ~~commission~~ agency has issued a release to the complainant  
28 pursuant to this subsection.

29     4. An action authorized under this section is barred unless  
30 commenced within ninety days after issuance by the ~~commission~~  
31 agency of a release under subsection 3. If a complainant  
32 obtains a release from the ~~commission~~ agency under subsection  
33 3, the ~~commission~~ agency is barred from further action on that  
34 complaint.

35     6. The district court may grant any relief in an action

1 under this section which is authorized by section 216.15,  
2 subsection 9, to be issued by the ~~commission~~ agency. The  
3 district court may also award the respondent reasonable  
4 attorney fees and court costs when the court finds that the  
5 complainant's action was frivolous.

6 Sec. 267. Section 216.16A, subsection 1, paragraphs b and c,  
7 Code 2024, are amended to read as follows:

8 *b.* The election must be made not later than twenty days  
9 after the date of receipt by the electing person of service  
10 under section 216.15A, subsection 5, or in the case of the  
11 ~~commission~~ agency, not later than twenty days after the date  
12 the determination was issued.

13 *c.* The person making the election shall give notice to the  
14 ~~commission~~ agency and to all other complainants and respondents  
15 to whom the election relates.

16 Sec. 268. Section 216.16A, subsection 2, paragraphs d and e,  
17 Code 2024, are amended to read as follows:

18 *d.* If the ~~commission~~ agency has obtained a mediation  
19 agreement with the consent of an aggrieved person, the  
20 aggrieved person shall not file an action under this subsection  
21 with respect to the alleged discriminatory practice that forms  
22 the basis for the complaint except to enforce the terms of the  
23 agreement.

24 *e.* An aggrieved person shall not file an action under this  
25 subsection with respect to an alleged discriminatory housing or  
26 real estate practice that forms the basis of a charge issued  
27 by the ~~commission~~ agency if the ~~commission~~ agency has begun a  
28 hearing on the record under this chapter with respect to the  
29 charge.

30 Sec. 269. Section 216.17, subsections 1, 2, 3, 4, 5, 7, and  
31 10, Code 2024, are amended to read as follows:

32 1. *a.* Judicial review of the actions of the agency  
33 or commission may be sought in accordance with the terms  
34 of the Iowa administrative procedure Act, chapter 17A.

35 Notwithstanding the terms of said Act, petition for judicial

1 review may be filed in the district court in which an  
2 enforcement proceeding under subsection 2 may be brought.

3     **b.** For purposes of the time limit for filing a petition for  
4 judicial review under the Iowa administrative procedure Act,  
5 chapter 17A, specified by section 17A.19, the issuance of a  
6 final decision of the agency or commission under this chapter  
7 occurs on the date notice of the decision is mailed to the  
8 parties.

9     **c.** Notwithstanding the time limit provided in section  
10 17A.19, subsection 3, a petition for judicial review of  
11 no-probable-cause decisions and other final agency actions  
12 which are not of general applicability must be filed within  
13 thirty days of the issuance of the final agency action.

14     **2.** The ~~commission~~ agency may obtain an order of court for  
15 the enforcement of agency or commission orders in a proceeding  
16 as provided in this section. Such an enforcement proceeding  
17 shall be brought in the district court of the district in the  
18 county in which the alleged discriminatory or unfair practice  
19 which is the subject of the agency's or commission's order was  
20 committed, or in which any respondent required in the order to  
21 cease or desist from a discriminatory or unfair practice or to  
22 take other affirmative action, resides, or transacts business.

23     **3.** Such an enforcement proceeding shall be initiated by  
24 the filing of a petition in such court and the service of a  
25 copy thereof upon the respondent. Thereupon the ~~commission~~  
26 agency shall file with the court a transcript of the record  
27 of the hearing before it. The court shall have power to  
28 grant such temporary relief or restraining order as it deems  
29 just and proper, and to make and enter upon the pleadings,  
30 testimony, and proceedings set forth in such transcript an  
31 order enforcing, modifying, and enforcing as so modified, or  
32 setting aside the order of the agency or commission, in whole  
33 or in part.

34     **4.** An objection that has not been urged before the agency  
35 or commission shall not be considered by the court in an



1 enforcement proceeding, unless the failure or neglect to urge  
2 such objection shall be excused because of extraordinary  
3 circumstances.

4 5. Any party to the enforcement proceeding may move the  
5 court to remit the case to the agency or commission in the  
6 interests of justice for the purpose of adducing additional  
7 specified and material evidence and seeking findings thereof,  
8 providing such party shall show reasonable grounds for  
9 the failure to adduce such evidence before the agency or  
10 commission.

11 7. The agency's or commission's copy of the testimony shall  
12 be available to all parties for examination at all reasonable  
13 times, without cost, and for the purpose of judicial review of  
14 the agency's or commission's orders.

15 10. If no proceeding to obtain judicial review is instituted  
16 within thirty days from the issuance of an order of the  
17 commission under section 216.15 or 216.15A, the ~~commission~~  
18 agency may obtain an order of the court for the enforcement  
19 of the order upon showing that respondent is subject to  
20 the jurisdiction of the agency or commission and resides or  
21 transacts business within the county in which the petition for  
22 enforcement is brought.

23 Sec. 270. Section 216.17A, subsection 1, paragraph a, Code  
24 2024, is amended to read as follows:

25 a. If timely election is made under section 216.16A,  
26 subsection 1, the ~~commission~~ agency shall authorize, and not  
27 later than thirty days after the election is made, the attorney  
28 general shall file a civil action on behalf of the aggrieved  
29 person in a district court seeking relief.

30 Sec. 271. Section 216.17A, subsections 2, 4, 10, and 11,  
31 Code 2024, are amended to read as follows:

32 2. A ~~commission~~ An agency order under section 216.15A,  
33 subsection 11, and a an agency or commission order that has  
34 been substantially affirmed by judicial review, do not affect  
35 a contract, sale, encumbrance, or lease that was consummated

1 before the agency or commission issued the order and involved a  
2 bona fide purchaser, encumbrancer, or tenant who did not have  
3 actual notice of the charge issued under this chapter.

4 4. If the agency or commission issues an order against a  
5 respondent against whom another order was issued within the  
6 preceding five years under section 216.15A, subsection 11, the  
7 ~~commission~~ agency shall send a copy of each order issued under  
8 that section to the attorney general.

9 10. The attorney general, on behalf of the ~~commission~~  
10 agency or other party at whose request a subpoena is issued,  
11 may enforce the subpoena in appropriate proceedings in district  
12 court.

13 11. A court in a civil action brought under this section  
14 or the ~~commission~~ agency in an administrative hearing under  
15 section 216.15A, subsection 11, may award reasonable attorney's  
16 fees to the prevailing party and assess court costs against the  
17 nonprevailing party.

18 Sec. 272. Section 216.17A, subsection 3, unnumbered  
19 paragraph 1, Code 2024, is amended to read as follows:

20 If the agency or commission issues an order with respect  
21 to a discriminatory housing practice that occurred in the  
22 course of a business subject to a licensing or regulation by a  
23 governmental agency, the agency or commission, not later than  
24 thirty days after the date of issuance of the order, shall do  
25 all of the following:

26 Sec. 273. Section 216.17A, subsection 8, paragraph a, Code  
27 2024, is amended to read as follows:

28 a. On the request of the agency or commission, the attorney  
29 general may intervene in an action under section 216.16A,  
30 subsection 2, if the agency or commission certifies that the  
31 case is of general public importance.

32 Sec. 274. Section 216.17A, subsection 9, paragraph a,  
33 unnumbered paragraph 1, Code 2024, is amended to read as  
34 follows:

35 On the request of the agency or commission, the attorney

1 general may file a civil action in district court for  
2 appropriate relief if the agency or commission has reasonable  
3 cause to believe that any of the following applies:

4 Sec. 275. Section 216.19, subsections 2, 3, 4, 5, 6, 7, and  
5 8, Code 2024, are amended to read as follows:

6 2. A city with a population of twenty-nine thousand, or  
7 greater, shall maintain an independent local civil rights  
8 agency or commission consistent with ~~commission~~ agency rules  
9 adopted pursuant to chapter 17A. An agency or commission  
10 for which a staff is provided shall have control over such  
11 staff. A city required to maintain a local civil rights agency  
12 or commission shall structure and adequately fund the agency  
13 or commission in order to effect cooperative undertakings  
14 with the Iowa office of civil rights ~~commission~~ and to aid in  
15 effectuating the purposes of this chapter.

16 3. An agency or commission of local government and the  
17 Iowa office of civil rights ~~commission~~ shall cooperate in the  
18 sharing of data and research, and coordinating investigations  
19 and conciliations in order to expedite claims of unlawful  
20 discrimination and eliminate needless duplication. The Iowa  
21 office of civil rights ~~commission~~ may enter into cooperative  
22 agreements with any local agency or commission to effectuate  
23 the purposes of this chapter. Such agreements may include  
24 technical and clerical assistance and reimbursement of expenses  
25 incurred by the local agency or commission in the performance  
26 of the agency's or commission's duties if funds for this  
27 purpose are appropriated by the general assembly.

28 4. The ~~Iowa civil rights commission~~ director may designate  
29 an unfunded local agency or commission as a referral agency. A  
30 local agency or commission shall not be designated a referral  
31 agency unless the ordinance creating it provides the same  
32 rights and remedies as are provided in this chapter. The ~~Iowa~~  
33 ~~civil rights commission~~ director shall establish by rules  
34 the procedures for designating a referral agency and the  
35 qualifications to be met by a referral agency.

1 5. The ~~Iowa civil rights commission~~ director may adopt  
2 rules establishing the procedures for referral of complaints.  
3 A referral agency may refuse to accept a case referred to  
4 it by the Iowa office of civil rights ~~commission~~ if the  
5 referral agency is unable to effect proper administration of  
6 the complaint. It shall be the burden of the referral agency  
7 to demonstrate that it is unable to properly administer that  
8 complaint.

9 6. A complainant who files a complaint with a referral  
10 agency having jurisdiction shall be prohibited from filing a  
11 complaint with the ~~Iowa civil rights commission~~ agency alleging  
12 violations based upon the same acts or practices cited in the  
13 original complaint; and a complainant who files a complaint  
14 with the ~~commission~~ agency shall be prohibited from filing  
15 a complaint with the referral agency alleging violations  
16 based upon the same acts or practices cited in the original  
17 complaint. However, the ~~Iowa civil rights commission~~ agency in  
18 its discretion may refer a complaint filed with the ~~commission~~  
19 agency to a referral agency having jurisdiction over the  
20 parties for investigation and resolution; and a referral agency  
21 in its discretion may refer a complaint filed with that agency  
22 to the ~~commission~~ office for investigation and resolution.

23 7. A final decision by a referral agency shall be subject  
24 to judicial review as provided in section 216.17 in the same  
25 manner and to the same extent as a final decision of the ~~Iowa~~  
26 ~~civil rights commission~~ agency.

27 8. The referral of a complaint by the Iowa office of  
28 civil rights ~~commission~~ to a referral agency or by a referral  
29 agency to the Iowa office of civil rights ~~commission~~ shall not  
30 affect the right of a complainant to commence an action in the  
31 district court under section 216.16.

32 Sec. 276. Section 216.21, Code 2024, is amended to read as  
33 follows:

34 **216.21 Documents to attorney or party.**

35 If a party is represented by an attorney during the

1 proceedings of the agency or commission, with permission of  
2 the attorney for the party or of the party, the agency or  
3 commission shall provide copies of all relevant documents  
4 including an order or decision to either the attorney for the  
5 party or the party, but not to both.

6 Sec. 277. Section 216.22, subsection 2, paragraph b, Code  
7 2024, is amended to read as follows:

8 b. The franchisor has been found by the ~~commission~~ agency to  
9 have exercised a type or degree of control over the franchisee  
10 or the franchisee's employees that is not customarily exercised  
11 by a franchisor for the purpose of protecting the franchisor's  
12 trademarks and brand.

13 Sec. 278. Section 230A.110, subsection 2, Code 2024, is  
14 amended by striking the subsection.

15 Sec. 279. Section 235B.1, subsection 4, Code 2024, is  
16 amended by striking the subsection.

17 Sec. 280. Section 235B.3, subsection 1, paragraph a,  
18 subparagraph (4), Code 2024, is amended to read as follows:

19 (4) If, in the course of an assessment or evaluation of  
20 a report of dependent adult abuse, the department or the  
21 department of inspections, appeals, and licensing determines  
22 that the case involves discrimination under the jurisdiction  
23 of the Iowa office of civil rights ~~commission~~, the relevant  
24 portions of the case shall be referred to the ~~commission~~  
25 office.

26 Sec. 281. Section 235B.16A, subsections 1 and 4, Code 2024,  
27 are amended to read as follows:

28 1. The ~~dependent adult protective advisory council~~  
29 ~~established pursuant to section 235B.1~~ department shall  
30 ~~recommend~~ adopt a uniform assessment instrument and process for  
31 adoption and use by the department and other agencies involved  
32 with assessing a dependent adult's degree of dependency  
33 and determining whether dependent adult abuse has occurred.  
34 However, this section shall not apply to dependent adult abuse  
35 assessments and determinations made under chapter 235E.

1 4. The department shall cooperate with the departments  
2 of inspections, appeals, and licensing, public safety,  
3 and workforce development, the Iowa office of civil rights  
4 ~~commission~~, and other state and local agencies performing  
5 inspections or otherwise visiting residential settings where  
6 dependent adults live, to regularly provide training to the  
7 appropriate staff in the agencies concerning each agency's  
8 procedures involving dependent adults, and to build awareness  
9 concerning dependent adults and reporting of dependent adult  
10 abuse.

11 Sec. 282. Section 235E.5, Code 2024, is amended to read as  
12 follows:

13 **235E.5 Rulemaking authority.**

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

19 Sec. 283. Section 237A.12, subsection 3, Code 2024, is  
20 amended to read as follows:

21 3. Rules relating to fire safety for child care centers  
22 shall be adopted under this chapter by the director of  
23 the department of inspections, appeals, and licensing in  
24 consultation with the department. Rules adopted by the  
25 director of the department of inspections, appeals, and  
26 licensing for a building which is owned or leased by a school  
27 district or accredited nonpublic school and used as a child  
28 care facility shall not differ from standards adopted by  
29 the director of the department of inspections, appeals, and  
30 licensing for school buildings under chapter 10A, subchapter V,  
31 part 2. Rules relating to sanitation shall be adopted by the  
32 department. ~~All rules shall be developed in consultation with~~  
33 ~~the state child care advisory committee.~~ The director of the  
34 department of inspections, appeals, and licensing shall inspect  
35 the facilities.

1     Sec. 284. Section 237A.25, subsection 1, Code 2024, is  
2 amended to read as follows:

3     1. The department shall develop consumer information  
4 material to assist parents in selecting a child care provider.  
5 In developing the material, the department shall consult with  
6 department staff, department of education staff, ~~the state~~  
7 ~~child care advisory committee~~, the early childhood Iowa state  
8 board, and child care resource and referral services. In  
9 addition, the department may consult with other entities at the  
10 local, state, and national level.

11    Sec. 285. Section 237A.30, subsection 1, Code 2024, is  
12 amended to read as follows:

13    1. The department shall work with the early childhood Iowa  
14 program established in section 256I.5~~and the state child care~~  
15 ~~advisory committee~~ in designing and implementing a voluntary  
16 quality rating system for each provider type of child care  
17 facility.

18    Sec. 286. Section 256.3, subsections 1 and 2, Code 2024, are  
19 amended to read as follows:

20    1. The state board of education is established for the  
21 department. The state board consists of ~~ten~~ nine members:  
22 nine seven voting members, ~~and~~ one nonvoting student member, and  
23 the director of the department of workforce development, who  
24 shall serve as a nonvoting member. The voting members shall  
25 be appointed by the governor subject to senate confirmation.  
26 The nonvoting student member shall be appointed as provided in  
27 section 256.5A.

28    2. The voting members shall be registered voters of  
29 the state and hold no other elective or appointive state  
30 office. Not more than five voting members shall be of the  
31 same political party. ~~Three of the voting members shall~~  
32 ~~have substantial knowledge related to the community college~~  
33 ~~system~~. The ~~remaining six~~ voting members shall be members of  
34 the general public. A voting member shall not be engaged in  
35 professional education for a major portion of the member's time

1 nor shall the member derive a major portion of income from any  
2 business or activity connected with education.

3 Sec. 287. Section 256.7, subsection 7, paragraph c, Code  
4 2024, is amended by striking the paragraph.

5 Sec. 288. Section 256.9, subsection 31, paragraph b, Code  
6 2024, is amended to read as follows:

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

24 Sec. 289. Section 256.17, Code 2024, is amended to read as  
25 follows:

26 **256.17 Postsecondary course audit committee.**

27 1. The department shall ~~establish and facilitate a~~  
28 ~~postsecondary course audit committee which shall annually~~  
29 audit postsecondary courses offered to high school students in  
30 accordance with chapter 261E.

31 ~~2. The committee shall include but not be limited~~  
32 ~~to representatives from the kindergarten through grade~~  
33 ~~twelve education community, community colleges, and regents~~  
34 ~~universities.~~

35 ~~3.~~ 2. The ~~committee~~ department shall establish a sampling



1 technique that randomly selects courses for audit. The audit  
2 shall include but not be limited to a review of the course  
3 syllabus, teacher qualifications, examples of student products,  
4 and results of student assessments. Standards for review shall  
5 be established by the ~~committee and approved by the~~ department.  
6 Audit findings shall be submitted to the institutions providing  
7 the classes audited and shall be posted on the department's  
8 internet site.

9 ~~4.~~ 3. If the ~~committee~~ department determines that a  
10 postsecondary course offered to high school students in  
11 accordance with chapter 261E does not meet the standards  
12 established by the ~~committee~~ department pursuant to subsection  
13 ~~3~~ 2, the course shall not be eligible for future supplementary  
14 weighting under section 257.11. If the institution makes  
15 changes to the course sufficient to cause the course to meet  
16 the standards of the ~~committee~~ department, the ~~committee~~  
17 department may reinstate the eligibility of the course for  
18 future supplementary weighting under section 257.11.

19 Sec. 290. Section 256.32, subsection 1, Code 2024, is  
20 amended to read as follows:

21 1. An advisory council for agricultural education is  
22 established, which consists of ~~nine~~ seven members appointed  
23 by the governor. The ~~nine~~ seven members shall include ~~the~~  
24 ~~following:~~

25 ~~a.~~ Five at least four persons representing all areas  
26 of agriculture and diverse geographical areas and at least  
27 one person involved in the field of education, including  
28 but not limited to a secondary school program instructor, a  
29 postsecondary school program instructor, or a teacher educator.

30 ~~b.~~ ~~An individual representing agriculture on a council~~  
31 ~~created to advise the state on career and technical education~~  
32 ~~matters.~~

33 ~~c.~~ ~~A secondary school program instructor, a postsecondary~~  
34 ~~school program instructor, and a teacher educator.~~

35 Sec. 291. Section 256.33, subsection 1, Code 2024, is

1 amended to read as follows:

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

10 Sec. 292. Section 256.82, subsection 1, paragraph a, Code  
11 2024, is amended to read as follows:

12 a. Four members shall be appointed by the governor ~~so that~~  
13 ~~the portion of the board membership appointed under this~~  
14 ~~paragraph includes two male board members and two female board~~  
15 ~~members at all times:~~

16 ~~(1) One member shall be appointed from the business~~  
17 ~~community other than the television and telecommunications~~  
18 ~~industry.~~

19 ~~(2) One member shall be appointed with experience in or~~  
20 ~~knowledge about the television industry.~~

21 ~~(3) One member shall be appointed from the membership of~~  
22 ~~a fundraising nonprofit organization financially assisting~~  
23 ~~the Iowa public broadcasting division. At least one member~~  
24 ~~shall have experience in or knowledge of the television and~~  
25 ~~telecommunications industry, and at least one member shall~~  
26 ~~have experience with or knowledge of fundraising nonprofit~~  
27 ~~organizations.~~

28 ~~(4) One member shall represent the general public.~~

29 Sec. 293. Section 256.176, subsection 2, paragraphs a and d,  
30 Code 2024, are amended to read as follows:

31 a. A member of the state board of regents to be named by the  
32 state board of regents, or the executive director of the state  
33 board of regents if so appointed by the state board of regents,  
34 who shall serve for a four-year term or until the expiration  
35 of the member's term of office, and who shall serve as an ex

1 officio, nonvoting member.

2 ~~d. Nine Seven additional members to be appointed by the~~  
3 ~~governor as follows:~~

4 ~~(1) One member shall be selected to represent private~~  
5 ~~colleges and universities located in the state of Iowa.~~  
6 ~~When appointing this member, the governor shall give careful~~  
7 ~~consideration to any person nominated or recommended by any~~  
8 ~~organization or association of some or all private colleges and~~  
9 ~~universities located in the state of Iowa.~~

10 ~~(2) One member shall be selected to represent Iowa's~~  
11 ~~community colleges. When appointing this member, the governor~~  
12 ~~shall give careful consideration to any person nominated~~  
13 ~~or recommended by any organization or association of Iowa~~  
14 ~~community colleges.~~

15 ~~(3) (1) One At least one member shall be enrolled as a~~  
16 ~~student at an institution of higher learning governed by the~~  
17 ~~board of regents, a community college, or an accredited private~~  
18 ~~institution.~~

19 ~~(4) (2) One At least one member shall be a parent of a~~  
20 ~~student enrolled at an institution of higher learning governed~~  
21 ~~by the board of regents, a community college, or an accredited~~  
22 ~~private institution.~~

23 ~~(5) (3) One At least one member shall represent~~  
24 ~~practitioners licensed under chapter 256, subchapter VII,~~  
25 ~~part 3. When appointing this member, the governor shall give~~  
26 ~~careful consideration to any person nominated by an Iowa~~  
27 ~~teacher association or other education stakeholder organization~~  
28 ~~have knowledge and experience in financial or fiduciary~~  
29 ~~matters.~~

30 ~~(6) Four members shall represent the general public,~~  
31 ~~none of whom shall be officers, board members, or trustees~~  
32 ~~of an institution of higher learning or of an association of~~  
33 ~~institutions of higher learning.~~

34 Sec. 294. Section 256.176, subsection 2, Code 2024, is  
35 amended by adding the following new paragraphs:

1     NEW PARAGRAPH. *e.* One member to represent private colleges  
2 and universities located in the state of Iowa, who shall be  
3 selected by an organization or association of some or all  
4 private colleges and universities located in the state of Iowa,  
5 and who shall serve as an ex officio, nonvoting member.

6     NEW PARAGRAPH. *f.* One member to represent Iowa's community  
7 colleges, who shall be selected by an organization or  
8 association of Iowa community colleges, and who shall serve as  
9 an ex officio, nonvoting member.

10    Sec. 295. Section 256I.4, subsection 19, Code 2024, is  
11 amended by striking the subsection and inserting in lieu  
12 thereof the following:

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

16    Sec. 296. Section 260C.36, subsection 4, Code 2024, is  
17 amended to read as follows:

18    4. The department of education shall establish the  
19 ~~following committees:~~

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

27    ~~*b.* An ongoing quality faculty plan professional development~~  
28 ~~committee. The committee shall, at a minimum, do the~~  
29 ~~following:~~

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

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

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

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

5     ~~(5) Review and identify best practices in each community~~  
6 ~~college quality faculty plan, including best practices~~  
7 ~~regarding adjunct faculty.~~

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

18     Sec. 297. Section 260C.39, subsection 3, Code 2024, is  
19 amended to read as follows:

20     3. The terms of employment of personnel, for the academic  
21 year following the effective date of the agreement to combine  
22 the merged areas shall not be affected by the combination of  
23 the merged areas, except in accordance with the procedures  
24 under sections 279.15, 279.16, 279.18, and 279.24, to  
25 the extent those procedures are applicable, or under the  
26 terms of the base bargaining agreement. The authority and  
27 responsibility to offer new contracts or to continue, modify,  
28 or terminate existing contracts pursuant to any applicable  
29 procedures under chapter 279, shall be transferred to the  
30 acting, and then to the new, board of the combined merged area  
31 upon certification of a favorable vote to each of the merged  
32 areas affected by the agreement. The collective bargaining  
33 agreement of the merged area receiving the greatest amount of  
34 general state aid shall serve as the base agreement for the  
35 combined merged area and the employees of the merged areas

1 which combined to form the new combined merged area shall  
2 automatically be accreted to the bargaining unit from that  
3 former merged area for purposes of negotiating the contracts  
4 for the following years without further action by the ~~public~~  
5 employment relations appeal board. If only one collective  
6 bargaining agreement is in effect among the merged areas which  
7 are combining under this section, then that agreement shall  
8 serve as the base agreement, and the employees of the merged  
9 areas which are combining to form the new combined merged  
10 area shall automatically be accreted to the bargaining unit  
11 of that former merged area for purposes of negotiating the  
12 contracts for the following years without further action by the  
13 ~~public~~ employment relations appeal board. The board of the  
14 combined merged area, using the base agreement as its existing  
15 contract, shall bargain with the combined employees of the  
16 merged areas that have agreed to combine for the academic year  
17 beginning with the effective date of the agreement to combine  
18 merged areas. The bargaining shall be completed by March 15  
19 prior to the academic year in which the agreement to combine  
20 merged areas becomes effective or within one hundred eighty  
21 days after the organization of the acting board of the new  
22 combined merged area, whichever is later. If a bargaining  
23 agreement was already concluded in the former merged area which  
24 has the collective bargaining agreement that is serving as the  
25 base agreement for the new combined merged area, between the  
26 former merged area board and the employees of the former merged  
27 area, that agreement is void, unless the agreement contained  
28 multiyear provisions affecting academic years subsequent to the  
29 effective date of the agreement to form a combined merged area.  
30 If the base collective bargaining agreement contains multiyear  
31 provisions, the duration and effect of the agreement shall  
32 be controlled by the terms of the agreement. The provisions  
33 of the base agreement shall apply to the offering of new  
34 contracts, or the continuation, modification, or termination  
35 of existing contracts between the acting or new board of the

1 combined merged area and the combined employees of the new  
2 combined merged area.

3 Sec. 298. Section 261A.6, subsection 2, Code 2024, is  
4 amended to read as follows:

5 2. a. The For members appointed prior to the effective date  
6 of this division of this Act, members of the authority shall be  
7 appointed by the governor for terms of six years beginning and  
8 ending as provided in section 69.19. A member of the authority  
9 is eligible for reappointment.

10 b. For members appointed on or after the effective date of  
11 this division of this Act, members of the authority shall be  
12 appointed by the governor for terms of four years beginning and  
13 ending as provided in section 69.19. A member of the authority  
14 shall not serve more than two full terms.

15 c. The governor shall fill a vacancy for the remainder of  
16 the unexpired term. A member of the authority may be removed  
17 by the governor for misfeasance, malfeasance, or willful  
18 neglect of duty or other cause after notice and a public  
19 hearing unless the notice and hearing are waived by the member  
20 in writing.

21 Sec. 299. Section 266.39, subsections 3 and 5, Code 2024,  
22 are amended by striking the subsections.

23 Sec. 300. Section 272C.1, subsection 6, paragraph u, Code  
24 2024, is amended by striking the paragraph.

25 Sec. 301. Section 273.22, subsection 2, paragraph a, Code  
26 2024, is amended to read as follows:

27 a. The collective bargaining agreement of the area education  
28 agency with the largest basic enrollment, as defined in section  
29 257.6, for the year prior to the year the reorganization is  
30 effective, shall serve as the base agreement in the new area  
31 education agency and the employees of the other area education  
32 agencies involved in the formation of the new area education  
33 agency shall automatically be accreted to the bargaining  
34 unit of that collective bargaining agreement for purposes of  
35 negotiating the contracts for the following years without

1 further action by the ~~public employment relations~~ appeal  
2 board. If only one collective bargaining agreement is in  
3 effect among the area education agencies that are party to  
4 the reorganization, that agreement shall serve as the base  
5 agreement, and the employees of the other agencies involved  
6 in the formation of the new area education agency shall  
7 automatically be accreted to the bargaining unit of that  
8 collective bargaining agreement for purposes of negotiating the  
9 contracts for the following years without further action by the  
10 ~~public employment relations~~ appeal board.

11 Sec. 302. Section 275.33, subsection 2, paragraph a, Code  
12 2024, is amended to read as follows:

13 a. The collective bargaining agreement of the district  
14 with the largest basic enrollment for the year prior to  
15 the reorganization, as defined in section 257.6, in the new  
16 district shall serve as the base agreement and the employees  
17 of the other districts involved in the formation of the new  
18 district shall automatically be accreted to the bargaining  
19 unit of that collective bargaining agreement for purposes of  
20 negotiating the contracts for the following years without  
21 further action by the ~~public employment relations~~ appeal board.  
22 If only one collective bargaining agreement is in effect among  
23 the districts which are party to the reorganization, then that  
24 agreement shall serve as the base agreement, and the employees  
25 of the other districts involved in the formation of the new  
26 district shall automatically be accreted to the bargaining  
27 unit of that collective bargaining agreement for purposes of  
28 negotiating the contracts for the following years without  
29 further action by the ~~public employment relations~~ appeal board.

30 Sec. 303. Section 284.11, subsection 2, paragraph c, Code  
31 2024, is amended to read as follows:

32 c. Review the use and effectiveness of the funds distributed  
33 to school districts for supplemental assistance in high-need  
34 schools under this section, ~~and consider the findings and~~  
35 ~~recommendations of the commission on educator leadership~~



1 ~~and compensation submitted pursuant to section 284.15,~~  
2 ~~subsection 13, relating to the use and effectiveness of the~~  
3 ~~funds distributed to school districts under this section. The~~  
4 department shall submit its findings and recommendations in a  
5 report to the general assembly by January 15 annually.

6 Sec. 304. Section 284.15, subsection 12, Code 2024, is  
7 amended by striking the subsection.

8 Sec. 305. Section 284.15, subsection 14, Code 2024, is  
9 amended to read as follows:

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

27 Sec. 306. Section 312.3, subsection 1, Code 2024, is amended  
28 to read as follows:

29 1. Apportion among the counties the road use tax funds  
30 credited to the secondary road fund by using the distribution  
31 methodology adopted ~~pursuant to section 312.3C~~ by the  
32 commission by rule.

33 Sec. 307. Section 312.3B, subsection 2, Code 2024, is  
34 amended to read as follows:

35 2. The Iowa county engineers association service

S-5170 (Continued)

1 bureau shall annually compute the secondary road fund and  
2 farm-to-market road fund distributions using the methodology  
3 determined by the ~~secondary road fund distribution committee~~  
4 ~~pursuant to section 312.3C~~ commission. The Iowa county  
5 engineers association service bureau shall report the  
6 computations to the ~~secondary road fund distribution committee,~~  
7 the department, the treasurer of state, and the counties.

8 Sec. 308. Section 312.5, subsection 1, Code 2024, is amended  
9 to read as follows:

10 1. ~~For the fiscal year ending June 30, 2006, the treasurer~~  
11 ~~of state shall apportion among the counties the road use tax~~  
12 ~~funds credited to the farm-to-market road fund by using the~~  
13 ~~allocation method contained in section 312.5, subsection 1,~~  
14 ~~Code 2005. For subsequent fiscal years~~ Each fiscal year, the  
15 treasurer of state shall apportion among the counties the road  
16 use tax funds credited to the farm-to-market road fund by using  
17 the distribution methodology adopted ~~pursuant to section 312.3C~~  
18 by the commission.

19 Sec. 309. Section 312.16, Code 2024, is amended by adding  
20 the following new subsection:

21 NEW SUBSECTION. 01. "*Commission*" means the state  
22 transportation commission.

23 Sec. 310. Section 312A.3, subsection 2, Code 2024, is  
24 amended to read as follows:

25 2. Twenty percent for deposit in the secondary road fund,  
26 for apportionment according to the methodology adopted ~~pursuant~~  
27 ~~to section 312.3C~~ by the commission, to be used by counties  
28 for construction and maintenance projects on secondary road  
29 bridges and on highways in the farm-to-market road system. At  
30 least ten percent of the moneys allocated to a county under  
31 this subsection shall be used for bridge construction, repair,  
32 and maintenance, with priority given to projects that aid and  
33 support economic development and job creation.

34 Sec. 311. Section 314.1, subsection 2, Code 2024, is amended  
35 to read as follows:

1 2. Notwithstanding any other provision of law to the  
2 contrary, a public improvement that involves the construction,  
3 reconstruction, or improvement of a highway, bridge, or culvert  
4 and that has a cost in excess of the applicable threshold in  
5 section 73A.18, 262.34, 297.7, 309.40, 310.14, or 313.10, as  
6 modified by the ~~bid threshold subcommittee~~ director pursuant  
7 to section 314.1B, shall be advertised and let for bid, except  
8 such public improvements that involve emergency work pursuant  
9 to section 309.40A, 313.10, or 384.103, subsection 2. For a  
10 city having a population of fifty thousand or less, a public  
11 improvement that involves the construction, reconstruction, or  
12 improvement of a highway, bridge, or culvert that has a cost  
13 in excess of twenty-five thousand dollars, as modified by the  
14 ~~bid threshold subcommittee~~ director pursuant to section 314.1B,  
15 shall be advertised and let for bid, excluding emergency work.  
16 However, a public improvement that has an estimated total  
17 cost to a city in excess of a threshold of fifty thousand  
18 dollars, as modified by the ~~bid threshold subcommittee~~ director  
19 pursuant to section 314.1B, and that involves the construction,  
20 reconstruction, or improvement of a highway, bridge, or culvert  
21 that is under the jurisdiction of a city with a population  
22 of more than fifty thousand, shall be advertised and let for  
23 bid. Cities required to competitively bid highway, bridge,  
24 or culvert work shall do so in compliance with the contract  
25 letting procedures of sections 26.3 through 26.12.

26 Sec. 312. Section 314.1B, subsection 1, paragraph a, Code  
27 2024, is amended by striking the paragraph.

28 Sec. 313. Section 314.1B, subsection 1, paragraph b, Code  
29 2024, is amended to read as follows:

30 *b.* The ~~subcommittee~~ director, in consultation with industry  
31 and subject matter experts, shall review the competitive bid  
32 thresholds applicable to city and county highway, bridge,  
33 and culvert projects. The ~~subcommittee~~ director shall  
34 review price adjustments for all types of city and county  
35 highway, bridge, and culvert construction, reconstruction, and

1 improvement projects, based on changes in the construction  
2 price index from the preceding year. Upon completion of the  
3 review the ~~subcommittee~~ director may make adjustments in the  
4 applicable bid thresholds for types of work based on the price  
5 adjustments.

6 Sec. 314. Section 314.1B, subsection 2, paragraph a, Code  
7 2024, is amended by striking the paragraph.

8 Sec. 315. Section 314.1B, subsection 2, paragraphs b, c, d,  
9 and e, Code 2024, are amended to read as follows:

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

21 ~~c. The subcommittee shall not make an initial adjustment to~~  
22 ~~the competitive bid threshold in section 26.3 to be effective~~  
23 ~~prior to January 1, 2012. Thereafter, the subcommittee~~ The  
24 director shall adjust the bid threshold amount in accordance  
25 with subsection 3 but shall not adjust the bid threshold to an  
26 amount less than the bid threshold applicable to a governmental  
27 entity on January 1, 2007.

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

32 ~~e. After 2012, the subcommittee~~ The director shall adjust  
33 the competitive quotation threshold amounts in section 26.14  
34 at the same time and by the same percentage as adjustments are  
35 made to the competitive bid threshold.

1     Sec. 316. Section 314.1B, subsection 3, Code 2024, is  
2 amended to read as follows:

3     3. *Review — publication.* ~~Each subcommittee~~ The director  
4 shall ~~meet to conduct the review and~~ make the adjustments  
5 described in this section on or before August 1 of every  
6 other year, or of every year if determined necessary by the  
7 ~~subcommittee~~ director. By September 1 of each year in which  
8 a ~~subcommittee~~ director makes adjustments in the bid or  
9 quotation thresholds, the director shall cause an advisory  
10 notice to be published in the Iowa administrative bulletin and  
11 in a newspaper of general circulation in this state, stating  
12 the adjusted bid and quotation thresholds to be in effect  
13 on January 1 of the following year, as established by the  
14 ~~subcommittees~~ director under this section.

15     Sec. 317. Section 314.13, subsection 2, Code 2024, is  
16 amended by striking the subsection.

17     Sec. 318. Section 314.13, Code 2024, is amended by adding  
18 the following new subsection:

19     NEW SUBSECTION. 4A. “*Director*” means the director of  
20 transportation.

21     Sec. 319. Section 314.22, subsection 3, Code 2024, is  
22 amended to read as follows:

23     3. ~~*Integrated roadside vegetation management technical*~~  
24 ~~*advisory committee Report.*~~

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

35     ~~(1) Research efforts.~~

- 1     ~~(2) Demonstration projects.~~
- 2     ~~(3) Education and orientation efforts for property owners,~~  
3 ~~public officials, and the general public.~~
- 4     ~~(4) Activities of the integrated roadside vegetation~~  
5 ~~management coordinator for integrated roadside vegetation~~  
6 ~~management.~~
- 7     ~~(5) Reviewing applications for funding assistance.~~
- 8     ~~(6) Securing funding for research and demonstrations.~~
- 9     ~~(7) Determining needs for revising the state weed law and~~  
10 ~~other applicable Code sections.~~
- 11     ~~(8) Liaison with the Iowa state association of counties, the~~  
12 ~~Iowa league of cities, and other organizations for integrated~~  
13 ~~roadside vegetation management purposes.~~
- 14     ~~b. The director may appoint any number of persons to the~~  
15 ~~committee but, at a minimum, the committee shall consist of all~~  
16 ~~of the following:~~
- 17         ~~(1) One member representing the utility industry.~~
- 18         ~~(2) One member from the Iowa academy of sciences.~~
- 19         ~~(3) One member representing county government.~~
- 20         ~~(4) One member representing city government.~~
- 21         ~~(5) Two members representing the private sector including~~  
22 ~~community interest groups.~~
- 23         ~~(6) One member representing soil conservation interests.~~
- 24         ~~(7) One member representing the department of natural~~  
25 ~~resources.~~
- 26         ~~(8) One member representing county conservation boards.~~
- 27     ~~c. Members of the committee shall serve without~~  
28 ~~compensation, but may be reimbursed for allowable expenses from~~  
29 ~~the living roadway trust fund created under section 314.21. No~~  
30 ~~more than a simple majority of the members of the committee~~  
31 ~~shall be of the same gender as provided in section 69.16A.~~  
32 ~~The director of the department shall appoint the chair of the~~  
33 ~~committee and shall establish a minimum schedule of meetings~~  
34 ~~for the committee.~~
- 35     Sec. 320. Section 321.252, subsection 3, paragraph a, Code

1 2024, is amended to read as follows:

2     ~~a.~~ The department shall establish, by rule, ~~in cooperation~~  
3 ~~with a tourist signing committee,~~ the standards for  
4 tourist-oriented directional signs and shall annually review  
5 the list of attractions for which signing is in place. The  
6 rules shall conform to national standards for tourist-oriented  
7 directional signs adopted under 23 U.S.C. §131(q) and to the  
8 manual of uniform traffic-control devices.

9     ~~(1) The tourist signing committee shall be made up of~~  
10 ~~the directors or the directors' designees of the departments~~  
11 ~~of agriculture and land stewardship, natural resources, and~~  
12 ~~transportation, the director or the director's designee of~~  
13 ~~the economic development authority, the chairperson or the~~  
14 ~~chairperson's designee of the Iowa travel council, and a~~  
15 ~~member of the outdoor advertising association of Iowa. The~~  
16 ~~director or the director's designee of the economic development~~  
17 ~~authority shall be the chairperson of the committee.~~

18     ~~(2) The department of transportation shall be responsible~~  
19 ~~for calling and setting the date of the meetings of the~~  
20 ~~committee which meetings shall be based upon the amount of~~  
21 ~~activity relating to signs. However, the committee shall meet~~  
22 ~~at least once a month.~~

23     Sec. 321. Section 333A.2, subsection 1, paragraphs b and c,  
24 Code 2024, are amended to read as follows:

25     ~~b.~~ Five elected county officials who are regularly involved  
26 in budget preparation. ~~One county official shall be from~~  
27 ~~a county with a population of less than eleven thousand~~  
28 ~~five hundred, one from a county with a population of more~~  
29 ~~than eleven thousand five hundred but not more than sixteen~~  
30 ~~thousand, one from a county with a population of more than~~  
31 ~~sixteen thousand but not more than twenty-two thousand five~~  
32 ~~hundred, one from a county with a population of more than~~  
33 ~~twenty-two thousand five hundred but not more than eighty~~  
34 ~~thousand and one from a county with a population of more than~~  
35 ~~eighty thousand. The governor director of the department of~~

1 management shall select and appoint the county officials,  
2 ~~subject to the approval of two-thirds of the members of the~~  
3 ~~senate.~~

4 c. A certified public accountant experienced in governmental  
5 accounting selected and appointed by the ~~governor with the~~  
6 ~~approval of two-thirds of the members of the senate~~ director of  
7 the department of management.

8 Sec. 322. Section 333A.2, subsection 2, Code 2024, is  
9 amended to read as follows:

10 2. The members of the committee appointed by the ~~governor~~  
11 director of the department of management are appointed for  
12 four-year terms except that of the initial appointments, two  
13 county official members shall be appointed to two-year terms.  
14 When a county official member no longer holds the office which  
15 qualified the official for appointment, the official shall no  
16 longer be a member of the committee. Any person appointed to  
17 fill a vacancy shall be appointed to serve the unexpired term.  
18 Any member is eligible for reappointment, but a member shall  
19 not be appointed to serve more than two four-year terms.

20 Sec. 323. Section 357A.21, subsection 2, Code 2024, is  
21 amended to read as follows:

22 2. If an agreement is not reached under subsection 1,  
23 the governing body of the city or water utility or the board  
24 of directors or trustees of the district or association may  
25 request mediation pursuant to chapter 679C. The governing  
26 body or board requesting mediation shall be responsible for  
27 the costs of the mediation. A mediation committee shall be  
28 established if a governing body or board requests mediation  
29 pursuant to this subsection. The mediation committee shall  
30 consist of one member of the governing body of the city or the  
31 governing body's designee, one member of the board of directors  
32 or trustees of the district or association, as applicable, and  
33 one disinterested member chosen by the other two members. A  
34 list of qualified mediators may be obtained from the American  
35 arbitration association, the public employment relations appeal



1 board established pursuant to section ~~20.5~~ 10A.601, or a  
2 recognized mediation organization or association.

3 Sec. 324. Section 384.13, subsection 2, paragraphs c and d,  
4 Code 2024, are amended to read as follows:

5 *c.* Five city officials who are regularly involved in  
6 budget preparation. ~~One official must be from a city with a~~  
7 ~~population of not over two thousand five hundred, one from a~~  
8 ~~city with a population of over two thousand five hundred but~~  
9 ~~not over fifteen thousand, one from a city with a population~~  
10 ~~of over fifteen thousand but not over fifty thousand, one from~~  
11 ~~a city with a population of over fifty thousand, and one from~~  
12 ~~any size city.~~ The ~~governor~~ director of the department of  
13 management shall select and appoint the city officials.

14 *d.* One certified public accountant experienced in city  
15 accounting, to be selected and appointed by the ~~governor~~  
16 director of the department of management.

17 Sec. 325. 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. 326. Section 455A.5, subsection 6, paragraph d, Code  
35 2024, is amended to read as follows:

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. 327. 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 budget~~  
14 ~~request prepared by the director for programs subject to the~~  
15 ~~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. 328. 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. 329. 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~~

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. 330. Section 455B.190A, subsection 1, paragraph h,  
24 Code 2024, is amended by striking the paragraph.

25 Sec. 331. 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~~

1 practices. The examination shall be administered by the  
2 department or by a person designated by the department.

3 Sec. 332. Section 455B.190A, subsections 3 and 6, Code 2024,  
4 are amended by striking the subsections.

5 Sec. 333. 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. 334. 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. 335. 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. 336. Section 461A.42, subsection 1, paragraph a, Code

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. 337. Section 465C.1, subsection 2, Code 2024, is  
7 amended by striking the subsection.

8     Sec. 338. 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. 339. 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. 340. 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. 341. Section 465C.8, subsection 9, Code 2024, is  
24 amended by striking the subsection.

25     Sec. 342. 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

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. 343. 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. 344. 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,

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. 345. Section 481C.2, subsection 3, Code 2024, is  
19 amended to read as follows:

20 3. The criteria for issuing depredation licenses and  
21 permits shall be established in administrative rules ~~in~~  
22 ~~consultation with the farmer advisory committee created in~~  
23 ~~section 481A.10A~~. The administrative rules adopted pursuant  
24 to this section shall not require a producer to erect or  
25 maintain fencing at a cost exceeding one thousand dollars as a  
26 requisite for receiving a depredation license or permit or for  
27 participation in a depredation plan.

28 Sec. 346. Section 524.223, subsection 2, unnumbered  
29 paragraph 1, Code 2024, is amended to read as follows:

30 If the state bank, director, officer, employee, or  
31 substantial shareholder fails to appear at the hearing it shall  
32 be deemed to have consented to the issuance of a cease and  
33 desist order. In the event of such consent, or if upon the  
34 record made at such hearing, the superintendent shall find that  
35 any violation or unsafe or unsound practice specified in the

1 notice has been established, the superintendent may issue and  
2 serve upon the state bank, director, officer, employee, or  
3 substantial shareholder an order to cease and desist from any  
4 such violation or practice. Such order may require the state  
5 bank and its directors, officers, employees, and shareholders  
6 to cease and desist from any such violation or practice and,  
7 further, to take affirmative action to correct the conditions  
8 resulting from any such violation or practice. In addition,  
9 if the violation or practice involves a failure to comply with  
10 chapter 12C or any rules adopted pursuant to chapter 12C, the  
11 superintendent may recommend to the ~~committee established under~~  
12 ~~section 12C.6~~ treasurer of state that the bank be removed from  
13 the list of financial institutions eligible to accept public  
14 funds under section 12C.6A and may require that during the  
15 current calendar quarter and up to the next succeeding eight  
16 calendar quarters that the bank do any one or more of the  
17 following:

18 Sec. 347. Section 542.4, subsection 1, paragraphs a and b,  
19 Code 2024, are amended to read as follows:

20 a. The board shall consist of ~~eight~~ five members, appointed  
21 by the governor and subject to senate confirmation, all of whom  
22 shall be residents of this state. ~~Five~~ Four of the ~~eight~~ five  
23 members shall be holders of certificates issued under section  
24 542.6, ~~one member shall be the holder of a license issued~~  
25 ~~under section 542.8,~~ and ~~two~~ one shall not be a certified  
26 public ~~accountants~~ accountant or licensed public ~~accountants~~  
27 accountant and shall represent the general public. At least  
28 three of the holders of certificates issued under section  
29 542.6 shall also be qualified to supervise attest services as  
30 provided in section 542.7.

31 b. A certified or licensed member of the board shall be  
32 actively engaged in practice as a certified public accountant  
33 or as a licensed public accountant ~~and shall have been so~~  
34 ~~engaged for five years preceding appointment, the last two of~~  
35 ~~which shall have been in this state.~~



1     Sec. 348. Section 542B.15, Code 2024, is amended to read as  
2 follows:

3     **542B.15 Examinations — report required.**

4     Examinations for licensure shall be given as often as deemed  
5 necessary by the ~~board~~ department of inspections, appeals,  
6 and licensing, but no less than one time per year. The scope  
7 of the examinations and the methods of procedure shall be  
8 prescribed by the board. ~~Any examination may be given by~~  
9 ~~representatives of the board.~~ The identity of the person  
10 taking the examination shall be concealed until after the  
11 examination has been graded by the department of inspections,  
12 appeals, and licensing. As soon as practicable after the  
13 close of each examination, a report shall be filed in the  
14 office of the secretary of the board by the ~~board~~ department  
15 of inspections, appeals, and licensing. The report shall  
16 show the action of the board upon each application and the  
17 secretary of the board shall notify each applicant of the  
18 result of the applicant's examination. Applicants who fail the  
19 examination once shall be allowed to take the examination at  
20 the next scheduled time. Thereafter, the applicant shall be  
21 allowed to take the examination at the discretion of the board.  
22 An applicant who has failed the examination may request in  
23 writing information from the board concerning the applicant's  
24 examination grade and subject areas or questions which the  
25 applicant failed to answer correctly, except that if the board  
26 administers a uniform, standardized examination, the board  
27 shall only be required to provide the examination grade and  
28 such other information concerning the applicant's examination  
29 results which are available to the board.

30     Sec. 349. Section 543B.8, subsections 1 and 2, Code 2024,  
31 are amended to read as follows:

32     1. A real estate commission is created within the department  
33 of inspections, appeals, and licensing. The commission  
34 consists of ~~five~~ four members licensed under this chapter and  
35 ~~two members~~ one member not licensed under this chapter and who

1 shall represent the general public. Commission members shall  
2 be appointed by the governor subject to confirmation by the  
3 senate.

4 2. No more than one member shall be appointed from a  
5 county. A commission member shall not hold any other elective  
6 or appointive state or federal office. At least one of the  
7 licensed members shall be a licensed real estate salesperson,  
8 except that if the licensed real estate salesperson becomes  
9 a licensed real estate broker during a term of office,  
10 that person may complete the term, but is not eligible for  
11 reappointment on the commission as a licensed real estate  
12 salesperson. A licensed member shall be actively engaged  
13 in the real estate business ~~and shall have been so engaged~~  
14 ~~for five years preceding the appointment, the last two of~~  
15 ~~which shall have been in Iowa.~~ Professional associations or  
16 societies of real estate brokers or real estate salespersons  
17 may recommend the names of potential commission members to  
18 the governor. However, the governor is not bound by their  
19 recommendations. A commission member shall not be required to  
20 be a member of any professional association or society composed  
21 of real estate brokers or salespersons.

22 Sec. 350. Section 543D.4, subsections 1 and 3, Code 2024,  
23 are amended to read as follows:

24 1. A real estate appraiser examining board is established  
25 within the department of inspections, appeals, and licensing.  
26 The board consists of ~~seven~~ five members, ~~two~~ one of whom shall  
27 be a public members member and ~~five~~ four of whom shall be  
28 certified real estate appraisers.

29 3. A certified real estate appraiser member of the board  
30 shall be actively engaged in practice as a certified real  
31 estate appraiser ~~and shall have been so engaged for five years~~  
32 ~~preceding appointment, the last two of which shall have been in~~  
33 ~~this state.~~ The governor shall attempt to represent each class  
34 of certified appraisers in making the appointments.

35 Sec. 351. Section 544A.1, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. The architectural examining board is created within the  
3 department of inspections, appeals, and licensing. The board  
4 consists of ~~five~~ four members who possess a license issued  
5 under section 544A.9 ~~and who have been in active practice of~~  
6 ~~architecture for not less than five years, the last two of~~  
7 ~~which shall have been in Iowa, and two members~~ one member who  
8 ~~do~~ does not possess a license issued under section 544A.9  
9 and who shall represent the general public. Members shall  
10 be appointed by the governor subject to confirmation by the  
11 senate.

12 Sec. 352. 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. 353. Section 904.103, Code 2024, is amended by adding  
30 the following new subsections:

31 NEW SUBSECTION. 5. Policies for the operation and conduct  
32 of the department and the implementation of all department  
33 programs.

34 NEW SUBSECTION. 6. Adoption of rules in accordance with  
35 chapter 17A as necessary to transact its business and for the

1 administration and exercise of its powers and duties.

2 NEW SUBSECTION. 7. The approval of the locations for all  
3 state institutions which are penal, reformatory, or corrective.  
4 Sec. 354. Section 904.105, subsections 2, 5, 7, and 9, Code  
5 2024, are amended to read as follows:

6 2. ~~Adopt and establish~~ Provide advice and recommendations  
7 to the department regarding policies for the operation and  
8 conduct of the department and the implementation of all  
9 department programs.

10 5. ~~Approve~~ Provide advice and recommendations to the  
11 department regarding the budget of the department prior to  
12 submission to the governor.

13 7. ~~Adopt rules in accordance with chapter 17A as the board~~  
14 ~~deems~~ Provide advice and recommendations to the department  
15 regarding rules necessary to transact its business and for the  
16 administration and exercise of its powers and duties.

17 9. ~~Approve~~ Provide advice and recommendations regarding  
18 the locations for all state institutions which are penal,  
19 reformatory, or corrective.

20 Sec. 355. Section 904.105, subsection 3, Code 2024, is  
21 amended by striking the subsection.

22 Sec. 356. Section 904.802, subsection 1, Code 2024, is  
23 amended by striking the subsection.

24 Sec. 357. Section 904.802, subsection 2, Code 2024, is  
25 amended to read as follows:

26 2. "*Iowa state industries*" means prison industries that  
27 are established and maintained by the Iowa department of  
28 corrections, ~~in consultation with the industries board,~~ at or  
29 adjacent to the state's adult correctional institutions, except  
30 that an inmate work program established by the state director  
31 under section 904.703 is not restricted to industries at or  
32 adjacent to the institutions.

33 Sec. 358. Section 904.804, Code 2024, is amended to read as  
34 follows:

35 **904.804 Duties of ~~industries board~~ department — state**

1 industries.

2 The ~~industries board's principal duties~~ department shall be  
3 ~~to promulgate and adopt rules and to advise the state director~~  
4 ~~regarding the management of Iowa state industries so as to~~  
5 further the intent stated by section 904.801.

6 Sec. 359. Section 904.805, unnumbered paragraph 1, Code  
7 2024, is amended to read as follows:

8 The state director, ~~with the advice of the industries board,~~  
9 shall:

10 Sec. 360. Section 904.806, Code 2024, is amended to read as  
11 follows:

12 **904.806 Authority of state director not impaired.**

13 Nothing in this subchapter shall be construed to impair the  
14 authority of the state director over the adult correctional  
15 institutions of this state, nor over the inmates thereof. ~~It~~  
16 ~~is, however, the duty of the state director to obtain the~~  
17 ~~advice of the industries board to further the intent stated by~~  
18 ~~section 904.801.~~

19 Sec. 361. Section 904.809, subsection 1, paragraph a, Code  
20 2024, is amended to read as follows:

21 a. The state director ~~and the industries board~~ shall comply  
22 with the intent of section 904.801.

23 Sec. 362. Section 904.809, subsection 2, paragraph a, Code  
24 2024, is amended to read as follows:

25 a. Any other provision of the Code to the contrary  
26 notwithstanding, the state director may, ~~after obtaining the~~  
27 ~~advice of the industries board,~~ lease one or more buildings or  
28 portions thereof on the grounds of any state adult correctional  
29 institution, together with the real estate needed for  
30 reasonable access to and egress from the leased buildings, for  
31 a term not to exceed twenty years, to a private corporation for  
32 the purpose of establishing and operating a factory for the  
33 manufacture and processing of products, or any other commercial  
34 enterprise deemed by the state director to be consistent with  
35 the intent stated in section 904.801.

1     Sec. 363. Section 904.809, subsection 2, paragraph b,  
2 subparagraph (1), Code 2024, is amended to read as follows:

3     (1) Persons working in the factory or other commercial  
4 enterprise operated in the leased property, except the lessee's  
5 supervisory employees and necessary support personnel approved  
6 by the ~~industries board~~ state director, shall be inmates of  
7 the institution where the leased property is located who are  
8 approved for such work by the state director and the lessee.

9     Sec. 364. Section 904.809, subsection 3, Code 2024, is  
10 amended to read as follows:

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

15     Sec. 365. Section 904.813, subsection 2, paragraph a,  
16 subparagraphs (1), (2), and (3), Code 2024, are amended to read  
17 as follows:

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

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

26     ~~(3)~~ (2) Direct purchases from vendors of raw materials  
27 and capital items used for the manufacturing processes of Iowa  
28 state industries, in accordance with rules which meet state  
29 bidding requirements. The rules shall be adopted by the state  
30 director ~~in consultation with the industries board~~.

31     Sec. 366. Section 904.814, Code 2024, is amended to read as  
32 follows:

33     **904.814 Inmate allowance supplement revolving fund.**

34     There is established in the treasury of the state a permanent  
35 adult correctional institutions inmate allowance supplement

S-5170 (Continued)

1 revolving fund, consisting solely of money paid as board and  
2 maintenance by inmates working in Iowa state industries, or  
3 working pursuant to section 904.809. The fund established  
4 by this section may be used to supplement the allowances  
5 of inmates who perform other institutional work within and  
6 about the adult correctional institutions including those  
7 who are working in Iowa state industries. Payments made  
8 from the fund shall supplement and not replace all or any  
9 part of the allowances otherwise received by, and shall be  
10 equably distributed among such inmates. The work of inmates  
11 in other institutional or industry work shall, to the greatest  
12 extent feasible, be in accord with the intent stated in  
13 section 904.801. The fund may also be used to supplement  
14 other rehabilitation activities within the adult correctional  
15 institutions. Determination of the use of the funds is the  
16 responsibility of the state director ~~who shall first seek the~~  
17 ~~advice of the prison industries advisory board.~~

18 Sec. 367. Section 904.909, Code 2024, is amended to read as  
19 follows:

20 **904.909 Work release and OWI violators — reimbursement to**  
21 **department for transportation costs.**

22 The department of corrections shall arrange for the return  
23 of a work release client, or offender convicted of violating  
24 chapter 321J, who escapes from the facility to which the  
25 client is assigned or violates the conditions of supervision.  
26 The client or offender shall reimburse the department of  
27 corrections for the cost of transportation incurred because  
28 of the escape or violation. The amount of reimbursement  
29 shall be the actual cost incurred by the department and shall  
30 be credited to the support account from which the billing  
31 occurred. The director of the department of corrections  
32 shall ~~recommend~~ adopt rules pursuant to chapter 17A, ~~subject~~  
33 ~~to approval by the board of corrections pursuant to section~~  
34 ~~904.105, subsection 7,~~ to implement this section.

35 Sec. 368. Section 915.82, subsection 2, Code 2024, is

1 amended to read as follows:

2 2. The ~~board~~ department shall adopt rules pursuant to  
3 chapter 17A relating to program policies and procedures.

4 Sec. 369. 2023 Iowa Acts, chapter 19, section 2795,  
5 subsection 3, paragraphs b and c, are amended to read as  
6 follows:

7 b. The following are range 4 positions: chairperson and  
8 members of the employment appeal board of the department of  
9 inspections, appeals, and licensing, director of the Iowa  
10 state office of civil rights commission, director of the  
11 department for the blind, executive director of the ethics  
12 and campaign disclosure board, executive director of the Iowa  
13 public information board, and chairperson, vice chairperson,  
14 and members of the board of parole.

15 c. The following are range 5 positions: state public  
16 defender, labor commissioner, workers' compensation  
17 commissioner, and director of the law enforcement academy, ~~and~~  
18 ~~executive director of the public employment relations board.~~

19 Sec. 370. REPEAL. Chapters 28B and 473A, Code 2024, are  
20 repealed.

21 Sec. 371. REPEAL. Sections 7D.15, 8A.616, 15.117, 15.480,  
22 15F.102, 20.5, 80E.2, 100C.10, 135.109, 135.173A, 147.16,  
23 154A.7, 155A.2A, 170.2, 190C.2, 190C.2A, 203.11B, 206.23A,  
24 206.23B, 237A.23, 252B.22, 256.15, 256.31, 256I.12, 273.15,  
25 312.3C, 312.3D, 328.13, 423.9A, 455B.150, 455B.151, 461A.79,  
26 461A.80, 465C.3, 465C.4, 465C.5, 465C.6, 465C.7, 466B.31,  
27 475A.7, 481A.10A, 691.6B, 904.803, and 907B.3, Code 2024, are  
28 repealed.

29 Sec. 372. CODE EDITOR DIRECTIVE — TERMINOLOGY CHANGES.

30 1. The Code editor is directed to change all references to  
31 the "board of directors of the Iowa lottery" created in section  
32 99G.8 to the "Iowa lottery commission" and all references to  
33 "board" when referring to the board of directors of the Iowa  
34 lottery created in section 99G.8 to "commission" wherever they  
35 appear in the Code.





1 otherwise subject the person to removal by the executive  
2 council pursuant to section 66.26.

3 Sec. 376. Section 69.15, subsection 2, Code 2024, is amended  
4 to read as follows:

5 2. ~~If~~ With respect to subsection 1, paragraphs "a" and "b",  
6 if such person received no notice and had no knowledge of a  
7 regular meeting and gives the governor a sworn statement to  
8 that effect within ten days after the person learns of the  
9 meeting, such meeting shall not be counted for the purposes of  
10 this section.

11 DIVISION XI

12 COUNCIL ON HEALTH AND HUMAN SERVICES

13 Sec. 377. Section 125.7, Code 2024, is amended to read as  
14 follows:

15 **125.7 Duties of the council.**

16 The council shall:

17 1. ~~Approve~~ Make recommendations to the department regarding  
18 the comprehensive substance use disorder program, developed by  
19 the department pursuant to sections 125.1 through 125.3, this  
20 section, and sections 125.9, 125.10, 125.12 through 125.21,  
21 125.25, 125.32 through 125.34, and 125.37 through 125.43.

22 2. Advise the department on policies governing the  
23 performance of the department in the discharge of any duties  
24 imposed on the department by law.

25 3. Advise or make recommendations to the governor and the  
26 general assembly relative to substance use disorder treatment,  
27 intervention, education, and prevention programs in this state.

28 ~~4. Adopt rules for subsections 1 and 6 and review other~~  
29 ~~rules necessary to carry out the provisions of this chapter,~~  
30 ~~subject to review in accordance with chapter 17A.~~

31 ~~5.~~ 4. Investigate the work of the department relating to  
32 substance use disorder, and for this purpose the council shall  
33 have access at any time to all books, papers, documents, and  
34 records of the department.

35 ~~6.~~ 5. Consider and ~~approve or disapprove~~ make

1 recommendations to the department regarding the approval or  
2 disapproval of all applications for a license and all cases  
3 involving the renewal, denial, suspension, or revocation of a  
4 license.

5 ~~7. Act as the appeal board regarding funding decisions made~~  
6 ~~by the department.~~

7 Sec. 378. Section 125.10, subsections 1 and 11, Code 2024,  
8 are amended to read as follows:

9 1. Prepare and submit a state plan ~~subject to approval~~  
10 ~~by the council and~~ in accordance with 42 U.S.C. §300x-21 et  
11 seq. The state plan shall designate the department as the sole  
12 agency for supervising the administration of the plan.

13 11. Develop and implement, with the ~~counsel and approval~~  
14 advice of the council, the comprehensive plan for treatment of  
15 persons with a substance use disorder in accordance with this  
16 chapter.

17 Sec. 379. Section 125.12, subsection 1, Code 2024, is  
18 amended to read as follows:

19 1. The council shall review the comprehensive substance  
20 use disorder program implemented by the department for  
21 the treatment of persons with a substance use disorder and  
22 concerned family members. ~~Subject to~~ Based on the review  
23 of the council, the council shall make recommendations to  
24 the director, and the director shall divide the state into  
25 appropriate regions for the conduct of the program and  
26 establish standards for the development of the program on the  
27 regional level. In establishing the regions, consideration  
28 shall be given to city and county lines, population  
29 concentrations, and existing substance use disorder treatment  
30 services.

31 Sec. 380. Section 125.13, subsection 2, paragraphs a, b, i,  
32 and j, Code 2024, are amended to read as follows:

33 a. A hospital providing care or treatment to persons with  
34 a substance use disorder licensed under chapter 135B which is  
35 accredited by the joint commission on the accreditation of

1 health care organizations, the commission on accreditation  
2 of rehabilitation facilities, the American osteopathic  
3 association, or another recognized organization approved by the  
4 ~~council~~ department. All survey reports from the accrediting or  
5 licensing body must be sent to the department.

6 *b.* Any practitioner of medicine and surgery or osteopathic  
7 medicine and surgery, in the practitioner's private practice.  
8 However, a program shall not be exempted from licensing by the  
9 ~~council~~ department by virtue of its utilization of the services  
10 of a medical practitioner in its operation.

11 *i.* A substance use disorder treatment program not funded  
12 by the department which is accredited or licensed by the joint  
13 commission on the accreditation of health care organizations,  
14 the commission on the accreditation of rehabilitation  
15 facilities, the American osteopathic association, or another  
16 recognized organization approved by the ~~council~~ department.  
17 All survey reports from the accrediting or licensing body must  
18 be sent to the department.

19 *j.* A hospital substance use disorder treatment program  
20 that is accredited or licensed by the joint commission on the  
21 accreditation of health care organizations, the commission on  
22 the accreditation of rehabilitation facilities, the American  
23 osteopathic association, or another recognized organization  
24 approved by the ~~council~~ department. All survey reports for  
25 the hospital substance use disorder treatment program from the  
26 accrediting or licensing body shall be sent to the department.

27 Sec. 381. Section 125.14, Code 2024, is amended to read as  
28 follows:

29 **125.14 Licenses — renewal — fees.**

30 The ~~council~~ department shall consider all cases involving  
31 initial issuance, and renewal, denial, suspension, or  
32 revocation of a license. The department shall issue a license  
33 to an applicant whom the ~~council~~ department determines meets  
34 the licensing requirements of this chapter. Licenses shall  
35 expire no later than three years from the date of issuance

1 and shall be renewed upon timely application made in the same  
2 manner as for initial issuance of a license unless notice of  
3 nonrenewal is given to the licensee at least thirty days prior  
4 to the expiration of the license. The department shall not  
5 charge a fee for licensing or renewal of programs contracting  
6 with the department for provision of treatment services. A fee  
7 may be charged to other licensees.

8 Sec. 382. Section 125.15A, subsection 1, paragraph b, Code  
9 2024, is amended to read as follows:

10 *b.* The ~~council~~ department has suspended, revoked, or refused  
11 to renew the existing license of the program.

12 Sec. 383. Section 125.16, Code 2024, is amended to read as  
13 follows:

14 **125.16 Transfer of license or change of location prohibited.**

15 A license issued under this chapter may not be transferred,  
16 and the location of the physical facilities occupied or  
17 utilized by any program licensed under this chapter shall not  
18 be changed without the prior written consent of the ~~council~~  
19 department.

20 Sec. 384. Section 125.17, Code 2024, is amended to read as  
21 follows:

22 **125.17 License suspension or revocation.**

23 Violation of any of the requirements or restrictions  
24 of this chapter or of any of the rules adopted pursuant to  
25 this chapter is cause for suspension, revocation, or refusal  
26 to renew a license. The director shall at the earliest  
27 time feasible notify a licensee whose license the ~~council~~  
28 department is considering suspending or revoking and shall  
29 inform the licensee what changes must be made in the licensee's  
30 operation to avoid such action. The licensee shall be  
31 given a reasonable time for compliance, as determined by the  
32 director, after receiving such notice or a notice that the  
33 ~~council~~ department does not intend to renew the license. When  
34 the licensee believes compliance has been achieved, or if  
35 the licensee considers the proposed suspension, revocation,

S-5170 (Continued)

1 or refusal to renew unjustified, the licensee may submit  
2 pertinent information to the ~~council~~ department and the ~~council~~  
3 department shall expeditiously make a decision in the matter  
4 and notify the licensee of the decision.

5 Sec. 385. Section 125.18, Code 2024, is amended to read as  
6 follows:

7 **125.18 Hearing before ~~council~~ department.**

8 If a licensee under this chapter makes a written request  
9 for a hearing within thirty days of suspension, revocation,  
10 or refusal to renew a license, a hearing before the ~~council~~  
11 department shall be expeditiously arranged by the department of  
12 inspections, appeals, and licensing whose decision is subject  
13 to review by the ~~council~~ department. The ~~council~~ department  
14 shall issue a written statement of the ~~council's~~ department's  
15 findings within thirty days after conclusion of the hearing  
16 upholding or reversing the proposed suspension, revocation,  
17 or refusal to renew a license. ~~Action involving suspension,~~  
18 ~~revocation, or refusal to renew a license shall not be taken~~  
19 ~~by the council unless a quorum is present at the meeting.~~ A  
20 copy of the ~~council's~~ department's decision shall be promptly  
21 transmitted to the affected licensee who may, if aggrieved  
22 by the decision, seek judicial review of the actions of the  
23 ~~council~~ department in accordance with the terms of chapter 17A.

24 Sec. 386. Section 125.19, Code 2024, is amended to read as  
25 follows:

26 **125.19 Reissuance or reinstatement.**

27 After suspension, revocation, or refusal to renew a license  
28 pursuant to this chapter, the affected licensee shall not have  
29 the license reissued or reinstated within one year of the  
30 effective date of the suspension, revocation, or expiration  
31 upon refusal to renew, unless the ~~council~~ department orders  
32 otherwise. After that time, proof of compliance with the  
33 requirements and restrictions of this chapter and the rules  
34 adopted pursuant to this chapter must be presented to the  
35 ~~council~~ department prior to reinstatement or reissuance of a

1 license.

2 Sec. 387. Section 125.21, subsection 1, Code 2024, is  
3 amended to read as follows:

4 1. The ~~council~~ department has exclusive power in this state  
5 to approve and license chemical substitutes and antagonists  
6 programs, and to monitor chemical substitutes and antagonists  
7 programs to ensure that the programs are operating within the  
8 rules adopted pursuant to this chapter. The ~~council~~ department  
9 shall grant approval and license if the requirements of the  
10 rules are met and state funding is not requested. The chemical  
11 substitutes and antagonists programs conducted by persons  
12 exempt from the licensing requirements of this chapter pursuant  
13 to section 125.13, subsection 2, are subject to approval and  
14 licensure under this section.

15 Sec. 388. Section 125.43A, Code 2024, is amended to read as  
16 follows:

17 **125.43A Prescreening — exception.**

18 Except in cases of medical emergency or court-ordered  
19 admissions, a person shall be admitted to a state mental health  
20 institute for treatment of a substance use disorder only after  
21 a preliminary intake and assessment by a department-licensed  
22 treatment facility or a hospital providing care or treatment  
23 for persons with a substance use disorder licensed under  
24 chapter 135B and accredited by the joint commission on the  
25 accreditation of health care organizations, the commission  
26 on accreditation of rehabilitation facilities, the American  
27 osteopathic association, or another recognized organization  
28 approved by the ~~council~~ department, or by a designee of a  
29 department-licensed treatment facility or a hospital other  
30 than a state mental health institute, which confirms that the  
31 admission is appropriate to the person's substance use disorder  
32 service needs. A county board of supervisors may seek an  
33 admission of a patient to a state mental health institute who  
34 has not been confirmed for appropriate admission and the county  
35 shall be responsible for one hundred percent of the cost of

1 treatment and services of the patient.

2 Sec. 389. Section 125.58, subsection 1, Code 2024, is  
3 amended to read as follows:

4 1. If the department has probable cause to believe that  
5 an institution, place, building, or agency not licensed  
6 as a substance use disorder treatment and rehabilitation  
7 facility is in fact a substance use disorder treatment and  
8 rehabilitation facility as defined by this chapter, and  
9 is not exempt from licensing by section 125.13, subsection  
10 2, the ~~council~~ department may order an inspection of the  
11 institution, place, building, or agency. If the inspector  
12 upon presenting proper identification is denied entry for the  
13 purpose of making the inspection, the inspector may, with  
14 the assistance of the county attorney of the county in which  
15 the premises are located, apply to the district court for an  
16 order requiring the owner or occupant to permit entry and  
17 inspection of the premises to determine whether there have been  
18 violations of this chapter. The investigation may include  
19 review of records, reports, and documents maintained by the  
20 facility and interviews with staff members consistent with the  
21 confidentiality safeguards of state and federal law.

22 Sec. 390. Section 135.141, subsection 2, paragraph i, Code  
23 2024, is amended to read as follows:

24 *i.* Adopt rules pursuant to chapter 17A for the  
25 administration of this subchapter including rules adopted in  
26 cooperation with the Iowa pharmacy association and the Iowa  
27 hospital association for the development of a surveillance  
28 system to monitor supplies of drugs, antidotes, and vaccines to  
29 assist in detecting a potential public health disaster. Prior  
30 to adoption, the rules shall be approved by the ~~council on~~  
31 ~~health and human services and the director of the department of~~  
32 ~~homeland security and emergency management.~~

33 Sec. 391. Section 135A.8, subsection 4, Code 2024, is  
34 amended to read as follows:

35 4. A local board of health seeking matching funds or grants



1 under this section shall apply to the department. The ~~council~~  
2 ~~on health and human services~~ department shall adopt rules  
3 concerning the application and award process for the allocation  
4 of moneys in the fund and shall establish the criteria for the  
5 allocation of moneys in the fund if the moneys are insufficient  
6 to meet the needs of local boards of health.

7 Sec. 392. Section 135A.9, unnumbered paragraph 1, Code  
8 2024, is amended to read as follows:

9 The ~~council on health and human services~~ department shall  
10 adopt rules pursuant to chapter 17A to implement this chapter  
11 which shall include but are not limited to the following:

12 Sec. 393. Section 135B.7, subsection 1, paragraph a, Code  
13 2024, is amended to read as follows:

14 a. The department, ~~with the approval of the council on~~  
15 ~~health and human services~~, shall adopt rules setting out the  
16 standards for the different types of hospitals and for rural  
17 emergency hospitals to be licensed under this chapter. The  
18 department shall enforce the rules.

19 Sec. 394. Section 135C.14, unnumbered paragraph 1, Code  
20 2024, is amended to read as follows:

21 The department shall, in accordance with chapter 17A ~~and~~  
22 ~~with the approval of the council on health and human services~~,  
23 adopt and enforce rules setting minimum standards for health  
24 care facilities. In so doing, the department, ~~with the~~  
25 ~~approval of the council on health and human services~~, may  
26 adopt by reference, with or without amendment, nationally  
27 recognized standards and rules, which shall be specified by  
28 title and edition, date of publication, or similar information.  
29 The rules and standards required by this section shall be  
30 formulated in consultation with the director of health and  
31 human services or the director of health and human services'  
32 designee, with the director, and with affected industry,  
33 professional, and consumer groups, and shall be designed to  
34 further the accomplishment of the purposes of this chapter and  
35 shall relate to:

S-5170 (Continued)

1     Sec. 395. Section 135J.7, Code 2024, is amended to read as  
2 follows:

3     **135J.7 Rules.**

4     Except as otherwise provided in this chapter, the department  
5 shall adopt rules pursuant to chapter 17A necessary to  
6 implement this chapter, ~~subject to approval of the council~~  
7 ~~on health and human services~~. Formulation of the rules  
8 shall include consultation with Iowa hospice organization  
9 representatives and other persons affected by this chapter.

10    Sec. 396. Section 135R.4, subsection 1, Code 2024, is  
11 amended to read as follows:

12    1. The department, with the advice ~~and approval~~ of the  
13 council on health and human services, shall adopt rules  
14 specifying the standards for ambulatory surgical centers to be  
15 licensed under this chapter. The rules shall be consistent  
16 with and shall not exceed the requirements of this chapter and  
17 the conditions for coverage in the federal Medicare program for  
18 ambulatory surgical centers under [42 C.F.R. pt. 416](#).

19    Sec. 397. Section 137.104, subsection 1, paragraph b,  
20 unnumbered paragraph 1, Code 2024, is amended to read as  
21 follows:

22    Make and enforce such reasonable rules and regulations not  
23 inconsistent with law and the rules of the ~~council~~ department  
24 as may be necessary for the protection and improvement of the  
25 public health.

26    Sec. 398. Section 137.105, subsection 1, paragraph f, Code  
27 2024, is amended to read as follows:

28    *f.* A local board of health member shall serve without  
29 compensation, but may be reimbursed for necessary expenses in  
30 accordance with rules established by the ~~council~~ department or  
31 the applicable jurisdiction.

32    Sec. 399. Section 137.107, Code 2024, is amended to read as  
33 follows:

34    **137.107 Request reviewed by state department.**

35    The state department shall review requests submitted

1 pursuant to section 137.106. The state department, upon  
2 finding that all required elements are present, ~~shall present~~  
3 ~~findings to the council.~~ The council may approve the formation  
4 of a district board and if the formation is approved, shall  
5 notify the county boards from whom the request was received.

6 Sec. 400. Section 137.114, Code 2024, is amended to read as  
7 follows:

8 **137.114 Withdrawal from district.**

9 A county may withdraw from an existing district board upon  
10 submission of a request for withdrawal to and approval by  
11 the state department. The request shall include a plan to  
12 reform its county board or join a different district board,  
13 information specified in section 137.106, and approval of the  
14 request by the district board ~~and, at the recommendation of~~  
15 ~~the state department, the council.~~ Any county choosing to  
16 withdraw from the district board shall commit to the continuity  
17 of services in its county by reestablishing its county  
18 board or joining a different district board. The remaining  
19 counties in the district shall submit an application including  
20 the information specified in section 137.106 to the state  
21 department for review as provided in section 137.107.

22 Sec. 401. Section 137.119, Code 2024, is amended to read as  
23 follows:

24 **137.119 Adoption of rules.**

25 The ~~council~~ department shall adopt rules to implement this  
26 chapter. The department is vested with discretionary authority  
27 to interpret the provisions of this chapter.

28 Sec. 402. Section 139A.8, subsection 3, Code 2024, is  
29 amended to read as follows:

30 3. Subject to the provision of subsection 4, the ~~council on~~  
31 ~~health and human services~~ department may modify or delete any  
32 of the immunizations in subsection 2.

33 Sec. 403. Section 139A.8, subsection 4, paragraph b, Code  
34 2024, is amended to read as follows:

35 *b.* The exemptions under this subsection do not apply in

1 times of emergency or epidemic as determined ~~by the council on~~  
2 ~~health and human services~~ and as declared by the director of  
3 ~~health and human services~~.

4 Sec. 404. Section 139A.9, Code 2024, is amended to read as  
5 follows:

6 **139A.9 Forcible removal — isolation — quarantine.**

7 The forcible removal and isolation or quarantine of any  
8 infected person shall be accomplished according to the rules  
9 and regulations of the local board or the rules of the ~~council~~  
10 ~~on health and human services~~ department.

11 Sec. 405. Section 141A.2, subsection 6, Code 2024, is  
12 amended to read as follows:

13 6. ~~The department, with the approval of the council~~  
14 ~~on health and human services,~~ may conduct epidemiological  
15 blinded and nonblinded studies to determine the incidence  
16 and prevalence of HIV infection. Initiation of any new  
17 epidemiological studies shall be contingent upon the receipt  
18 of funding sufficient to cover all the costs associated with  
19 the studies. The informed consent, reporting, and counseling  
20 requirements of this chapter shall not apply to blinded  
21 studies.

22 Sec. 406. Section 217.2, subsection 1, paragraph a, Code  
23 2024, is amended to read as follows:

24 a. There is created within the department a council on  
25 health and human services which shall act in a ~~polycymaking and~~  
26 an advisory capacity on matters within the jurisdiction of the  
27 department. The council shall consist of nine voting members  
28 appointed by the governor subject to confirmation by the  
29 senate. Appointments shall be made on the basis of interest  
30 in public affairs, good judgment, and knowledge and ability in  
31 the field of health and human services. Appointments shall  
32 be made to provide a diversity of interest and point of view  
33 in the membership and without regard to religious opinions or  
34 affiliations. The voting members of the council shall serve  
35 for six-year staggered terms.

1     Sec. 407. Section 217.3, Code 2024, is amended to read as  
2 follows:

3     **217.3 Duties of council.**

4     The council shall:

5     1. Organize annually and select a chairperson and vice  
6 chairperson.

7     2. ~~Adopt and establish policy for the operation and~~ Advise  
8 the department on conduct of the department, ~~subject to any~~  
9 ~~guidelines which may be adopted by the general assembly,~~ and  
10 the implementation of all services and programs administered  
11 by the department.

12     3. Report immediately to the governor any failure by  
13 the department to carry out any of the policy decisions or  
14 directives of the ~~council~~ department.

15     4. ~~Approve~~ Advise and make recommendations to the  
16 department on the budget of the department prior to submission  
17 to the governor. Prior to ~~approval of~~ making recommendations  
18 on the budget, the council shall publicize and hold a public  
19 hearing to provide explanations and hear questions, opinions,  
20 and suggestions regarding the budget. Invitations to the  
21 hearing shall be extended to the governor, the governor-elect,  
22 the director of the department of management, and other persons  
23 deemed by the council as integral to the budget process. The  
24 budget materials submitted to the governor shall include a  
25 ~~review of options~~ recommendations for revising the medical  
26 assistance program made available by federal action or by  
27 actions implemented by other states as identified by the  
28 department, the medical assistance advisory council created in  
29 section 249A.4B, and by county representatives. The review  
30 shall address what potential revisions could be made in this  
31 state and how the changes would be beneficial to Iowans.

32     5. ~~Insure~~ Make recommendations to the department to ensure  
33 that all programs administered or services rendered by the  
34 department directly to any citizen or through a local agency  
35 to any citizen are coordinated and integrated so that any

1 citizen does not receive a duplication of services from various  
2 departments or local agencies that could be rendered by one  
3 department or local agency. ~~If the council finds that such~~  
4 ~~is not the case, it shall hear and determine which department~~  
5 ~~or local agency shall provide the needed service or services~~  
6 ~~and enter an order of their determination by resolution of~~  
7 ~~the council which must be concurred in by at least a majority~~  
8 ~~of the members. Thereafter such order or resolution of the~~  
9 ~~council shall be obeyed by all state departments and local~~  
10 ~~agencies to which it is directed.~~

11 ~~6. Adopt all necessary rules recommended by the department~~  
12 ~~prior to their promulgation pursuant to chapter 17A.~~

13 ~~7.~~ 6. Recommend to the governor the names of individuals  
14 qualified for the position of director when a vacancy exists  
15 in the office.

16 Sec. 408. Section 217.3A, Code 2024, is amended to read as  
17 follows:

18 **217.3A Advisory committees.**

19 The council may establish and utilize other ad hoc  
20 advisory committees as determined necessary to advise the  
21 council related to the subject matter under the purview  
22 of the department, including but not limited to child and  
23 family services, behavioral health, public health, and the  
24 department's interactions with the juvenile justice system.  
25 The council shall establish appointment provisions, membership  
26 terms, operating guidelines, and other operational requirements  
27 for committees established pursuant to this section.

28 Sec. 409. Section 217.6, Code 2024, is amended to read as  
29 follows:

30 **217.6 Rules and regulations — organization of department.**

31 1. The director may ~~recommend~~ submit to the council for  
32 ~~adoption~~ review and recommendation, rules and regulations  
33 necessary to administer the duties, functions, and programs  
34 of the department. ~~Any action taken, decision made, or~~  
35 ~~administrative rule adopted may be reviewed by the director.~~

1 The director, ~~upon~~ may consider such review, may affirm,  
2 ~~modify, or reverse any such action, decision, or rule~~  
3 recommendations in adopting rules for the department.

4 2. The rules ~~and regulations~~ adopted for the public benefits  
5 and programs administered by the department shall apply the  
6 residency eligibility restrictions required by federal and  
7 state law.

8 3. The director shall organize the department into subunits  
9 as necessary to most efficiently carry out the intent of this  
10 chapter and any other chapter the department is responsible for  
11 administering.

12 4. If the department requires or requests a service  
13 consumer, service provider, or other person to maintain  
14 required documentation in electronic form, the department shall  
15 accept such documentation submitted by electronic means and  
16 shall not require a physical copy of the documentation unless  
17 required by state or federal law.

18 Sec. 410. Section 218.4, subsections 1 and 2, Code 2024, are  
19 amended to read as follows:

20 1. The department shall ~~recommend to the council for~~  
21 ~~adoption~~ adopt rules not inconsistent with law as necessary  
22 for the management of the institutions and the admission,  
23 treatment, care, custody, education and discharge of residents.  
24 It is the duty of the department to establish rules by which  
25 danger to life and property from fire will be minimized. The  
26 department may require any appointees to perform duties in  
27 addition to those required by statute.

28 2. Rules adopted by the ~~council~~ department pursuant  
29 to chapter 17A shall be uniform and shall apply to all  
30 institutions under the department's jurisdiction. The primary  
31 rules for use in institutions where persons with mental illness  
32 are served shall, unless otherwise indicated, uniformly apply  
33 to county or private hospitals in which persons with mental  
34 illness are served, but the rules shall not interfere with  
35 proper medical treatment administered to such persons by

1 competent physicians. Annually, signed copies of the rules  
2 shall be sent to the superintendent of each institution.  
3 Copies shall also be sent to the clerk of each district court,  
4 the chairperson of the board of supervisors of each county and,  
5 as appropriate, to the officer in charge of institutions or  
6 hospitals caring for persons with mental illness in each county  
7 who shall be responsible for seeing that the rules are posted  
8 in each institution or hospital in a prominent place. The  
9 rules shall be kept current to meet the public need and shall  
10 be revised and published annually.

11 Sec. 411. Section 222.1, subsection 2, Code 2024, is amended  
12 to read as follows:

13 2. The Glenwood state resource center and the Woodward  
14 state resource center are established and shall be maintained  
15 as the state's regional resource centers for the purpose of  
16 providing treatment, training, instruction, care, habilitation,  
17 and support of persons with an intellectual disability or other  
18 disabilities in this state, and providing facilities, services,  
19 and other support to the communities located in the region  
20 being served by a state resource center. In addition, the  
21 state resource centers are encouraged to serve as a training  
22 resource for community-based program staff, medical students,  
23 and other participants in professional education programs.  
24 A resource center may request the approval of the ~~council~~  
25 department to change the name of the resource center for use in  
26 communication with the public, in signage, and in other forms  
27 of communication.

28 Sec. 412. Section 222.2, Code 2024, is amended to read as  
29 follows:

30 **222.2 Definitions.**

31 When used in this chapter, unless the context otherwise  
32 requires:

33 1. "Auditor" means the county auditor or the auditor's  
34 designee.

35 2. ~~"Council" means the council on health and human services.~~



1     ~~3.~~ 2. "Department" means the department of health and human  
2 services.

3     ~~4.~~ 3. "Director" means the director of health and human  
4 services.

5     ~~5.~~ 4. "Intellectual disability" means the same as defined  
6 in section 4.1.

7     ~~6.~~ 5. "Mental health and disability services region" means  
8 a mental health and disability services region formed in  
9 accordance with section 225C.56.

10    ~~7.~~ 6. "Regional administrator" means the regional  
11 administrator of a mental health and disability services  
12 region, as defined in section 225C.55.

13    ~~8.~~ 7. "Special unit" means a special intellectual  
14 disability unit established at a state mental health institute  
15 pursuant to sections 222.88 through 222.91.

16    ~~9.~~ 8. "State resource centers" or "resource centers" means  
17 the Glenwood state resource center and the Woodward state  
18 resource center.

19    ~~10.~~ 9. "Superintendents" means the superintendents of the  
20 state resource centers.

21    Sec. 413. Section 225.33, Code 2024, is amended to read as  
22 follows:

23       **225.33 Death of patient — disposal of body.**

24       When a committed public patient or a voluntary public  
25 patient or a committed private patient dies while at the state  
26 psychiatric hospital or at the university hospital, the state  
27 psychiatric hospital shall have the body prepared for shipment  
28 in accordance with the rules prescribed by the ~~council on~~  
29 department of health and human services for shipping such  
30 bodies. It is the duty of the state board of regents to make  
31 arrangements for the embalming and such other preparation as  
32 necessary to comply with the rules and for the purchase of  
33 suitable caskets.

34    Sec. 414. Section 225C.49, subsection 1, unnumbered  
35 paragraph 1, Code 2024, is amended to read as follows:

1 The department shall provide coordination of the programs  
2 administered by the department which serve individuals with a  
3 disability and the individuals' families, including but not  
4 limited to the following juvenile justice and child welfare  
5 services: family-centered services described under section  
6 232.102, decategorization of child welfare funding provided  
7 for under section 232.188, and foster care services paid under  
8 section 234.35, subsection 3. The department shall regularly  
9 review administrative rules associated with such programs and  
10 make recommendations to the ~~council~~, governor, and general  
11 assembly for revisions to remove barriers to the programs for  
12 individuals with a disability and the individuals' families  
13 including the following:

14 Sec. 415. Section 226.1, subsections 3 and 4, Code 2024, are  
15 amended to read as follows:

16 3. A mental health institute may request the approval of the  
17 ~~council~~ department to change the name of the institution for  
18 use in communication with the public, in signage, and in other  
19 forms of communication.

20 4. For the purposes of this chapter, unless the context  
21 otherwise requires:

22 ~~a. "Council" means the council on health and human services.~~

23 ~~b.~~ a. "Department" means the department of health and human  
24 services.

25 ~~c.~~ b. "Director" means the director of health and human  
26 services.

27 ~~d.~~ c. "Mental health and disability services region" means  
28 a mental health and disability services region formed in  
29 accordance with section 225C.56.

30 ~~e.~~ d. "Mental health institute" or "state mental health  
31 institute" means a state hospital for persons with mental  
32 illness as designated in this chapter.

33 ~~f.~~ e. "Regional administrator" means the same as defined  
34 in section 225C.55.

35 Sec. 416. Section 234.1, Code 2024, is amended to read as

1 follows:

2 **234.1 Definitions.**

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

5 1. "*Child*" means either a person less than eighteen years of  
6 age or a person eighteen, nineteen, or twenty years of age who  
7 meets all of the following conditions:

8 a. The person was placed by court order issued pursuant  
9 to chapter 232 in foster care or in an institution listed in  
10 section 218.1 and either of the following situations apply to  
11 the person:

12 (1) After reaching eighteen years of age, the person  
13 has remained continuously and voluntarily under the care  
14 of an individual, as defined in section 237.1, licensed to  
15 provide foster care pursuant to chapter 237 or in a supervised  
16 apartment living arrangement, in this state.

17 (2) The person aged out of foster care after reaching  
18 eighteen years of age and subsequently voluntarily applied for  
19 placement with an individual, as defined in section 237.1,  
20 licensed to provide foster care pursuant to chapter 237 or for  
21 placement in a supervised apartment living arrangement, in this  
22 state.

23 b. The person has demonstrated a willingness to participate  
24 in case planning and to complete the responsibilities  
25 prescribed in the person's case permanency plan.

26 c. The department has made an application for the person  
27 for adult services upon a determination that it is likely the  
28 person will need or be eligible for services or other support  
29 from the adult services system.

30 ~~2. "*Council*" means the council on health and human services.~~

31 ~~3.~~ 2. "*Department*" means the department of health and human  
32 services.

33 ~~4.~~ 3. "*Director*" means the director of health and human  
34 services.

35 ~~5.~~ 4. "*Food programs*" means the supplemental nutrition

1 assistance program and donated foods programs authorized by  
2 federal law under the United States department of agriculture.

3 ~~6.~~ 5. *"Supplemental nutrition assistance program"* or *"SNAP"*  
4 means benefits provided by the federal program administered  
5 through [7 C.F.R. pts. 270 - 283](#), as amended.

6 Sec. 417. Section 234.6, subsection 1, unnumbered paragraph  
7 1, Code 2024, is amended to read as follows:

8 The director shall administer the family investment program,  
9 state supplementary assistance, food programs, child welfare,  
10 and emergency relief, family and adult service programs, and  
11 any other form of public assistance and institutions that are  
12 placed under the director's administration. The director shall  
13 perform duties, formulate and adopt rules as necessary, and  
14 outline policies, dictate procedure, and delegate powers as  
15 necessary for competent and efficient administration. ~~Subject~~  
16 ~~to restrictions that may be imposed by the council, the~~ The  
17 director may abolish, alter, consolidate, or establish subunits  
18 and abolish or change existing subunits. The director may  
19 employ necessary personnel and determine their compensation;  
20 may allocate or reallocate functions and duties among subunits;  
21 and may adopt rules relating to the employment of personnel  
22 and the allocation of their functions and duties among the  
23 various subunits as required for competent and efficient  
24 administration. The director shall do all of the following:

25 Sec. 418. Section 234.6, subsection 1, paragraphs d and h,  
26 Code 2024, are amended to read as follows:

27 *d.* Notwithstanding any provisions to the contrary in chapter  
28 239B relating to the consideration of income and resources of  
29 claimants for assistance, ~~and with the consent and approval of~~  
30 ~~the council,~~ adopt rules necessary to qualify for federal aid  
31 in the assistance programs administered by the director.

32 *h.* ~~Recommend~~ Adopt rules ~~for their adoption by the council~~  
33 for before and after school child care programs, conducted  
34 within and by or contracted for by school districts, that are  
35 appropriate for the ages of the children who receive services

1 under the programs.

2 Sec. 419. Section 237.1, Code 2024, is amended to read as  
3 follows:

4 **237.1 Definitions.**

5 As used in this chapter:

6 1. "*Agency*" means a person which provides child foster care  
7 and which does not meet the definition of an individual as  
8 defined under this section.

9 2. "*Child*" means child as defined in section 234.1.

10 3. "*Child foster care*" means the provision of parental  
11 nurturing, including but not limited to the furnishing of  
12 food, lodging, training, education, supervision, treatment,  
13 or other care, to a child on a full-time basis by a person,  
14 including a relative of the child if the relative is licensed  
15 under this chapter, but not including a guardian of the child.  
16 "*Child foster care*" does not include any of the following care  
17 situations:

18 a. Care furnished by an individual person who receives the  
19 child of a personal friend as an occasional and personal guest  
20 in the individual person's home, free of charge and not as a  
21 business.

22 b. Care furnished by an individual person with whom a child  
23 has been placed for lawful adoption, unless that adoption is  
24 not completed within two years after placement.

25 c. Care furnished by a private boarding school subject to  
26 approval by the state board of education pursuant to section  
27 256.11.

28 d. Child care furnished by a child care center, a child  
29 development home, or a child care home as defined in section  
30 237A.1.

31 e. Care furnished in a hospital licensed under chapter 135B  
32 or care furnished in a nursing facility licensed under chapter  
33 135C.

34 f. Care furnished by a relative of a child or an individual  
35 person with a meaningful relationship with the child where the

1 child is not under the placement, care, or supervision of the  
2 department.

3 ~~4. "Council" means the council on health and human services.~~

4 ~~5.~~ 4. "Department" means the department of health and human  
5 services.

6 ~~6.~~ 5. "Director" means the director of health and human  
7 services.

8 ~~7.~~ 6. "Facility" means the personnel, program, physical  
9 plant, and equipment of a licensee.

10 ~~8.~~ 7. "Individual" means an individual person or a married  
11 couple who provides child foster care in a single-family home  
12 environment and which does not meet the definition of an agency  
13 under this section.

14 ~~9.~~ 8. "Licensee" means an individual or an agency licensed  
15 under this chapter.

16 ~~10.~~ 9. "Reasonable and prudent parent standard" means  
17 the standard characterized by careful and sensible parenting  
18 decisions that maintain the health, safety, and best interests  
19 of a child, while at the same time encouraging the emotional  
20 and developmental growth of a child, that a caregiver shall  
21 use when determining whether to allow a child in foster care  
22 under the placement, care, or supervision of the department to  
23 participate in extracurricular, enrichment, cultural, or social  
24 activities. For the purposes of this subsection, "caregiver"  
25 means an individual or an agency licensed under this chapter  
26 with which a child in foster care has been placed or a juvenile  
27 shelter care home approved under chapter 232 in which a child  
28 in foster care has been placed.

29 Sec. 420. Section 237.3, subsection 1, Code 2024, is amended  
30 to read as follows:

31 1. Except as otherwise provided by subsections 3 and 4,  
32 the department shall ~~promulgate, after their adoption by the~~  
33 ~~council,~~ adopt and enforce in accordance with chapter 17A,  
34 administrative rules necessary to implement this chapter.  
35 Formulation of the rules shall include consultation with

1 representatives of child foster care providers and other  
2 persons affected by this chapter. The rules shall encourage  
3 the provision of child foster care in a single-family, home  
4 environment, exempting the single-family, home facility from  
5 inappropriate rules.

6 Sec. 421. Section 237A.1, Code 2024, is amended to read as  
7 follows:

8 **237A.1 Definitions.**

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

11 1. "*Child*" means either of the following:

12 a. A person twelve years of age or younger.

13 b. A person thirteen years of age or older but younger than  
14 nineteen years of age who has a developmental disability as  
15 defined under the federal Developmental Disabilities Assistance  
16 and Bill of Rights Act of 2000, Pub. L. No. 106-402, as  
17 codified in 42 U.S.C. §15002(8).

18 2. "*Child care*" means the care, supervision, and guidance of  
19 a child by a person other than the child's parent, guardian,  
20 or custodian for periods of less than twenty-four hours per  
21 day per child on a regular basis, but does not include care,  
22 supervision, and guidance of a child by any of the following:

23 a. An instructional program for children who are attending  
24 prekindergarten as defined by the state board of education  
25 under section 256.11 or a higher grade level and are at least  
26 four years of age, or are at least three years of age and  
27 eligible for special education under chapter 256B, administered  
28 by any of the following:

29 (1) A public or nonpublic school system accredited by the  
30 department of education or the state board of regents.

31 (2) A nonpublic school system which is not accredited by the  
32 department of education or the state board of regents.

33 b. Any of the following church-related programs:

34 (1) An instructional program.

35 (2) A youth program other than a preschool, before or after

1 school child care program, or other child care program.

2 (3) A program providing care to children on church premises  
3 while the children's parents are attending church-related or  
4 church-sponsored activities on the church premises.

5 *c.* Short-term classes of less than two weeks' duration held  
6 between school terms or during a break within a school term.

7 *d.* A child care center for sick children operated as part of  
8 a pediatrics unit in a hospital licensed by the department of  
9 inspections, appeals, and licensing pursuant to chapter 135B.

10 *e.* A program operated not more than one day per week by  
11 volunteers which meets all of the following conditions:

12 (1) Not more than eleven children are served per volunteer.

13 (2) The program operates for less than four hours during any  
14 twenty-four-hour period.

15 (3) The program is provided at no cost to the children's  
16 parent, guardian, or custodian.

17 *f.* A program administered by a political subdivision of the  
18 state which is primarily for recreational or social purposes  
19 and is limited to children who are five years of age or older  
20 and attending school.

21 *g.* An after school program continuously offered throughout  
22 the school year calendar to children who are at least five  
23 years of age and are enrolled in school, and attend the program  
24 intermittently or a summer-only program for such children. The  
25 program must be provided through a nominal membership fee or  
26 at no cost.

27 *h.* A special activity program which meets less than four  
28 hours per day for the sole purpose of the special activity.  
29 Special activity programs include but are not limited to music  
30 or dance classes, organized athletic or sports programs,  
31 recreational classes, scouting programs, and hobby or craft  
32 clubs or classes.

33 *i.* A nationally accredited camp.

34 *j.* A structured program for the purpose of providing  
35 therapeutic, rehabilitative, or supervisory services to



1 children under any of the following:

2 (1) A purchase of service or managed care contract with the  
3 department.

4 (2) A contract approved by a governance board of a  
5 decategorization of child welfare and juvenile justice funding  
6 project created under section 232.188.

7 (3) An arrangement approved by a juvenile court order.

8 *k.* Care provided on-site to children of parents residing in  
9 an emergency, homeless, or domestic violence shelter.

10 *l.* A child care facility providing respite care to a  
11 licensed foster family home for a period of twenty-four hours  
12 or more to a child who is placed with that licensed foster  
13 family home.

14 *m.* A program offered to a child whose parent, guardian,  
15 or custodian is engaged solely in a recreational or social  
16 activity, remains immediately available and accessible on the  
17 physical premises on which the child's care is provided, and  
18 does not engage in employment while the care is provided.  
19 However, if the recreational or social activity is provided  
20 in a fitness center or on the premises of a nonprofit  
21 organization, the parent, guardian, or custodian of the child  
22 may be employed to teach or lead the activity.

23 3. "*Child care center*" or "*center*" means a facility  
24 providing child care or preschool services for seven or more  
25 children, except when the facility is registered as a child  
26 development home.

27 4. "*Child care facility*" or "*facility*" means a child care  
28 center, preschool, or a registered child development home.

29 5. "*Child care home*" means a person or program providing  
30 child care to any of the following children at any one time  
31 that is not registered to provide child care under this  
32 chapter, as authorized under section 237A.3:

33 *a.* Five or fewer children.

34 *b.* Six or fewer children, if at least one of the children  
35 is school-aged.

1     6. "*Child development home*" means a person or program  
2 registered under section 237A.3A that may provide child care to  
3 seven or more children at any one time.

4     7. "*Children needing special needs care*" or "*special needs*  
5 *child*" means a child or children with one or more of the  
6 following conditions:

7     a. The child has been diagnosed by a physician or by a  
8 person endorsed for service as a school psychologist by the  
9 department of education to have a developmental disability  
10 which substantially limits one or more major life activities,  
11 and the child requires professional treatment, assistance in  
12 self-care, or the purchase of special adaptive equipment.

13     b. The child has been determined by a qualified intellectual  
14 disability professional to have a condition which impairs the  
15 child's intellectual and social functioning.

16     c. The child has been diagnosed by a mental health  
17 professional to have a behavioral or emotional disorder  
18 characterized by situationally inappropriate behavior which  
19 deviates substantially from behavior appropriate to the  
20 child's age, or which significantly interferes with the child's  
21 intellectual, social, or personal development.

22     ~~8. "*Council*" means the council on health and human services.~~

23     ~~9.~~ 8. "*Department*" means the department of health and human  
24 services.

25     ~~10.~~ 9. "*Director*" means the director of health and human  
26 services.

27     ~~11.~~ 10. "*Infant*" means a child who is less than twenty-four  
28 months of age.

29     ~~12.~~ 11. "*Involvement with child care*" means licensed  
30 or registered under this chapter, employed in a child care  
31 facility, residing in a child care facility, receiving public  
32 funding for providing child care, or providing child care as a  
33 child care home provider, or residing in a child care home.

34     ~~13.~~ 12. "*Licensed center*" means a center issued a full  
35 or provisional license by the department under the provisions

1 of this chapter or a center for which a license is being  
2 processed.

3 ~~14.~~ 13. "*Poverty level*" means the poverty level defined by  
4 the most recently revised poverty income guidelines published  
5 by the United States department of health and human services.

6 ~~15.~~ 14. "*Preschool*" means a child care facility which  
7 provides to children ages three through five, for periods of  
8 time not exceeding three hours per day, programs designed  
9 to help the children to develop intellectual skills, social  
10 skills, and motor skills, and to extend their interest and  
11 understanding of the world about them.

12 ~~16.~~ 15. "*School*" means kindergarten or a higher grade  
13 level.

14 ~~17.~~ "~~*State child care advisory committee*~~" means the state  
15 ~~child care advisory committee established pursuant to section~~  
16 ~~135.173A.~~

17 Sec. 422. Section 238.1, Code 2024, is amended to read as  
18 follows:

19 **238.1 Definitions.**

20 For the purpose of this chapter unless the context otherwise  
21 requires:

22 1. "*Child*" means the same as defined in section 234.1.

23 2. "*Child-placing agency*" or "*agency*" means any agency,  
24 whether public, semipublic, or private, which represents that  
25 the agency places children permanently or temporarily in  
26 private family homes or receives children for placement in  
27 private family homes, or which actually engages for gain or  
28 otherwise in the placement of children in private family homes.  
29 "*Agency*" includes individuals, institutions, partnerships,  
30 voluntary associations, and corporations, other than  
31 institutions under the management or control of the department.

32 ~~3.~~ "~~*Council*~~" means the ~~council on health and human services.~~

33 ~~4.~~ 3. "*Department*" means the department of health and human  
34 services.

35 ~~5.~~ 4. "*Director*" means the director of health and human

1 services.

2 Sec. 423. Section 238.12, Code 2024, is amended to read as  
3 follows:

4 **238.12 Appeal — judicial review.**

5 1. A licensee aggrieved by a decision of the department  
6 revoking the licensee's license may appeal to the ~~council~~  
7 department in the manner prescribed by the ~~council~~ department.  
8 The ~~council~~ department shall, upon receipt of such an appeal,  
9 give the licensee reasonable notice and opportunity for a fair  
10 hearing before the ~~council or its duly~~ department's authorized  
11 representative. Following the hearing, the ~~council~~ department  
12 shall take final action and notify the licensee in writing.

13 2. Judicial review of the actions of the ~~council~~ department  
14 may be sought in accordance with ~~the terms of~~ chapter 17A.

15 Sec. 424. Section 249.1, Code 2024, is amended to read as  
16 follows:

17 **249.1 Definitions.**

18 As used in this chapter:

19 ~~1. "Council" means the council on health and human services.~~

20 ~~2.~~ 1. "Department" means the department of health and human  
21 services.

22 ~~3.~~ 2. "Director" means the director of health and human  
23 services.

24 ~~4.~~ 3. "Federal supplemental security income" means cash  
25 payments made to individuals by the United States government  
26 under Tit. XVI of the Social Security Act as amended by Pub. L.  
27 No. 92-603, or any other amendments thereto.

28 ~~5.~~ 4. "Previous categorical assistance programs" means the  
29 aid to the blind program authorized by chapter 241, the aid to  
30 the disabled program authorized by chapter 241A and the old-age  
31 assistance program authorized by chapter 249, Code 1973.

32 ~~6.~~ 5. "State supplementary assistance" means cash payments  
33 made to individuals:

34 a. By the United States government on behalf of the state of  
35 Iowa pursuant to section 249.2.

1     *b.* By the state of Iowa directly pursuant to sections 249.3  
2 through 249.5.

3     Sec. 425. Section 249.4, subsection 1, Code 2024, is amended  
4 to read as follows:

5     1. Applications for state supplementary assistance shall  
6 be made in the form and manner prescribed by the director or  
7 the director's designee, ~~with the approval of the council,~~  
8 pursuant to chapter 17A. Each person who applies and is found  
9 eligible under section 249.3 shall, so long as the person's  
10 eligibility continues, receive state supplementary assistance  
11 on a monthly basis, from funds appropriated to the department  
12 for the purpose.

13     Sec. 426. Section 249A.4B, subsections 1 and 7, Code 2024,  
14 are amended to read as follows:

15     1. A medical assistance advisory council is created to  
16 comply with [42 C.F.R. §431.12](#) based on section 1902(a)(4) of  
17 the federal Social Security Act and to advise the director  
18 about health and medical care services under the medical  
19 assistance program. The council shall meet ~~no more than~~  
20 quarterly as necessary. The director's designee responsible  
21 for public health or their designee and a public member of the  
22 council selected by the public members of the council shall  
23 serve as co-chairpersons of the council.

24     7. The director shall consider the recommendations offered  
25 by the council in the director's preparation of the medical  
26 assistance budget ~~recommendations to the council on health and~~  
27 ~~human services pursuant to section 217.3~~ and in implementation  
28 of medical assistance program policies.

29     Sec. 427. Section 331.304, subsection 9, Code 2024, is  
30 amended to read as follows:

31     9. A county shall not adopt or enforce any ordinance  
32 imposing any registration or licensing system or registration  
33 or license fees for or relating to owner-occupied manufactured  
34 or mobile homes including the lots, lands, or manufactured  
35 home community or mobile home park upon or in which they are

1 located. A county shall not adopt or enforce any ordinance  
2 imposing any registration or licensing system, or registration  
3 or license fees, or safety or sanitary standards for rental  
4 manufactured or mobile homes unless similar registration or  
5 licensing system, or registration or license fees, or safety  
6 or sanitary standards are required for other rental properties  
7 intended for human habitation. This subsection does not  
8 preclude the investigation and abatement of a nuisance or the  
9 enforcement of a tiedown system, or the enforcement of any  
10 ~~regulations~~ rules of the ~~council on~~ department of health and  
11 human services or local board of health if those ~~regulations~~  
12 rules apply to other rental properties or to owner-occupied  
13 housing intended for human habitation.

14 Sec. 428. Section 364.3, subsection 5, Code 2024, is amended  
15 to read as follows:

16 5. A city shall not adopt or enforce any ordinance imposing  
17 any registration or licensing system or registration or license  
18 fees for or relating to owner-occupied manufactured or mobile  
19 homes including the lots, lands, or manufactured home community  
20 or mobile home park upon or in which they are located. A  
21 city shall not adopt or enforce any ordinance imposing any  
22 registration or licensing system, or registration or license  
23 fees, or safety or sanitary standards for rental manufactured  
24 or mobile homes unless a similar registration or licensing  
25 system, or registration or license fees, or safety or sanitary  
26 standards are required for other rental properties intended  
27 for human habitation. This subsection does not preclude the  
28 investigation and abatement of a nuisance or the enforcement of  
29 a tiedown system, or the enforcement of any ~~regulations~~ rules  
30 of the ~~council on~~ department of health and human services or  
31 local board of health if those ~~regulations~~ rules apply to other  
32 rental properties or to owner-occupied housing intended for  
33 human habitation.

34

DIVISION XII

35

ELIMINATION OF ADVISORY COUNCIL ON BRAIN INJURIES

1     Sec. 429. Section 135.22A, Code 2024, is amended to read as  
2 follows:

3     **135.22A ~~Advisory council on brain~~ Brain injuries — policy**  
4 **— department as lead agency.**

5     1. For purposes of this section, unless the context  
6 otherwise requires:

7     *a.* “*Brain injury*” means a brain injury as defined in section  
8 135.22.

9     *b.* “*Council*” means the advisory council on ~~brain injuries~~  
10 health and human services.

11     2. ~~The advisory council on brain injuries is established.~~  
12 ~~The following persons or their designees shall serve as ex~~  
13 ~~officio, nonvoting members of the council:~~

14     *a.* ~~The director of health and human services or the~~  
15 ~~director’s designee.~~

16     *b.* ~~The director of the department of education.~~

17     *c.* ~~The chief of the special education bureau of the~~  
18 ~~department of education.~~

19     *d.* ~~The administrator of the division of vocational~~  
20 ~~rehabilitation services of the department of workforce~~  
21 ~~development.~~

22     *e.* ~~The director of the department for the blind.~~

23     3. ~~The council shall be composed of a minimum of nine~~  
24 ~~members appointed by the governor in addition to the ex officio~~  
25 ~~members, and the governor may appoint additional members.~~

26 ~~Insofar as practicable, the council shall include persons with~~  
27 ~~brain injuries, family members of persons with brain injuries,~~  
28 ~~representatives of industry, labor, business, and agriculture,~~  
29 ~~representatives of federal, state, and local government, and~~  
30 ~~representatives of religious, charitable, fraternal, civic,~~  
31 ~~educational, medical, legal, veteran, welfare, and other~~  
32 ~~professional groups and organizations. Members shall be~~  
33 ~~appointed representing every geographic and employment area~~  
34 ~~of the state and shall include members of both sexes. A~~

35 ~~simple majority of the members appointed by the governor shall~~

1 ~~constitute a quorum.~~

2 ~~4. Members of the council appointed by the governor shall~~  
3 ~~be appointed for terms of two years. Vacancies on the council~~  
4 ~~shall be filled for the remainder of the term of the original~~  
5 ~~appointment. Members whose terms expire may be reappointed.~~

6 ~~5. The voting members of the council shall appoint a~~  
7 ~~chairperson and a vice chairperson and other officers as the~~  
8 ~~council deems necessary. The officers shall serve until their~~  
9 ~~successors are appointed and qualified. Members of the council~~  
10 ~~shall receive actual expenses for their services. Members may~~  
11 ~~also be eligible to receive compensation as provided in section~~  
12 ~~7E.6. The council shall adopt rules pursuant to chapter 17A.~~

13 ~~6. 2.~~ The council shall do all of the following:

14 *a.* Promote meetings and programs for the discussion of  
15 methods to reduce the debilitating effects of brain injuries,  
16 and disseminate information in cooperation with any other  
17 department, agency, or entity on the prevention, evaluation,  
18 care, treatment, and rehabilitation of persons affected by  
19 brain injuries.

20 *b.* Study and review current prevention, evaluation, care,  
21 treatment, and rehabilitation technologies and recommend  
22 appropriate preparation, training, retraining, and distribution  
23 of personnel and resources in the provision of services  
24 to persons with brain injuries through private and public  
25 residential facilities, day programs, and other specialized  
26 services.

27 *c.* Participate in developing and disseminating criteria and  
28 standards which may be required for future funding or licensing  
29 of facilities, day programs, and other specialized services for  
30 persons with brain injuries in this state.

31 *d.* Make recommendations to the governor for developing and  
32 administering a state plan to provide services for persons with  
33 brain injuries.

34 *e.* ~~Meet at least quarterly as necessary.~~

35 ~~7. 3.~~ The department is designated as Iowa's lead agency



1 for brain injury. For the purposes of this section, the  
2 designation of lead agency authorizes the department to  
3 perform or oversee the performance of those functions specified  
4 in subsection 6, paragraphs "a" through "c". ~~The council~~  
5 ~~is assigned to the department for administrative purposes.~~  
6 ~~The director shall be responsible for budgeting, program~~  
7 ~~coordination, and related management functions.~~

8 ~~8. The council may receive gifts, grants, or donations~~  
9 ~~made for any of the purposes of its programs and disburse and~~  
10 ~~administer them in accordance with their terms and under the~~  
11 ~~direction of the director.~~

12 Sec. 430. Section 135.22B, subsection 2, paragraph c, Code  
13 2024, is amended to read as follows:

14 c. The department shall consult with the advisory council  
15 ~~on brain injuries, established pursuant to section 135.22A,~~  
16 regarding the program and shall report to the council  
17 concerning the program at least quarterly. The council shall  
18 make recommendations to the department concerning the program's  
19 operation.

20

#### DIVISION XIII

21 ELIMINATION OF CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD

22 Sec. 431. Section 225C.52, Code 2024, is amended to read as  
23 follows:

24 ~~225C.52 Children's behavioral health system state board —~~  
25 Council duties.

26 The council shall provide guidance on the implementation  
27 and management of a children's behavioral health system for  
28 the provision of services to children with a serious emotional  
29 disturbance. To the extent funding is available, the state  
30 ~~board~~ council shall perform the following duties:

31 1. Advise the director on the administration of the  
32 children's behavioral health system.

33 2. Provide ~~consultation services~~ support to agencies  
34 regarding the development of administrative rules for the  
35 children's behavioral health system.

1 3. Identify behavioral health outcomes and indicators for  
2 eligible children with a serious emotional disturbance to  
3 promote children living with their own families and in the  
4 community.

5 4. Submit a written report on or before December 1 of each  
6 year to the governor and the general assembly. At a minimum,  
7 the report shall include a summary of all activities undertaken  
8 by the ~~state board~~ council relating to the children's  
9 behavioral health system and results from identified behavioral  
10 health outcomes and indicators for the children's behavioral  
11 health system.

12 Sec. 432. Section 225C.55, Code 2024, is amended to read as  
13 follows:

14 **225C.55 Definitions.**

15 As used in this subchapter, unless the context otherwise  
16 requires:

17 1. "*Children's behavioral health services*" means the same as  
18 defined in section 225C.2.

19 2. "Council" means the council on health and human services.

20 ~~2.~~ 3. "Department" means the department of health and human  
21 services.

22 ~~3.~~ 4. "Director" means the director of health and human  
23 services.

24 ~~4.~~ 5. "Disability services" means the same as defined in  
25 section 225C.2.

26 ~~5.~~ 6. "Population" means, as of July 1 of the fiscal year  
27 preceding the fiscal year in which the population figure is  
28 applied, the population shown by the latest preceding certified  
29 federal census or the latest applicable population estimate  
30 issued by the United States census bureau, whichever is most  
31 recent.

32 ~~6.~~ 7. "Regional administrator" means the administrative  
33 office, organization, or entity formed by agreement of the  
34 counties participating in a region to function on behalf of  
35 those counties in accordance with this subchapter.



1     3. "Council" means the council on health and human services.

2     4. "Department" means the department of health and human  
3 services.

4     5. "Disorder" means a congenital or inherited disorder.

5     6. "Genetics" means the study of inheritance and how genes  
6 contribute to health conditions and the potential for disease.

7     7. "Genomics" means the functions and interactions of all  
8 human genes and their variation within human populations,  
9 including their interaction with environmental factors, and  
10 their contribution to health.

11    8. "Inherited disorder" means a condition caused by an  
12 abnormal change in a gene or genes passed from a parent or  
13 parents to their child. Onset of the disorder may be prior to  
14 or at birth, during childhood, or in adulthood.

15    9. "Stillbirth" means an unintended fetal death occurring  
16 after a gestation period of twenty completed weeks, or an  
17 unintended fetal death of a fetus with a weight of three  
18 hundred fifty or more grams.

19    Sec. 436. Section 136A.3A, Code 2024, is amended to read as  
20 follows:

21    136A.3A ~~Congenital and inherited disorders advisory committee~~  
22 ~~established~~ — ~~process~~ Process for addition of conditions to  
23 newborn screening.

24    1. ~~A congenital and inherited disorders advisory committee~~  
25 ~~is established to~~ The council shall assist the department in  
26 the development of programs that ensure the availability and  
27 access to quality genetic and genomic health care services for  
28 all Iowans.

29    2. ~~The members of the advisory committee shall be appointed~~  
30 ~~by the director and shall include persons with relevant~~  
31 ~~expertise and interest including parent representatives.~~

32    3. ~~2.~~ The advisory committee council shall assist the  
33 department in designating the conditions to be included in the  
34 newborn screening and in regularly evaluating the effectiveness  
35 and appropriateness of the newborn screening.

1     ~~4.~~ 3. *a.* Beginning July 1, 2022, the ~~advisory committee~~  
2 council shall ensure that all conditions included in the  
3 federal recommended uniform screening panel as of January 1,  
4 2022, are included in the newborn screening.

5     *b.* Within twelve months of the addition of a new  
6 condition to the federal recommended uniform screening panel,  
7 the ~~advisory committee~~ council shall consider and make a  
8 recommendation to the department regarding inclusion of the  
9 new condition in the newborn screening, including the current  
10 newborn screening capacity to screen for the new condition  
11 and the resources necessary to screen for the new condition  
12 going forward. If the ~~advisory committee~~ council recommends  
13 inclusion of a new condition, the department shall include the  
14 new condition in the newborn screening within eighteen months  
15 of receipt of the recommendation.

16     ~~5.~~ 4. The department shall submit a status report to the  
17 general assembly, annually, by December 31, regarding all of  
18 the following:

19     *a.* The current conditions included in the newborn screening.

20     *b.* Any new conditions currently under consideration or  
21 recommended by the ~~advisory committee~~ council for inclusion in  
22 the newborn screening.

23     *c.* Any new conditions considered but not recommended by the  
24 ~~advisory committee~~ council in the prior twelve-month period and  
25 the reason for not recommending any such conditions.

26     *d.* Any departmental request for additional program capacity  
27 or resources necessitated by the inclusion of a recommended new  
28 condition in the newborn screening.

29     *e.* Any delay and the reason for the delay by the ~~advisory~~  
30 ~~committee~~ council in complying with the specified twelve-month  
31 time frame in considering or recommending the inclusion of a  
32 new condition in the newborn screening to the department.

33     *f.* Any delay and the reason for the delay by the department  
34 in complying with the specified eighteen-month time frame in  
35 including a new condition in the newborn screening following

1 receipt of a recommendation from the ~~advisory committee~~ council  
2 recommending the inclusion of such condition.

3 ~~6.~~ 5. The state hygienic laboratory shall establish  
4 the newborn screening fee schedule in a manner sufficient  
5 to support the newborn screening system of care including  
6 laboratory screening costs, short-term and long-term follow-up  
7 program costs, the newborn screening developmental fund, and  
8 the cost of the department's newborn screening data system.

9

DIVISION XV

10 ELIMINATION OF EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

11 Sec. 437. Section 147A.2, Code 2024, is amended to read as  
12 follows:

13 147A.2 Council established — terms of office on health and  
14 human services — advisory duties.

15 ~~1. An EMS advisory council shall be appointed by the~~  
16 ~~director. Membership of the council shall be comprised of~~  
17 ~~individuals nominated from, but not limited to, the following~~  
18 ~~state or national organizations: Iowa osteopathic medical~~  
19 ~~association, Iowa medical society, American college of~~  
20 ~~emergency physicians, Iowa physician assistant society, Iowa~~  
21 ~~academy of family physicians, university of Iowa hospitals~~  
22 ~~and clinics, American academy of emergency medicine, American~~  
23 ~~academy of pediatrics, Iowa EMS association, Iowa firefighters~~  
24 ~~association, Iowa professional fire fighters, EMS education~~  
25 ~~programs committee, Iowa nurses association, Iowa hospital~~  
26 ~~association, and the Iowa state association of counties. The~~  
27 ~~council shall also include at least two at-large members~~  
28 ~~who are volunteer emergency medical care providers and a~~  
29 ~~representative of a private service program.~~

30 ~~2. The EMS advisory council~~ on health and human services  
31 shall advise the director and develop policy recommendations  
32 concerning the regulation, administration, and coordination of  
33 emergency medical services in the state.

34 Sec. 438. REPEAL. Section 147A.3, Code 2024, is repealed.

35

DIVISION XVI

1 ELIMINATION OF TRAUMA SYSTEM ADVISORY COUNCIL

2 Sec. 439. Section 147A.23, Code 2024, is amended to read as  
3 follows:

4 **147A.23 Trauma care system development.**

5 1. The department is designated as a lead agency in this  
6 state responsible for the development of a statewide trauma  
7 care system.

8 2. The department, ~~in consultation with the trauma system~~  
9 ~~advisory council~~, shall develop, coordinate, and monitor a  
10 statewide trauma care system. This system shall include, but  
11 not be limited to, the following:

12 a. (1) Development of criteria for the categorization  
13 of all hospitals and emergency care facilities according to  
14 their trauma care capabilities. These categories shall be for  
15 levels I, II, III, and IV, based on the most current guidelines  
16 published by the American college of surgeons committee on  
17 trauma, the American college of emergency physicians, and  
18 the model trauma care plan of the United States department  
19 of health and human services' health resources and services  
20 administration.

21 (2) The categorization of all hospitals and emergency  
22 care facilities by the department as to their capacity to  
23 provide trauma care services. The categorization shall be  
24 determined by the department from self-reported information  
25 provided to the department by the hospital or emergency care  
26 facility. This categorization shall not be construed to imply  
27 any guarantee on the part of the department as to the level of  
28 trauma care services available at the hospital or emergency  
29 care facility.

30 b. (1) Development of a process for the verification of  
31 the trauma care capacity of each facility and the issuance of a  
32 certificate of verification. The standards and verification  
33 process shall be established by rule and may vary as  
34 appropriate by level of trauma care capability. To the extent  
35 possible, the standards and verification process shall be

1 coordinated with other applicable accreditation and licensing  
2 standards.

3 (2) The issuance of a certificate of verification of all  
4 categorized hospitals and emergency care facilities from the  
5 department at the level preferred by the hospital or emergency  
6 care facility. ~~The standards and verification process shall~~  
7 ~~be established by rule and may vary as appropriate by level of~~  
8 ~~trauma care capability. To the extent possible, the standards~~  
9 ~~and verification process shall be coordinated with other~~  
10 ~~applicable accreditation and licensing standards.~~

11 c. Upon verification and the issuance of a certificate  
12 of verification, agreement by a hospital or emergency care  
13 facility ~~agrees~~ to maintain a level of commitment and resources  
14 sufficient to meet responsibilities and standards as required  
15 by the trauma care criteria established by rule under this  
16 subchapter. Verifications are valid for a period of three  
17 years or as determined by the department and are renewable. As  
18 part of the verification and renewal process, the department  
19 may conduct periodic on-site reviews of the services and  
20 facilities of the hospital or emergency care facility.

21 d. Implementation of an Iowa trauma care plan.

22 e. Development of standards for medical direction, trauma  
23 care, triage and transfer protocols, and trauma registries.

24 f. Promotion of public information and education activities  
25 for injury prevention.

26 g. The development of strategies and the review of rules  
27 adopted under this subchapter to promote optimal trauma care  
28 delivery throughout the state.

29 h. Development, implementation, and conducting of trauma  
30 care system evaluation, quality assessment, and quality  
31 improvement.

32 ~~d.~~ 3. The department is responsible for the funding of the  
33 administrative costs of this subchapter. Any funds received  
34 by the department for this purpose shall be deposited in the  
35 emergency medical services fund established in section 135.25.



1 ~~e.~~ 4. This section shall not be construed to limit the  
2 number and distribution of level I, II, III, and IV categorized  
3 and verified trauma care facilities in a community or region.

4 5. Proceedings, records, and reports developed pursuant  
5 to this section constitute peer review records under section  
6 147.135, and are not subject to discovery by subpoena or  
7 admissible as evidence. All information and documents  
8 received from a hospital or emergency care facility under this  
9 subchapter shall be confidential pursuant to section 272C.6,  
10 subsection 4.

11 Sec. 440. Section 147A.26, subsection 1, Code 2024, is  
12 amended to read as follows:

13 1. The department shall maintain a statewide trauma  
14 reporting system by which ~~the trauma system advisory council~~  
15 ~~and~~ the department may monitor the effectiveness of the  
16 statewide trauma care system.

17 Sec. 441. REPEAL. Section 147A.24, Code 2024, is repealed.

18 DIVISION XVII

19 ELIMINATION OF JUSTICE ADVISORY BOARD

20 Sec. 442. Section 216A.131, Code 2024, is amended to read  
21 as follows:

22 **216A.131 Definitions.**

23 For the purpose of this subchapter, unless the context  
24 otherwise requires:

25 1. ~~"Board" means the justice advisory board.~~

26 2. ~~"Department", "department"~~ means the department of health  
27 and human services.

28 Sec. 443. Section 216A.133, Code 2024, is amended to read  
29 as follows:

30 **216A.133 ~~Purpose and~~ Department duties.**

31 1. ~~The purpose of the board~~ department shall be do all of  
32 the following:

33 a. Develop short-term and long-term goals to improve the  
34 criminal and juvenile justice systems.

35 b. Identify and analyze justice system issues, including

1 the impact of present criminal and juvenile justice policy, and  
2 make recommendations for policy change.

3 *c.* Develop and assist others in implementing recommendations  
4 and plans for justice system improvement.

5 *d.* Provide the general assembly with an analysis of current  
6 and proposed criminal code provisions.

7 *e.* Provide for a clearinghouse of justice system information  
8 to coordinate with data resource agencies and assist others in  
9 the use of justice system data.

10 ~~2. The board shall advise the department on its~~  
11 ~~administration of state and federal grants and appropriations~~  
12 ~~and shall carry out other functions consistent with this~~  
13 ~~subchapter.~~

14 ~~3. The duties of the board shall consist of the following:~~

15 ~~*a.* Identifying issues and analyzing the operation and impact~~  
16 ~~of present criminal and juvenile justice policy and making~~  
17 ~~recommendations for policy changes.~~

18 ~~*b.* f. Coordinating Coordinate with data resource agencies~~  
19 ~~to provide data and analytical information to federal, state,~~  
20 ~~and local governments, and assisting assist agencies in the use~~  
21 ~~of criminal and juvenile justice data.~~

22 ~~*c.* g. Reporting Report criminal justice system needs to the~~  
23 ~~governor, the general assembly, and other decision makers to~~  
24 ~~improve the criminal justice system.~~

25 ~~*d.* h. Reporting Report juvenile justice system needs to~~  
26 ~~the governor, the general assembly, and other decision makers~~  
27 ~~to address issues specifically affecting the juvenile justice~~  
28 ~~system, including evidence-based programs for group foster~~  
29 ~~care placements and the state training school, diversion, and~~  
30 ~~community-based services for juvenile offenders.~~

31 ~~*e.* i. Providing Provide technical assistance upon request~~  
32 ~~to state and local agencies.~~

33 ~~*f.* j. Administering Administer federal funds and funds~~  
34 ~~appropriated by the state or that are otherwise available~~  
35 ~~in compliance with applicable laws, regulations, and other~~

1 requirements for purposes of study, research, investigation,  
2 planning, and implementation in the areas of criminal and  
3 juvenile justice.

4 ~~g.~~ k. ~~Making~~ Make grants to cities, counties, and other  
5 entities pursuant to applicable law.

6 ~~h.~~ l. ~~Maintaining~~ Maintain an Iowa correctional policy  
7 project as provided in section 216A.137.

8 ~~i.~~ m. ~~Providing~~ Provide input and make recommendations  
9 to the director including in the development of a budget  
10 ~~recommendations~~ for the department.

11 ~~j.~~ ~~Developing and making recommendations to the director.~~

12 ~~k.~~ n. ~~Serving as a liaison between the department and~~  
13 ~~the public, sharing~~ Share information and ~~gathering~~ gather  
14 constituency input.

15 ~~l.~~ ~~Recommending to the department the adoption of rules~~  
16 ~~pursuant to chapter 17A as it deems necessary for the board and~~  
17 ~~department.~~

18 ~~m.~~ o. ~~Recommending~~ Recommend legislative and executive  
19 action to the governor and general assembly.

20 ~~n.~~ p. ~~Establishing~~ Establish advisory committees, work  
21 groups, or other coalitions as appropriate.

22 ~~o.~~ q. ~~Providing~~ Provide the general assembly with  
23 an analysis and recommendations of current criminal code  
24 provisions and proposed legislation which include but are not  
25 limited to all of the following:

26 (1) Potential disparity in sentencing.

27 (2) Truth in sentencing.

28 (3) Victims.

29 (4) The proportionality of specific sentences.

30 (5) Sentencing procedures.

31 (6) Costs associated with the implementation of criminal  
32 code provisions, including costs to the judicial branch,  
33 department of corrections, and judicial district departments  
34 of correctional services, costs for representing indigent  
35 defendants, and costs incurred by political subdivisions of the

1 state.

2 (7) Best practices related to the department of corrections  
3 including recidivism rates, safety and the efficient use of  
4 correctional staff, and compliance with correctional standards  
5 set by the federal government and other jurisdictions.

6 (8) Best practices related to the ~~Iowa child death~~ state  
7 mortality review team committee established in section  
8 ~~135.43 and the Iowa domestic abuse death review team established~~  
9 ~~in section 135.109.~~

10 ~~p. r.~~ Studying Study and making make recommendations for  
11 treating and supervising adult and juvenile sex offenders in  
12 institutions, community-based programs, and in the community,  
13 in areas which include but are not limited to all of the  
14 following:

15 (1) The effectiveness of electronically monitoring sex  
16 offenders.

17 (2) The cost and effectiveness of special sentences  
18 pursuant to chapter 903B.

19 (3) Risk assessment models created for sex offenders.

20 (4) Determining the best treatment programs available for  
21 sex offenders and the efforts of Iowa and other states to  
22 implement treatment programs.

23 (5) The efforts of Iowa and other states to prevent sex  
24 abuse-related crimes including child sex abuse.

25 (6) Any other related issues the board deems necessary,  
26 including but not limited to computer and internet sex-related  
27 crimes, sex offender case management, best practices for sex  
28 offender supervision, the sex offender registry, and the  
29 effectiveness of safety zones.

30 ~~q. s.~~ Providing Provide expertise and advice to the  
31 legislative services agency, the department of corrections, the  
32 judicial branch, and others charged with formulating fiscal,  
33 correctional, or minority impact statements.

34 ~~r. t.~~ Reviewing Review data supplied by the department, the  
35 department of management, the legislative services agency, the

1 Iowa supreme court, and other departments or agencies for the  
2 purpose of determining the effectiveness and efficiency of the  
3 collection of such data.

4 ~~4.~~ 2. The ~~board~~ department shall submit reports, in  
5 accordance with section 216A.135, to the governor and general  
6 assembly regarding actions taken, issues studied, and ~~board~~  
7 council recommendations.

8 Sec. 444. Section 216A.135, subsection 1, Code 2024, is  
9 amended to read as follows:

10 1. The ~~board~~ department shall submit a three-year criminal  
11 and juvenile justice plan for the state, beginning December 1,  
12 2020, and every three years thereafter, by December 1. The  
13 three-year plan shall be updated annually. Each three-year  
14 plan and annual updates of the three-year plan shall be  
15 submitted to the governor and the general assembly by December  
16 1.

17 Sec. 445. Section 216A.137, subsection 1, Code 2024, is  
18 amended to read as follows:

19 1. The department shall maintain an Iowa correctional  
20 policy project for the purpose of conducting analyses of  
21 major correctional issues affecting the criminal and juvenile  
22 justice system. The ~~board~~ department shall identify and  
23 prioritize the issues and studies to be addressed ~~by the~~  
24 ~~department~~ through this project and shall report project  
25 plans and findings annually along with the report required  
26 in section 216A.135. Issues and studies to be considered ~~by~~  
27 ~~the board~~ shall include but are not limited to a review of the  
28 information systems available to assess corrections trends  
29 and program effectiveness, the development of an evaluation  
30 plan for assessing the impact of corrections expenditures,  
31 and a study of the desirability and feasibility of changing  
32 the state's sentencing practices, which includes a prison  
33 population forecast.

34 Sec. 446. REPEAL. Section 216A.132, Code 2024, is repealed.

1 ELIMINATION OF IOWA COLLABORATION FOR YOUTH DEVELOPMENT COUNCIL

2 Sec. 447. Section 216A.140, Code 2024, is amended to read  
3 as follows:

4 ~~216A.140 Iowa collaboration for youth development council —~~  
5 **state State of Iowa youth advisory council.**

6 1. *Definitions.* For the purposes of this section, unless  
7 the context otherwise requires:

8 a. "Youth" means children and young persons who are ages six  
9 through twenty-one years.

10 b. "Youth advisory council" means the state of Iowa youth  
11 advisory council created by this section.

12 ~~c. "Youth development council" means the Iowa collaboration~~  
13 ~~for youth development council created by this section.~~

14 ~~2. Collaboration council created. An Iowa collaboration for~~  
15 ~~youth development council is created as an alliance of state~~  
16 ~~agencies that address the needs of youth in Iowa.~~

17 ~~3. Purpose. The purpose of the youth development council is~~  
18 ~~to improve the lives and futures of Iowa's youth by doing all~~  
19 ~~of the following:~~

20 ~~a. Adopting and applying positive youth development~~  
21 ~~principles and practices at the state and local levels.~~

22 ~~b. Increasing the quality, efficiency, and effectiveness of~~  
23 ~~opportunities and services and other supports for youth.~~

24 ~~c. Improving and coordinating state youth policy and~~  
25 ~~programs across state agencies.~~

26 ~~4. Vision statement. All youth development activities~~  
27 ~~addressed by the youth development council shall be aligned~~  
28 ~~around the following vision statement:~~

29 ~~"All Iowa youth will be safe, healthy, successful, and prepared~~  
30 ~~for adulthood."~~

31 ~~5. Membership. The youth development council membership~~  
32 ~~shall be determined by the council itself and shall include the~~  
33 ~~directors or chief administrators, or their designees, from the~~  
34 ~~following state agencies and programs:~~

35 ~~a. Child advocacy board.~~

1 ~~b. Department of education.~~

2 ~~c. Department of health and human services.~~

3 ~~d. Department of workforce development.~~

4 ~~e. Office of drug control policy.~~

5 ~~f. Iowa cooperative extension service in agriculture and~~  
6 ~~home economics.~~

7 ~~6. Procedure.~~ Except as otherwise provided by law, the  
8 youth development council shall determine its own rules of  
9 procedure and operating policies, including but not limited  
10 to terms of members. The youth development council may form  
11 committees or subgroups as necessary to achieve its purpose.

12 ~~7. Duties.~~ The youth development council's duties shall  
13 include but are not limited to all of the following:

14 ~~a. Study, explore, and plan for the best approach to~~  
15 ~~structure and formalize the functions and activities of the~~  
16 ~~youth development council to meet its purpose, and make formal~~  
17 ~~recommendations for improvement to the governor and general~~  
18 ~~assembly.~~

19 ~~b. Review indicator data and identify barriers to youth~~  
20 ~~success and develop strategies to address the barriers.~~

21 ~~c. Coordinate across agencies the state policy priorities~~  
22 ~~for youth.~~

23 ~~d. Strengthen partnerships with the nonprofit and private~~  
24 ~~sectors to gather input, build consensus, and maximize use of~~  
25 ~~existing resources and leverage new resources to improve the~~  
26 ~~lives of youth and their families.~~

27 ~~e. Oversee the activities of the youth advisory council.~~

28 ~~f. Seek input from and engage the youth advisory council~~  
29 ~~in the development of more effective policies, practices, and~~  
30 ~~programs to improve the lives and futures of youth.~~

31 ~~g. Report annually by February 1 to the governor and general~~  
32 ~~assembly.~~

33 ~~8. 2. State of Iowa youth advisory council.~~ A state of  
34 Iowa youth advisory council is created to provide input to the  
35 governor, general assembly, and state and local policymakers on

1 youth issues.

2     *a.* The purpose of the youth advisory council is to foster  
3 communication among a group of engaged youth and the governor,  
4 general assembly, and state and local policymakers regarding  
5 programs, policies, and practices affecting youth and families;  
6 ~~and~~ to advocate for youth on important issues affecting youth;  
7 and to improve the lives and futures of Iowa's youth.

8     *b.* The youth advisory council shall consist of no more than  
9 twenty-one youth ages fourteen through twenty years who reside  
10 in Iowa. Membership shall be for two-year staggered terms.  
11 The director or the director's designee shall select council  
12 members using an application process. The director or the  
13 director's designee shall strive to maintain a diverse council  
14 membership and shall take into consideration race, ethnicity,  
15 disabilities, gender, and geographic location of residence of  
16 the applicants.

17     *c.* Except as otherwise provided by law, the youth advisory  
18 council shall determine its own rules of procedure and  
19 operating policies, subject to approval by the director or the  
20 director's designee.

21     *d.* The youth advisory council shall ~~meet at least quarterly.~~  
22 do all of the following:

23         (1) Adopt and apply positive youth development principles  
24 and practices at the state and local levels.

25         (2) Increase the quality, efficiency, and effectiveness of  
26 opportunities and services and other supports for youth.

27         (3) Improve, coordinate, and prioritize state youth policy  
28 and programs across state agencies.

29         (4) Align all policies around the vision that all Iowa youth  
30 will be safe, healthy, successful, and prepared for adulthood.

31         (5) Review indicator data, identify barriers to youth  
32 success, and develop strategies to address the barriers.

33         (6) Strengthen partnerships with the nonprofit and private  
34 sectors to gather input, build consensus, and maximize the use  
35 of existing resources and leverage new resources to improve the



1 lives of youth and their families.

2 (7) Report annually by February 1 to the governor and the  
3 general assembly.

4 ~~9. 3. Lead agency.~~ The lead agency for support of the Iowa  
5 ~~collaboration for youth development council and the~~ state of  
6 Iowa youth advisory council is the department. The department  
7 shall coordinate activities and, with funding made available  
8 to it for such purposes, provide staff support for the youth  
9 ~~development council and the youth advisory council.~~

10

DIVISION XIX

11

ELIMINATION OF COMMISSIONS UNDER HUMAN RIGHTS BOARD

12 Sec. 448. Section 216A.1, subsection 1, paragraph a, Code  
13 2024, is amended by striking the paragraph and inserting in  
14 lieu thereof the following:

15 a. Community advocacy and services on behalf of  
16 underrepresented populations in the state.

17 Sec. 449. Section 216A.3, Code 2024, is amended to read as  
18 follows:

19 **216A.3 Human rights board.**

20 1. A human rights board is created within the department.

21 2. The board shall consist of ~~sixteen~~ twelve members,  
22 including ~~eleven~~ seven voting members and five nonvoting  
23 members, ~~and~~ determined as follows:

24 a. The voting members shall consist of ~~nine~~ seven voting  
25 members ~~selected by each of the permanent commissions within~~  
26 ~~the department, and two voting members, appointed by the~~  
27 ~~governor. For purposes of this paragraph "a", "permanent~~  
28 ~~commissions" means the commission of Latino affairs,~~  
29 ~~commission on the status of women, commission of persons~~  
30 ~~with disabilities, commission on community action agencies,~~  
31 ~~commission of deaf services, justice advisory board, commission~~  
32 ~~on the status of African Americans, commission of Asian and~~  
33 ~~Pacific Islander affairs, and commission of Native American~~  
34 ~~affairs~~ who shall be appointed by the governor, subject to  
35 confirmation by the senate pursuant to section 2.32, and shall

1 represent underrepresented populations in the state. All  
2 voting members shall reside in the state. The term of office  
3 for voting members is four years.

4 *b.* The nonvoting members shall consist of the department  
5 director, two state representatives, one appointed by the  
6 speaker of the house of representatives and one by the minority  
7 leader of the house of representatives, and two state senators,  
8 one appointed by the majority leader of the senate and one by  
9 the minority leader of the senate.

10 3. A majority of the voting members of the board shall  
11 constitute a quorum, and the affirmative vote of two-thirds of  
12 the voting members present is necessary for any substantive  
13 action taken by the board. The board shall select a  
14 chairperson from the voting members of the board. ~~The board~~  
15 ~~shall meet not less than four times a year.~~

16 4. The board shall ~~develop~~ do all of the following:

17 *a.* Develop and monitor implementation of a comprehensive  
18 strategic plan to remove barriers for underrepresented  
19 populations or groups and, in doing so, to increase Iowa's  
20 productivity and inclusivity, including performance measures  
21 and benchmarks.

22 *b.* Study the opportunities for and changing needs of the  
23 underrepresented populations or groups in the state.

24 *c.* Serve as a liaison between the department and the public,  
25 sharing information and gathering constituency input.

26 *d.* Recommend to the department the adoption of rules  
27 pursuant to chapter 17A as the board deems necessary.

28 *e.* Recommend legislative and executive action to the  
29 governor and general assembly to advance the interests of  
30 underrepresented populations or groups and to improve the  
31 status of low-income persons in the state.

32 *f.* Establish advisory committees, work groups, or other  
33 coalitions as appropriate.

34 *g.* Advance the interests of underrepresented populations  
35 or groups in the areas of human rights, access to justice,

1 economic equality, and the elimination of discrimination.

2 Sec. 450. Section 216A.4, Code 2024, is amended to read as  
3 follows:

4 **216A.4 Definitions.**

5 For purposes of this chapter, unless the context otherwise  
6 requires:

7 1. "Asian or Pacific Islander" means an individual from any  
8 of the countries of Asia or islands of the Pacific.

9 ~~1.~~ 2. "Board" means the human rights board.

10 ~~2.~~ 3. "Department" means the department of health and human  
11 services.

12 ~~3.~~ 4. "Director" means the director of health and human  
13 services.

14 5. "Tribal government" means the governing body of a  
15 federally recognized Indian tribe.

16 ~~4.~~ 6. "Underrepresented" means the historical  
17 marginalization of populations or groups in the United States  
18 and Iowa, including but not limited to African Americans, Asian  
19 and Pacific Islanders, persons who are deaf or hard of hearing,  
20 persons with disabilities, Latinos, Native Americans, women,  
21 persons who have low socioeconomic status, at-risk youth, and  
22 adults or juveniles with a criminal history.

23 COMMISSION AND OFFICE OF LATINO AFFAIRS ELIMINATION

24 Sec. 451. REPEAL. Sections 216A.11, 216A.12, 216A.13,  
25 216A.14, and 216A.15, Code 2024, are repealed.

26 COMMISSION AND OFFICE ON THE STATUS OF WOMEN ELIMINATION

27 Sec. 452. Section 241.3, subsection 2, Code 2024, is amended  
28 to read as follows:

29 2. The department shall consult and cooperate with the  
30 department of workforce development, the United States  
31 commissioner of social security administration, ~~the office~~  
32 ~~on the status of women of the department,~~ the department of  
33 education, and other persons in the executive branch of the  
34 state government as the department considers appropriate to  
35 facilitate the coordination of multipurpose service programs

1 established under this chapter with existing programs of a  
2 similar nature.

3 Sec. 453. REPEAL. Sections 216A.51, 216A.52, 216A.53, and  
4 216A.54, Code 2024, are repealed.

5 COMMISSION AND OFFICE ON PERSONS WITH DISABILITIES ELIMINATION

6 Sec. 454. REPEAL. Sections 216A.71, 216A.72, 216A.74, and  
7 216A.75, Code 2024, are repealed.

8 COMBINING OF DEAF SERVICES COMMISSION AND DUAL PARTY RELAY  
9 COUNCIL

10 Sec. 455. Section 216A.111, subsection 2, Code 2024, is  
11 amended by striking the subsection.

12 Sec. 456. Section 216A.113, Code 2024, is amended to read  
13 as follows:

14 **216A.113 Deaf services commission established.**

15 1. The commission of deaf services is established, and shall  
16 consist of seven voting members appointed by the governor,  
17 ~~subject to confirmation by the senate pursuant to section~~  
18 ~~2.32.~~ Membership of the commission shall include at least four  
19 members who are deaf and ~~at least one member who is~~ or hard of  
20 hearing, and three members who are representatives of telephone  
21 companies. The commission shall also include the director, or  
22 the director's designee, as a nonvoting member. All members  
23 shall reside in Iowa.

24 2. ~~Members~~ Voting members of the commission shall serve  
25 four-year staggered terms which shall begin and end pursuant to  
26 section 69.19. ~~Members~~ Voting members whose terms expire may  
27 be reappointed. Vacancies on the commission may be filled for  
28 the remainder of the term in the same manner as the original  
29 appointment. ~~Members~~ Voting members shall receive actual  
30 expenses incurred while serving in their official capacity,  
31 subject to statutory limits. ~~Members~~ Voting members may also  
32 be eligible to receive compensation as provided in section  
33 7E.6.

34 3. ~~Members~~ The voting members of the commission shall  
35 appoint a chairperson and vice chairperson and other officers

1 as the commission deems necessary. ~~The commission shall~~  
2 ~~meet at least quarterly during each fiscal year.~~ A majority  
3 of the voting members currently appointed to the commission  
4 shall constitute a quorum. A quorum shall be required for the  
5 conduct of business of the commission, and the affirmative vote  
6 of a majority of the currently appointed voting members is  
7 necessary for any substantive action taken by the commission.  
8 A voting member shall not vote on any action if the voting  
9 member has a conflict of interest on the matter, and a  
10 statement by the voting member of a conflict of interest shall  
11 be conclusive for this purpose.

12 Sec. 457. Section 216A.114, Code 2024, is amended to read  
13 as follows:

14 **216A.114 Commission powers and duties.**

15 The commission shall have the following powers and duties:

16 1. Study the changing needs and opportunities for the deaf  
17 and hard-of-hearing people in this state.

18 2. Serve as a liaison between the ~~office~~ department and the  
19 public, sharing information and gathering constituency input.

20 3. Recommend to the board for adoption rules pursuant  
21 to chapter 17A as it deems necessary for the commission and  
22 office.

23 4. Recommend legislative and executive action to the  
24 governor and general assembly.

25 5. Establish advisory committees, work groups, or other  
26 coalitions as appropriate.

27 6. Advise the utilities board on the planning,  
28 establishment, administration, and promotion of a statewide  
29 program to provide dual party relay service and to secure,  
30 finance, and distribute telecommunications devices for the deaf  
31 and hard of hearing pursuant to chapter 477C.

32 Sec. 458. Section 477C.2, Code 2024, is amended to read as  
33 follows:

34 **477C.2 Definitions.**

35 As used in this chapter, unless the context otherwise

1 requires:

2 1. *"Board"* means the utilities board created in section  
3 474.1.

4 2. *"Commission"* means the commission on deaf services  
5 created in section 216A.113.

6 ~~2.~~ 3. *"Communication disorder"* means the inability to use  
7 the telephone for communication without a telecommunications  
8 device for the deaf and hard of hearing.

9 ~~3.~~ *"Council"* means the dual party relay council established  
10 in section 477C.5.

11 4. *"Dual party relay service"* or *"relay service"* means a  
12 communication service which provides persons with communication  
13 disorders access to the telephone system functionally  
14 equivalent to the access available to persons without  
15 communication disorders.

16 5. *"Telecommunications device for the deaf and hard of  
17 hearing"* means any specialized or supplemental telephone  
18 equipment used by persons with communication disorders to  
19 provide access to the telephone system.

20 Sec. 459. Section 477C.3, unnumbered paragraph 1, Code  
21 2024, is amended to read as follows:

22 With the advice of the ~~council~~ commission, the board shall  
23 plan, establish, administer, and promote a statewide program to  
24 provide dual party relay service as follows:

25 Sec. 460. Section 477C.4, Code 2024, is amended to read as  
26 follows:

27 **477C.4 Telecommunications devices for the deaf and hard of  
28 hearing.**

29 With the advice of the ~~council~~ commission, the board may  
30 plan, establish, administer, and promote a program to secure,  
31 finance, and distribute telecommunications devices for the  
32 deaf and hard of hearing. The board may establish eligibility  
33 criteria for persons to receive telecommunications devices  
34 for the deaf and hard of hearing, including but not limited  
35 to requiring certification that the recipient cannot use the

S-5170 (Continued)

1 telephone for communication without a telecommunications device  
2 for the deaf and hard of hearing.

3 Sec. 461. Section 477C.5, subsection 2, paragraph c, Code  
4 2024, is amended by striking the paragraph.

5 Sec. 462. Section 622B.4, Code 2024, is amended to read as  
6 follows:

7 **622B.4 List.**

8 ~~The office of deaf services of the~~ department of health and  
9 human services shall prepare and continually update a listing  
10 of qualified and available sign language interpreters. The  
11 courts and administrative agencies shall maintain a directory  
12 of qualified interpreters for deaf and hard-of-hearing  
13 persons as furnished by the department of health and human  
14 services. ~~The office of deaf services of the~~ department  
15 of health and human services shall maintain a list of sign  
16 language interpreters which shall be made available to a court,  
17 administrative agency, or interested parties to an action using  
18 the services of a sign language interpreter.

19 Sec. 463. REPEAL. Sections 216A.112 and 477C.5, Code 2024,  
20 are repealed.

21 COMMISSION AND OFFICE ON STATUS OF AFRICAN AMERICANS  
22 ELIMINATION

23 Sec. 464. REPEAL. Sections 216A.141, 216A.142, 216A.143,  
24 and 216A.146, Code 2024, are repealed.

25 COMMISSION AND OFFICE ON ASIAN AND PACIFIC ISLANDERS  
26 ELIMINATION

27 Sec. 465. REPEAL. Sections 216A.151, 216A.152, 216A.153,  
28 and 216A.154, Code 2024, are repealed.

29 COMMISSION AND OFFICE OF NATIVE AMERICAN AFFAIRS ELIMINATION

30 Sec. 466. Section 216A.167, Code 2024, is amended to read  
31 as follows:

32 **216A.167 Limitations on authority.**

33 1. The ~~commission~~ board and ~~office~~ department shall not have  
34 the authority to do any of the following:

35 a. Implement or administer the duties of the state of Iowa

1 under the federal Indian Gaming Regulatory Act, shall not have  
2 any authority to recommend, negotiate, administer, or enforce  
3 any agreement or compact entered into between the state of Iowa  
4 and Indian tribes located in the state pursuant to section  
5 10A.104, and shall not have any authority relative to Indian  
6 gaming issues.

7     *b.* Administer the duties of the state under the federal  
8 National Historic Preservation Act, the federal Native American  
9 Graves Protection and Repatriation Act, and chapter 263B. The  
10 ~~commission board~~ shall also not interfere with the advisory  
11 role of a separate Indian advisory council or committee  
12 established by the state archeologist by rule for the purpose  
13 of consultation on matters related to ancient human skeletal  
14 remains and associated artifacts.

15     2. This subchapter shall not diminish or inhibit the right  
16 of any tribal government to interact directly with the state  
17 or any of its departments or agencies for any purpose which a  
18 tribal government desires to conduct its business or affairs as  
19 a sovereign governmental entity.

20     Sec. 467. REPEAL. Sections 216A.161, 216A.162, 216A.163,  
21 216A.165, and 216A.166, Code 2024, are repealed.

22             COMMUNITY ACTION AGENCY COMMISSION ELIMINATION

23     Sec. 468. Section 216A.91, Code 2024, is amended to read as  
24 follows:

25     **216A.91 Definitions.**

26     For purposes of this subchapter, unless the context  
27 otherwise requires:

28     ~~1. "Commission" means the commission on community action~~  
29 ~~agencies.~~

30     ~~2.~~ 1. "Community action agency" means a public agency  
31 or a private nonprofit agency which is authorized under its  
32 charter or bylaws to receive funds to administer community  
33 action programs and is designated by the governor to receive  
34 and administer the funds.

35     ~~3.~~ 2. "Community action program" means a program conducted



1 by a community action agency which includes projects to provide  
2 a range of services to improve the conditions of poverty in the  
3 area served by the community action agency.

4 Sec. 469. Section 216A.93, Code 2024, is amended to read as  
5 follows:

6 **216A.93 Establishment of community action agencies.**

7 The department shall recognize and assist in the designation  
8 of certain community action agencies to assist in the delivery  
9 of community action programs. These programs shall include but  
10 not be limited to outreach, community services block grant,  
11 low-income energy assistance, and weatherization programs. If  
12 a community action agency is in effect and currently serving an  
13 area, that community action agency shall become the designated  
14 community action agency for that area. If any geographic area  
15 of the state ceases to be served by a designated community  
16 action agency, the department may solicit applications and  
17 assist the governor in designating a community action agency  
18 for that area in accordance with current community services  
19 block grant requirements. The department shall supervise the  
20 collection of data regarding the scope of services provided by  
21 the community action agencies.

22 Sec. 470. Section 541A.1, Code 2024, is amended to read as  
23 follows:

24 **541A.1 Definitions.**

25 For the purposes of this chapter, unless the context  
26 otherwise requires:

27 1. "Account holder" means an individual who is the owner of  
28 an individual development account.

29 2. "Charitable contributor" means a nonprofit association  
30 described in section 501(c)(3) of the Internal Revenue Code  
31 which makes a deposit to an individual development account  
32 and which is exempt from taxation under section 501(a) of the  
33 Internal Revenue Code.

34 ~~3. "Commission" means the commission on community action~~  
35 ~~agencies created in section 216A.92A.~~

- 1     ~~4.~~ 3. "*Department*" means the department of health and human  
2 services.
- 3     ~~5.~~ 4. "*Director*" means the director of health and human  
4 services.
- 5     ~~6.~~ 5. "*Federal poverty level*" means the first poverty  
6 income guidelines published in the calendar year by the United  
7 States department of health and human services.
- 8     ~~7.~~ 6. "*Financial institution*" means a financial institution  
9 approved by the director as an investment mechanism for  
10 individual development accounts.
- 11    ~~8.~~ 7. "*Household income*" means the annual household  
12 income of an account holder or prospective account holder, as  
13 determined in accordance with rules adopted by the director.
- 14    ~~9.~~ 8. "*Individual contributor*" means an individual who  
15 makes a deposit to an individual development account and is not  
16 the account holder or a charitable contributor.
- 17    ~~10.~~ 9. "*Individual development account*" means either of the  
18 following:
- 19     a. A financial instrument that is certified to have the  
20 characteristics described in section 541A.2 by the operating  
21 organization.
- 22     b. A financial instrument that is certified by the  
23 operating organization to have the characteristics described  
24 in and funded by a federal individual development account  
25 program under which federal and state funding contributed to  
26 match account holder deposits is deposited by an operating  
27 organization in accordance with federal law and regulations,  
28 and which includes but is not limited to any of the programs  
29 implemented under the following federal laws:
- 30       (1) The federal Personal Responsibility and Work  
31 Opportunity Act of 1996, 42 U.S.C. §604(h).
- 32       (2) The federal Assets for Independence Act, Pub. L. No.  
33 105-285, Tit. IV.
- 34    ~~11.~~ 10. "*Operating organization*" means an agency selected  
35 by the department for involvement in operating individual

1 development accounts directed to a specific target population.

2 ~~12.~~ 11. "*Source of principal*" means any of the sources of  
3 a deposit to an individual development account under section  
4 541A.2, subsection 2.

5 Sec. 471. Section 541A.5, subsections 1 and 2, Code 2024,  
6 are amended to read as follows:

7 1. The ~~commission~~ department, in consultation with  
8 the department of administrative services, shall adopt  
9 administrative rules to administer this chapter.

10 2. *a.* The rules adopted by the ~~commission~~ department  
11 shall include but are not limited to provision for transfer  
12 of an individual development account to a different financial  
13 institution than originally approved by the department, if  
14 the different financial institution has an agreement with the  
15 account's operating organization.

16 *b.* The rules for determining household income may provide  
17 categorical eligibility for prospective account holders who are  
18 enrolled in programs with income eligibility restrictions that  
19 are equal to or less than the maximum household income allowed  
20 for payment of a state match under section 541A.3.

21 *c.* Subject to the availability of funding, the ~~commission~~  
22 department may adopt rules implementing an individual  
23 development account program for refugees. Rules shall identify  
24 purposes authorized for withdrawals to meet the special needs  
25 of refugee families.

26 Sec. 472. Section 541A.6, Code 2024, is amended to read as  
27 follows:

28 **541A.6 Compliance with federal requirements.**

29 The ~~commission~~ department shall adopt rules for compliance  
30 with federal individual development account requirements under  
31 the federal Personal Responsibility and Work Opportunity  
32 Reconciliation Act of 1996, §103, as codified in 42 U.S.C.  
33 §604(h), under the federal Assets for Independence Act, Pub.  
34 L. No. 105-285, Tit. IV, or with any other federal individual  
35 development account program requirements for drawing federal

1 funding. Any rules adopted under this section shall not apply  
2 the federal individual development account program requirements  
3 to an operating organization which does not utilize federal  
4 funding for the accounts with which it is connected or to an  
5 account holder who does not receive temporary assistance for  
6 needy families block grant or other federal funding.

7 Sec. 473. REPEAL. Sections 216A.92A and 216A.92B, Code  
8 2024, are repealed.

9 ELIMINATION OF FAMILY DEVELOPMENT AND SELF-SUFFICIENCY COUNCIL

10 Sec. 474. Section 216A.107, Code 2024, is amended to read  
11 as follows:

12 **216A.107 Family development and self-sufficiency — council**  
13 **and grant program.**

14 ~~1. A family development and self-sufficiency council is~~  
15 ~~established within the department. The council shall consist~~  
16 ~~of the following persons:~~

17 ~~a. The director of the department or the director's~~  
18 ~~designee.~~

19 ~~b. The director of the school of social work at the~~  
20 ~~university of Iowa or the director's designee.~~

21 ~~c. The dean of the college of human sciences at Iowa state~~  
22 ~~university or the dean's designee.~~

23 ~~d. Two recipients or former recipients of the family~~  
24 ~~investment program, selected by the other members of the~~  
25 ~~council.~~

26 ~~e. One recipient or former recipient of the family~~  
27 ~~investment program who is a member of a racial or ethnic~~  
28 ~~minority, selected by the other members of the council.~~

29 ~~f. One member representing providers of services to victims~~  
30 ~~of domestic violence, selected by the other members of the~~  
31 ~~council.~~

32 ~~g. The head of the department of design, textiles,~~  
33 ~~gerontology, and family studies at the university of northern~~  
34 ~~Iowa or that person's designee.~~

35 ~~h. The director of the department of education or the~~

1 ~~director's designee.~~

2 ~~i. The director of the department of workforce development~~  
3 ~~or the director's designee.~~

4 ~~j. Two persons representing the business community, selected~~  
5 ~~by the other members of the council.~~

6 ~~k. Two members from each chamber of the general assembly~~  
7 ~~serving as ex officio, nonvoting members. The two members~~  
8 ~~of the senate shall be appointed one each by the majority~~  
9 ~~leader and the minority leader of the senate. The two~~  
10 ~~members of the house of representatives shall be appointed one~~  
11 ~~each by the speaker and the minority leader of the house of~~  
12 ~~representatives.~~

13 ~~2. Unless otherwise provided by law, terms of members,~~  
14 ~~election of officers, and other procedural matters shall be~~  
15 ~~as determined by the council. A quorum shall be required for~~  
16 ~~the conduct of business of the council, and the affirmative~~  
17 ~~vote of a majority of the currently appointed voting members~~  
18 ~~is necessary for any substantive action taken by the council.~~  
19 ~~A member shall not vote on any action if the member has a~~  
20 ~~conflict of interest on the matter, and a statement by the~~  
21 ~~member of a conflict of interest shall be conclusive for this~~  
22 ~~purpose.~~

23 ~~3. 1. The family development and self-sufficiency council~~  
24 ~~on health and human services shall do all of the following:~~

25 ~~a. Identify the factors and conditions that place Iowa~~  
26 ~~families at risk of dependency upon the family investment~~  
27 ~~program. The council shall seek to use relevant research~~  
28 ~~findings and national and Iowa-specific data on the family~~  
29 ~~investment program.~~

30 ~~b. Identify the factors and conditions that place Iowa~~  
31 ~~families at risk of family instability. The council shall~~  
32 ~~seek to use relevant research findings and national and~~  
33 ~~Iowa-specific data on family stability issues.~~

34 ~~c. Subject to the availability of funds for this~~  
35 ~~purpose, award grants to public or private organizations~~

1 for provision of family development services to families at  
2 risk of dependency on the family investment program or of  
3 family instability. Not more than five percent of any funds  
4 appropriated by the general assembly for the purposes of this  
5 lettered paragraph may be used for staffing and administration  
6 of the grants. Grant proposals for the family development and  
7 self-sufficiency grant program shall include the following  
8 elements:

9 (1) Designation of families to be served that meet one or  
10 more criteria for being at risk of dependency on the family  
11 investment program or of family instability, and agreement  
12 to serve clients that are referred by the department from  
13 the family investment program which meet the criteria. The  
14 criteria may include but are not limited to factors such as  
15 educational level, work history, family structure, age of the  
16 youngest child in the family, previous length of stay on the  
17 family investment program, and participation in the family  
18 investment program or the foster care program while the head of  
19 a household was a child. Grant proposals shall also establish  
20 the number of families to be served under the grant.

21 (2) Designation of the services to be provided for  
22 the families served, including assistance regarding  
23 job-seeking skills, family budgeting, nutrition, self-esteem,  
24 methamphetamine education, health and hygiene, child rearing,  
25 child education preparation, and goal setting. Grant proposals  
26 shall indicate the support groups and support systems to be  
27 developed for the families served during the transition between  
28 the need for assistance and self-sufficiency.

29 (3) Designation of the manner in which other needs of the  
30 families will be provided for, including but not limited to  
31 child care assistance, transportation, substance use disorder  
32 treatment, support group counseling, food, clothing, and  
33 housing.

34 (4) Designation of the process for training of the staff  
35 which provides services, and the appropriateness of the

1 training for the purposes of meeting family development and  
2 self-sufficiency goals of the families being served.

3 (5) Designation of the support available within the  
4 community for the program and for meeting subsequent needs of  
5 the clients, and the manner in which community resources will  
6 be made available to the families being served.

7 (6) Designation of the manner in which the program will be  
8 subject to audit and to evaluation.

9 (7) Designation of agreement provisions for tracking and  
10 reporting performance measures developed pursuant to paragraph  
11 "d".

12 d. Develop appropriate performance measures for the grant  
13 program to demonstrate how the program helps families achieve  
14 self-sufficiency.

15 e. Seek to enlist research support from the Iowa research  
16 community in meeting the duties outlined in paragraphs "a"  
17 through "d".

18 f. Seek additional support for the funding of grants under  
19 the program, including but not limited to funds available  
20 through the federal government in serving families at risk of  
21 long-term welfare dependency, and private foundation grants.

22 g. Make recommendations to the governor and the general  
23 assembly on the effectiveness of programs in Iowa and  
24 throughout the country that provide family development services  
25 that lead to self-sufficiency for families at risk of welfare  
26 dependency.

27 ~~4-~~ 2. a. The department shall administer the family  
28 development and self-sufficiency grant program.

29 b. To the extent that the family development and  
30 self-sufficiency grant program is funded by the federal  
31 temporary assistance for needy families block grant and by the  
32 state maintenance of efforts funds appropriated in connection  
33 with the block grant, the department shall comply with all  
34 federal requirements for the block grant. The department is  
35 responsible for payment of any federal penalty imposed that is

1 attributable to the grant program and shall receive any federal  
2 bonus payment attributable to the grant program.

3 c. The department shall ensure that expenditures of moneys  
4 appropriated to the department from the general fund of the  
5 state for the family development and self-sufficiency grant  
6 program are eligible to be considered as state maintenance of  
7 effort expenditures under federal temporary assistance for  
8 needy families block grant requirements.

9 d. The department shall consider the recommendations of  
10 the council on health and human services in adopting rules  
11 pertaining to the grant program.

12 e. The department shall submit to the governor and general  
13 assembly on or before November 30 following the end of each  
14 state fiscal year, a report detailing performance measure  
15 and outcome data evaluating the family development and  
16 self-sufficiency grant program for the fiscal year that just  
17 ended.

18 DIVISION XX

19 HAWKI BOARD AND ADVISORY COMMITTEE FOR CHILDREN WITH SPECIAL  
20 HEALTH CARE NEEDS ELIMINATION

21 Sec. 475. Section 249A.4B, subsection 2, paragraph b, Code  
22 2024, is amended to read as follows:

23 b. The council shall include all of the following nonvoting  
24 members:

25 (1) The director's designee responsible for public health  
26 or their designee.

27 (2) The long-term care ombudsman, or the long-term care  
28 ombudsman's designee.

29 (3) The dean of Des Moines university college of osteopathic  
30 medicine, or the dean's designee.

31 (4) The dean of the university of Iowa college of medicine,  
32 or the dean's designee.

33 ~~(5) A member of the Hawki board created in section 514I.5,~~  
34 ~~selected by the members of the Hawki board.~~

35 ~~(6)~~ (5) The following members of the general assembly, each



1 for a term of two years as provided in section 69.16B:

2 (a) Two members of the house of representatives, one  
3 appointed by the speaker of the house of representatives  
4 and one appointed by the minority leader of the house of  
5 representatives from their respective parties.

6 (b) Two members of the senate, one appointed by the  
7 president of the senate after consultation with the majority  
8 leader of the senate and one appointed by the minority leader  
9 of the senate.

10 Sec. 476. Section 514I.1, subsection 2, Code 2024, is  
11 amended to read as follows:

12 2. It is the intent of the general assembly that the program  
13 be implemented and administered in compliance with Tit. XXI  
14 of the federal Social Security Act. If, as a condition of  
15 receiving federal funds for the program, federal law requires  
16 implementation and administration of the program in a manner  
17 not provided in this chapter, during a period when the general  
18 assembly is not in session, the department, with the approval  
19 of the ~~Hawki board~~ medical assistance advisory council, shall  
20 proceed to implement and administer those provisions, subject  
21 to review by the next regular session of the general assembly.

22 Sec. 477. Section 514I.2, Code 2024, is amended to read as  
23 follows:

24 **514I.2 Definitions.**

25 As used in this chapter, unless the context otherwise  
26 requires:

27 1. "*Benchmark benefit package*" means any of the following:

28 a. The standard blue cross/blue shield preferred provider  
29 option service benefit plan, described in and offered under 5  
30 U.S.C. §8903(1).

31 b. A health benefits coverage plan that is offered and  
32 generally available to state employees in this state.

33 c. The plan of a health maintenance organization as defined  
34 in 42 U.S.C. §300e, with the largest insured commercial,  
35 nonmedical assistance enrollment of covered lives in the state.

1     2. "*Cost sharing*" means the payment of a premium or  
2 copayment as provided for by Tit. XXI of the federal Social  
3 Security Act and section 514I.10.

4     3. "*Department*" means the department of health and human  
5 services.

6     4. "*Director*" means the director of health and human  
7 services.

8     5. "*Eligible child*" means an individual who meets the  
9 criteria for participation in the program under section 514I.8.

10    ~~6. "*Hawki board*" or "*board*" means the entity which adopts~~  
11 ~~rules and establishes policy for, and directs the department~~  
12 ~~regarding, the Hawki program.~~

13    ~~7.~~ 6. "*Hawki program*" or "*program*" means the healthy and  
14 well kids in Iowa program created in this chapter to provide  
15 health insurance coverage to eligible children.

16    ~~8.~~ 7. "*Health insurance coverage*" means health insurance  
17 coverage as defined in 42 U.S.C. §300gg-91.

18    8. "*Medical assistance advisory council*" or "*advisory*  
19 *council*" means the medical assistance advisory council created  
20 in section 249A.4B.

21    9. "*Participating insurer*" means any of the following:

22    a. An entity licensed by the division of insurance  
23 of the department of insurance and financial services to  
24 provide health insurance in Iowa that has contracted with the  
25 department to provide health insurance coverage to eligible  
26 children under this chapter.

27    b. A managed care organization acting pursuant to a contract  
28 with the department to administer the Hawki program.

29    10. "*Qualified child health plan*" or "*plan*" means health  
30 insurance coverage provided by a participating insurer under  
31 this chapter.

32    Sec. 478. Section 514I.4, Code 2024, is amended to read as  
33 follows:

34    **514I.4 Director and department — duties — powers.**

35    1. The director, with the approval of the ~~Hawki board~~

1 medical assistance advisory council, shall implement this  
2 chapter. The director shall do all of the following:

3     *a.* At least every six months, evaluate the scope of the  
4 program currently being provided under this chapter, project  
5 the probable cost of continuing the program, and compare  
6 the probable cost with the remaining balance of the state  
7 appropriation made for payment of assistance under this chapter  
8 during the current appropriation period. The director shall  
9 report the findings of the evaluation to the ~~board~~ advisory  
10 council and shall annually report findings to the governor and  
11 the general assembly by January 1.

12     *b.* Establish premiums to be paid to participating insurers  
13 for provision of health insurance coverage.

14     *c.* Contract with participating insurers to provide health  
15 insurance coverage under this chapter.

16     *d.* Recommend to the ~~board~~ advisory council proposed rules  
17 necessary to implement the program.

18     *e.* Recommend to the board individuals to serve as members of  
19 the clinical advisory committee.

20     2. *a.* The director, with the approval of the ~~board~~ advisory  
21 council, may contract with participating insurers to provide  
22 dental-only services.

23     *b.* The director, with the approval of the ~~board~~ advisory  
24 council, may contract with participating insurers to provide  
25 the supplemental dental-only coverage to otherwise eligible  
26 children who have private health care coverage as specified in  
27 the federal Children's Health Insurance Program Reauthorization  
28 Act of 2009, Pub. L. No. 111-3.

29     3. The department may enter into contracts with other  
30 persons whereby the other person provides some or all of the  
31 functions, pursuant to rules adopted by the ~~board~~ advisory  
32 council, which are required of the director or the department  
33 under this section. All contracts entered into pursuant to  
34 this section shall be made available to the public.

35     4. The department shall do or shall provide for all of the

1 following:

2     *a.* Determine eligibility for program enrollment as  
3 prescribed by federal law and regulation, using policies and  
4 procedures adopted by rule of the department pursuant to  
5 chapter 17A. The department shall not enroll a child who has  
6 group health coverage unless expressly authorized by such  
7 rules.

8     *b.* Enroll qualifying children in the program with  
9 maintenance of a supporting eligibility file or database.

10     *c.* Utilize the department's eligibility system to maintain  
11 eligibility files with pertinent eligibility determination and  
12 ongoing enrollment information including but not limited to  
13 data regarding beneficiaries, enrollment dates, disenrollments,  
14 and annual financial redeterminations.

15     *d.* Provide for administrative oversight and monitoring of  
16 federal requirements.

17     *e.* Perform annual financial reviews of eligibility for each  
18 beneficiary.

19     *f.* Collect and track monthly family premiums to assure that  
20 payments are current.

21     *g.* Notify each participating insurer of new program  
22 enrollees who are enrolled by the department in that  
23 participating insurer's plan.

24     *h.* Verify the number of program enrollees with each  
25 participating insurer for determination of the amount of  
26 premiums to be paid to each participating insurer.

27     *i.* Maintain data for the purpose of quality assurance  
28 reports as required by rule of the ~~board~~ advisory council.

29     *j.* (1) Establish the family cost sharing amounts for  
30 children of families with incomes of one hundred fifty percent  
31 or more but not exceeding two hundred percent of the federal  
32 poverty level, of not less than ten dollars per individual  
33 and twenty dollars per family, if not otherwise prohibited by  
34 federal law, with the approval of the ~~board~~ advisory council.

35     (2) Establish for children of families with incomes

1 exceeding two hundred percent but not exceeding three hundred  
2 percent of the federal poverty level, family cost sharing  
3 amounts, and graduated premiums based on a rationally developed  
4 sliding fee schedule, in accordance with federal law, with the  
5 approval of the ~~board~~ advisory council.

6 *k.* Perform annual, random reviews of enrollee applications  
7 to ensure compliance with program eligibility and enrollment  
8 policies. Quality assurance reports shall be made to the  
9 ~~board~~ advisory council based upon the data maintained by the  
10 department.

11 *l.* Perform other duties as determined by the ~~board~~ advisory  
12 council.

13 Sec. 479. Section 514I.5, Code 2024, is amended to read as  
14 follows:

15 **514I.5 ~~Hawki board~~ Medical assistance advisory council —**  
16 **duties.**

17 ~~1. A Hawki board for the Hawki program is established. The~~  
18 ~~board shall meet not less than six and not more than twelve~~  
19 ~~times annually, for the purposes of establishing medical~~  
20 ~~assistance advisory council shall establish policy for,~~  
21 ~~directing direct the department on, and adopting adopt rules~~  
22 ~~for the Hawki program. The board shall consist of seven voting~~  
23 ~~members and four ex officio, nonvoting members, including all~~  
24 ~~of the following:~~

25 ~~*a.* The commissioner of insurance, or the commissioner's~~  
26 ~~designee.~~

27 ~~*b.* The director of the department of education, or the~~  
28 ~~director's designee.~~

29 ~~*c.* The director of health and human services, or the~~  
30 ~~director's designee.~~

31 ~~*d.* Four public members appointed by the governor and~~  
32 ~~subject to confirmation by the senate. The public members~~  
33 ~~shall be members of the general public who have experience,~~  
34 ~~knowledge, or expertise in the subject matter embraced within~~  
35 ~~this chapter.~~

1 ~~e. Two members of the senate and two members of the house of~~  
2 ~~representatives, serving as ex officio, nonvoting members. The~~  
3 ~~legislative members of the board shall be appointed one each~~  
4 ~~by the majority leader of the senate, after consultation with~~  
5 ~~the president of the senate, and by the minority leader of the~~  
6 ~~senate, and by the speaker of the house of representatives,~~  
7 ~~after consultation with the majority leader of the house of~~  
8 ~~representatives, and by the minority leader of the house~~  
9 ~~of representatives. Legislative members shall receive~~  
10 ~~compensation pursuant to section 2.12.~~

11 ~~2. Members appointed by the governor shall serve two-year~~  
12 ~~staggered terms as designated by the governor, and legislative~~  
13 ~~members of the board shall serve two-year terms. The filling~~  
14 ~~of positions reserved for the public representatives,~~  
15 ~~vacancies, membership terms, payment of compensation and~~  
16 ~~expenses, and removal of the members are governed by chapter~~  
17 ~~69. Members of the board are entitled to receive reimbursement~~  
18 ~~of actual expenses incurred in the discharge of their duties.~~  
19 ~~Public members of the board are also eligible to receive~~  
20 ~~compensation as provided in section 7E.6. A majority of the~~  
21 ~~voting members constitutes a quorum and the affirmative vote~~  
22 ~~of a majority of the voting members is necessary for any~~  
23 ~~substantive action to be taken by the board. The members~~  
24 ~~shall select a chairperson on an annual basis from among the~~  
25 ~~membership of the board.~~

26 ~~3. 2. The board advisory council shall approve any contract~~  
27 ~~entered into pursuant to this chapter. All contracts entered~~  
28 ~~into pursuant to this chapter shall be made available to the~~  
29 ~~public.~~

30 ~~4. The department shall act as support staff to the board.~~

31 ~~5. The board may receive and accept grants, loans, or~~  
32 ~~advances of funds from any person and may receive and accept~~  
33 ~~from any source contributions of money, property, labor, or any~~  
34 ~~other thing of value, to be held, used, and applied for the~~  
35 ~~purposes of the program.~~

1     ~~6.~~ 3. The ~~Hawki-board~~ medical assistance advisory council  
2 shall do all of the following:

3     *a.* Define, in consultation with the department, the regions  
4 of the state for which plans are offered in a manner as to  
5 ensure access to services for all children participating in the  
6 program.

7     *b.* Approve the benefit package design, review the benefit  
8 package design on a periodic basis, and make necessary changes  
9 in the benefit design to reflect the results of the periodic  
10 reviews.

11    *c.* Develop, with the assistance of the department, an  
12 outreach plan, and provide for periodic assessment of the  
13 effectiveness of the outreach plan. The plan shall provide  
14 outreach to families of children likely to be eligible  
15 for assistance under the program, to inform them of the  
16 availability of and to assist the families in enrolling  
17 children in the program. The outreach efforts may include, but  
18 are not limited to, solicitation of cooperation from programs,  
19 agencies, and other persons who are likely to have contact  
20 with eligible children, including but not limited to those  
21 associated with the educational system, and the development  
22 of community plans for outreach and marketing. Other state  
23 agencies shall assist the department in data collection related  
24 to outreach efforts to potentially eligible children and their  
25 families.

26    *d.* In consultation with the clinical advisory committee,  
27 assess the initial health status of children participating in  
28 the program, establish a baseline for comparison purposes, and  
29 develop appropriate indicators to measure the subsequent health  
30 status of children participating in the program.

31    *e.* Review, in consultation with the department, and take  
32 necessary steps to improve interaction between the program and  
33 other public and private programs which provide services to the  
34 population of eligible children.

35    *f.* By January 1, annually, prepare, with the assistance

1 of the department, and submit a report to the governor, the  
2 general assembly, and the council on health and human services,  
3 concerning the ~~board's~~ advisory council's activities, findings,  
4 and recommendations.

5 *g.* Solicit input from the public regarding the program and  
6 related issues and services.

7 *h.* Establish and consult with a clinical advisory committee  
8 to make recommendations to the board regarding the clinical  
9 aspects of the Hawki program.

10 *i.* Prescribe the elements to be included in a health  
11 improvement program plan required to be developed by a  
12 participating insurer. The elements shall include but are not  
13 limited to health maintenance and prevention and health risk  
14 assessment.

15 *j.* ~~Establish an advisory committee to make~~ Make  
16 recommendations ~~to the board and~~ to the general assembly  
17 by January 1 annually concerning the provision of health  
18 insurance coverage to children with special health care needs.  
19 ~~The committee shall include individuals with experience in,~~  
20 ~~knowledge of, or expertise in this area.~~ The recommendations  
21 shall address, but are not limited to, all of the following:

22 (1) The definition of the target population of children  
23 with special health care needs for the purposes of determining  
24 eligibility under the program.

25 (2) Eligibility options for and assessment of children with  
26 special health care needs for eligibility.

27 (3) Benefit options for children with special health care  
28 needs.

29 (4) Options for enrollment of children with special health  
30 care needs in and disenrollment of children with special health  
31 care needs from qualified child health plans utilizing a  
32 capitated fee form of payment.

33 (5) The appropriateness and quality of care for children  
34 with special health care needs.

35 (6) The coordination of health services provided for



1 children with special health care needs under the program with  
2 services provided by other publicly funded programs.

3     *k.* Develop options and recommendations to allow children  
4 eligible for the Hawki program to participate in qualified  
5 employer-sponsored health plans through a premium assistance  
6 program. The options and recommendations shall ensure  
7 reasonable alignment between the benefits and costs of  
8 the Hawki program and the employer-sponsored health plans  
9 consistent with federal law. In addition, the ~~board~~ advisory  
10 council shall implement the premium assistance program options  
11 described under the federal Children's Health Insurance Program  
12 Reauthorization Act of 2009, Pub. L. No. 111-3, for the Hawki  
13 program.

14     ~~7.~~ 4. The ~~Hawki board~~ medical assistance advisory council,  
15 in consultation with the department, shall adopt rules  
16 which address, but are not limited to addressing, all of the  
17 following:

18     *a.* Implementation and administration of the program.

19     *b.* Qualifying standards for selecting participating insurers  
20 for the program.

21     *c.* The benefits to be included in a qualified child health  
22 plan which are those included in a benchmark or benchmark  
23 equivalent plan and which comply with Tit. XXI of the federal  
24 Social Security Act. Benefits covered shall include but are  
25 not limited to all of the following:

26         (1) Inpatient hospital services including medical,  
27 surgical, intensive care unit, mental health, and substance use  
28 disorder services.

29         (2) Nursing care services including skilled nursing  
30 facility services.

31         (3) Outpatient hospital services including emergency room,  
32 surgery, lab, and x-ray services and other services.

33         (4) Physician services, including surgical and medical, and  
34 including office visits, newborn care, well-baby and well-child  
35 care, immunizations, urgent care, specialist care, allergy

1 testing and treatment, mental health visits, and substance use  
2 disorder visits.

- 3 (5) Ambulance services.
- 4 (6) Physical therapy.
- 5 (7) Speech therapy.
- 6 (8) Durable medical equipment.
- 7 (9) Home health care.
- 8 (10) Hospice services.
- 9 (11) Prescription drugs.
- 10 (12) Dental services including preventive services.
- 11 (13) Medically necessary hearing services.
- 12 (14) Vision services including corrective lenses.
- 13 (15) Translation and interpreter services as specified  
14 pursuant to the federal Children's Health Insurance Program  
15 Reauthorization Act of 2009, Pub. L. No. 111-3.
- 16 (16) Chiropractic services.
- 17 (17) Occupational therapy.

18 *d.* Presumptive eligibility criteria for the program.  
19 ~~Beginning January 1, 2010, presumptive~~ Presumptive eligibility  
20 shall be provided for eligible children.

21 *e.* The amount of any cost sharing under the program which  
22 shall be assessed based on family income and which complies  
23 with federal law.

24 *f.* The reasons for disenrollment including, but not limited  
25 to, nonpayment of premiums, eligibility for medical assistance  
26 or other insurance coverage, admission to a public institution,  
27 relocation from the area, and change in income.

28 *g.* Conflict of interest provisions applicable to  
29 participating insurers and between ~~public~~ members of the ~~board~~  
30 advisory council and participating insurers.

31 *h.* Penalties for breach of contract or other violations of  
32 requirements or provisions under the program.

33 *i.* A mechanism for participating insurers to report any  
34 rebates received to the department.

35 *j.* The data to be maintained by the department including

1 data to be collected for the purposes of quality assurance  
2 reports.

3 *k.* The use of provider guidelines in assessing the  
4 well-being of children, which may include the use of the bright  
5 futures for infants, children, and adolescents program as  
6 developed by the federal maternal and child health bureau and  
7 the American academy of pediatrics guidelines for well-child  
8 care.

9 ~~8.~~ 5. a. The ~~Hawki board~~ medical assistance advisory  
10 council may provide approval to the director to contract with  
11 participating insurers to provide dental-only services. In  
12 determining whether to provide such approval to the director,  
13 the ~~board~~ advisory council shall take into consideration the  
14 impact on the overall program of single source contracting for  
15 dental services.

16 *b.* The ~~Hawki board~~ medical assistance advisory council may  
17 provide approval to the director to contract with participating  
18 insurers to provide the supplemental dental-only coverage  
19 to otherwise eligible children who have private health  
20 care coverage as specified in the federal Children's Health  
21 Insurance Program Reauthorization Act of 2009, Pub. L. No.  
22 111-3.

23 ~~9.~~ 6. The ~~Hawki board~~ medical assistance advisory  
24 council shall monitor the capacity of Medicaid managed  
25 care organizations acting pursuant to a contract with the  
26 department to administer the Hawki program to specifically  
27 and appropriately address the unique needs of children and  
28 children's health delivery.

29 Sec. 480. Section 514I.6, subsection 4, paragraph d, Code  
30 2024, is amended to read as follows:

31 *d.* Other information as directed by the ~~board~~ advisory  
32 council.

33 Sec. 481. Section 514I.6, subsection 5, Code 2024, is  
34 amended to read as follows:

35 5. Submit a plan for a health improvement program to the

1 department, for approval by the ~~board~~ advisory council.

2 Sec. 482. Section 514I.8, subsection 2, paragraph e, Code  
3 2024, is amended to read as follows:

4 e. Is not currently covered under a group health plan as  
5 defined in 42 U.S.C. §300gg-91(a)(1) unless allowed by rule of  
6 the ~~board~~ advisory council.

7 Sec. 483. Section 514I.8, subsection 3, Code 2024, is  
8 amended to read as follows:

9 3. In accordance with the rules adopted by the ~~board~~  
10 advisory council, a child may be determined to be presumptively  
11 eligible for the program pending a final eligibility  
12 determination. Following final determination of eligibility,  
13 a child shall be eligible for a twelve-month period. At the  
14 end of the twelve-month period, a review of the circumstances  
15 of the child's family shall be conducted to establish  
16 eligibility and cost sharing for the subsequent twelve-month  
17 period. Pending such review of the circumstances of the  
18 child's family, the child shall continue to be eligible for  
19 and remain enrolled in the same plan if the family complies  
20 with requirements to provide information and verification of  
21 income, otherwise cooperates in the annual review process,  
22 and submits the completed review form and any information  
23 necessary to establish continued eligibility in a timely manner  
24 in accordance with administrative rules.

25 Sec. 484. Section 514I.9, subsection 1, Code 2024, is  
26 amended to read as follows:

27 1. The ~~Hawki-board~~ advisory council shall review the  
28 benefits package annually and shall determine additions to  
29 or deletions from the benefits package offered. The ~~Hawki~~  
30 ~~board~~ advisory council shall submit the recommendations to the  
31 general assembly for any amendment to the benefits package.

32 DIVISION XXI

33 AUTISM COUNCIL ELIMINATION AND CREATION OF IOWA SPECIAL  
34 EDUCATION COUNCIL

35 Sec. 485. NEW SECTION. 256.35B Iowa special education

1 **council.**

2 1. An Iowa special education council is created to act in an  
3 advisory capacity to the department in promoting, directing,  
4 and supervising education for children requiring special  
5 education in the schools under the supervision and control of  
6 the department.

7 2. The council shall consist of seven voting members  
8 appointed by the governor and confirmed by the senate. Each of  
9 the following shall be represented among the voting members:

10 a. One member who is a parent or guardian of a student who  
11 has a disability in obtaining an education because of autism.

12 b. One member who is a parent or guardian of a student  
13 who has a disability in obtaining an education because of a  
14 behavioral disorder.

15 c. One member who is a parent or guardian of a student who  
16 has a disability in obtaining an education because of physical  
17 disability.

18 d. One member who is a parent or guardian of a student who  
19 has a disability in obtaining an education because of mental  
20 learning disability or head injury.

21 e. One member who is a parent or guardian of a student  
22 who has a disability in obtaining an education because of a  
23 communication learning disability.

24 f. One member who is a parent or guardian of a student who  
25 has a disability in obtaining an education because of dyslexia.

26 g. One member who is a special education teacher.

27 3. Voting members shall serve three-year terms beginning  
28 and ending as provided in section 69.19, and appointments shall  
29 comply with section 69.16. Vacancies on the council shall  
30 be filled in the same manner as the original appointment. A  
31 person appointed to fill a vacancy shall serve only for the  
32 unexpired portion of the term. Public members shall receive  
33 reimbursement for actual expenses incurred while serving in  
34 their official capacity and may also be eligible to receive  
35 compensation as provided in section 7E.6.

1 4. The council shall elect a chairperson from its voting  
2 members annually. A majority of the voting members of the  
3 council shall constitute a quorum.

4 5. The department shall convene and provide administrative  
5 support to the council.

6 Sec. 486. REPEAL. Section 256.35A, Code 2024, is repealed.

7 Sec. 487. EFFECTIVE DATE. This division of this Act takes  
8 effect July 1, 2025.

9

DIVISION XXII

10

BOARD OF BEHAVIORAL HEALTH PROFESSIONALS

11 Sec. 488. Section 135.24, subsection 2, paragraph a, Code  
12 2024, is amended to read as follows:

13 a. Procedures for registration of health care providers  
14 deemed qualified by the board of medicine, the board of  
15 physician assistants, the dental board, the board of nursing,  
16 the board of chiropractic, the board of ~~psychology~~, the  
17 ~~board of social work~~, the board of behavioral science health  
18 professionals, the board of pharmacy, the board of optometry,  
19 the board of podiatry, the board of physical and occupational  
20 therapy, the board of respiratory care and polysomnography,  
21 and the department of inspections, appeals, and licensing, as  
22 applicable.

23 Sec. 489. Section 147.13, subsection 3, Code 2024, is  
24 amended to read as follows:

25 3. For psychology, social work, applied behavior analysis,  
26 marital and family therapy, and mental health counseling, the  
27 board of ~~psychology~~ behavioral health professionals.

28 Sec. 490. Section 147.13, subsections 14 and 15, Code 2024,  
29 are amended by striking the subsections.

30 Sec. 491. Section 147.14, subsection 1, paragraph f, Code  
31 2024, is amended to read as follows:

32 f. (1) For ~~psychology~~ behavioral health professionals,  
33 five two members who are licensed to practice psychology, two  
34 members who are licensed to practice social work as a master  
35 social worker or independent social worker, one member licensed

1 to practice marital and family therapy, one member licensed  
2 to practice mental health counseling, one member licensed as  
3 a behavior analyst, and ~~two members~~ one member not licensed  
4 to practice psychology, practice psychology, social work,  
5 marital and family therapy, or mental health counseling, or as  
6 a behavior analyst, and who shall represent the general public.  
7 ~~Of the five members who are licensed to practice psychology,~~  
8 ~~one member shall be primarily engaged in graduate teaching in~~  
9 ~~psychology or primarily engaged in research psychology, three~~  
10 ~~members shall be persons who render services in psychology,~~  
11 ~~and one member shall represent areas of applied psychology and~~  
12 ~~may be affiliated with training institutions and shall devote~~  
13 ~~a major part of the member's time to rendering service in~~  
14 ~~psychology.~~

15 (2) The board of behavioral health professionals shall  
16 establish an advisory committee of psychology, an advisory  
17 committee of social workers, and an advisory committee of  
18 mental health counselors, marital and family therapists,  
19 and behavior analysts to provide recommendations to the  
20 board on license reviews and implementation of state laws  
21 and administrative rules. Each advisory committee shall  
22 be comprised of at least five individuals licensed in the  
23 profession or professions about which the advisory committee  
24 provides recommendations.

25 Sec. 492. Section 147.14, subsection 1, paragraphs 1 and r,  
26 Code 2024, are amended by striking the paragraphs.

27 Sec. 493. Section 147.107, subsection 2, paragraph a, Code  
28 2024, is amended to read as follows:

29 a. A prescriber who dispenses prescription drugs, including  
30 but not limited to controlled substances, for human use, may  
31 delegate nonjudgmental dispensing functions to staff assistants  
32 only when verification of the accuracy and completeness  
33 of the dispensing is determined by the practitioner in the  
34 practitioner's physical presence. However, the physical  
35 presence requirement does not apply when a practitioner is

1 utilizing an automated dispensing system. When using an  
2 automated dispensing system, the practitioner shall utilize an  
3 internal quality control assurance plan that ensures accuracy  
4 for dispensing. Verification of automated dispensing accuracy  
5 and completeness remains the responsibility of the practitioner  
6 and shall be determined in accordance with rules adopted by the  
7 board of medicine, the dental board, the board of podiatry, and  
8 the board of ~~psychology~~ behavioral health professionals for  
9 their respective licensees.

10 Sec. 494. Section 147.161, subsection 1, paragraph b,  
11 subparagraph (2), Code 2024, is amended to read as follows:

12 (2) Licensed master social workers with a current and  
13 active supervision plan on file with the board of ~~social work~~  
14 behavioral health professionals.

15 Sec. 495. Section 148.13A, unnumbered paragraph 1, Code  
16 2024, is amended to read as follows:

17 The board of medicine shall, in consultation with the board  
18 of ~~psychology~~ behavioral health professionals, establish by  
19 rule all of the following:

20 Sec. 496. Section 148.13B, subsection 1, unnumbered  
21 paragraph 1, Code 2024, is amended to read as follows:

22 The board of medicine and the board of ~~psychology~~ behavioral  
23 health professionals shall adopt joint rules in regard to the  
24 following:

25 Sec. 497. Section 148.13B, subsection 3, Code 2024, is  
26 amended to read as follows:

27 3. The joint rules, and any amendments thereto, adopted by  
28 the board of medicine and the board of ~~psychology~~ behavioral  
29 health professionals pursuant to this section and section  
30 154B.14 shall only be adopted by agreement of both boards  
31 through a joint rule-making process.

32 Sec. 498. Section 154B.1, subsections 1 and 5, Code 2024,  
33 are amended to read as follows:

34 1. "*Board*" means the board of ~~psychology~~ behavioral health  
35 professionals created under chapter 147.



1       5. "Physician" means a person licensed to practice medicine  
2 and surgery or osteopathic medicine and surgery in this state  
3 in family medicine, internal medicine, pediatrics, psychiatry,  
4 or another specialty who prescribes medications for the  
5 treatment of a mental disorder to patients in the normal course  
6 of the person's clinical medical practice pursuant to joint  
7 rules adopted by the board of ~~psychology~~ behavioral health  
8 professionals and the board of medicine.

9       Sec. 499. Section 154B.9, subsection 3, Code 2024, is  
10 amended to read as follows:

11       3. A prescribing psychologist may prescribe psychotropic  
12 medication pursuant to joint rules adopted by the board of  
13 ~~psychology~~ behavioral health professionals and the board of  
14 medicine and the provisions of this chapter.

15       Sec. 500. Section 154B.10, subsection 1, paragraphs b, c, d,  
16 e, and g, Code 2024, are amended to read as follows:

17       b. Completed pharmacological training from an institution  
18 approved by the board of psychology and the board of medicine  
19 or from a provider of continuing education approved by the  
20 board of ~~psychology~~ behavioral health professionals and the  
21 board of medicine pursuant to joint rules adopted by both  
22 boards.

23       c. Passed a national certification examination approved by  
24 the board of ~~psychology~~ behavioral health professionals and  
25 the board of medicine that tested the applicant's knowledge of  
26 pharmacology in the diagnosis, care, and treatment of mental  
27 disorders.

28       d. Successfully completed a postdoctoral master of science  
29 degree in clinical psychopharmacology approved by the board of  
30 ~~psychology~~ behavioral health professionals and the board of  
31 medicine pursuant to joint rules adopted by both boards. The  
32 program shall at a minimum include coursework in neuroscience,  
33 pharmacology, psychopharmacology, physiology, and appropriate  
34 and relevant physical and laboratory assessments.

35       e. Has been certified by the applicant's supervising

1 physician as having successfully completed a supervised  
2 and relevant clinical experience in clinical assessment and  
3 pathophysiology and an additional supervised practicum treating  
4 patients with mental disorders. The practica shall have been  
5 supervised by a trained physician. The board of ~~psychology~~  
6 behavioral health professionals and the board of medicine,  
7 pursuant to joint rules adopted by the boards, shall determine  
8 sufficient practica to competently train the applicant in the  
9 treatment of a diverse patient population.

10 *g.* Meets all other requirements, as determined by joint  
11 rules adopted by the board of ~~psychology~~ behavioral health  
12 professionals and the board of medicine, for obtaining a  
13 conditional prescription certificate.

14 Sec. 501. Section 154B.10, subsection 3, paragraph d, Code  
15 2024, is amended to read as follows:

16 *d.* Any other rules adopted jointly by the board of  
17 ~~psychology~~ behavioral health professionals and the board of  
18 medicine.

19 Sec. 502. Section 154B.11, subsection 1, paragraph d, Code  
20 2024, is amended to read as follows:

21 *d.* Meets all other requirements, as determined by rules  
22 adopted by the board, for obtaining a prescription certificate,  
23 including joint rules adopted by the board of ~~psychology~~  
24 behavioral health professionals and the board of medicine.

25 Sec. 503. Section 154B.11, subsection 2, paragraph d, Code  
26 2024, is amended to read as follows:

27 *d.* Any other rules adopted jointly by the board of  
28 ~~psychology~~ behavioral health professionals and the board of  
29 medicine.

30 Sec. 504. Section 154B.12, subsection 1, Code 2024, is  
31 amended to read as follows:

32 1. A prescribing psychologist or a psychologist with  
33 a conditional prescription certificate may administer and  
34 prescribe psychotropic medication within the scope of the  
35 psychologist's profession, including the ordering and review

1 of laboratory tests in conjunction with the prescription, for  
2 the treatment of mental disorders. Such prescribing practices  
3 shall be governed by joint rules adopted by the board of  
4 ~~psychology~~ behavioral health professionals and the board of  
5 medicine.

6 Sec. 505. Section 154B.14, subsection 1, unnumbered  
7 paragraph 1, Code 2024, is amended to read as follows:

8 The board of ~~psychology~~ behavioral health professionals and  
9 the board of medicine shall adopt joint rules in regard to the  
10 following:

11 Sec. 506. Section 154B.14, subsections 2 and 3, Code 2024,  
12 are amended to read as follows:

13 2. The board of ~~psychology~~ behavioral health professionals  
14 shall consult with the university of Iowa Carver college of  
15 medicine and clinical and counseling psychology doctoral  
16 programs at regents institutions in the development of the  
17 rules pertaining to education and training requirements in  
18 sections 154B.10 and 154B.11.

19 3. The joint rules, and any amendments thereto, adopted by  
20 the board of ~~psychology~~ behavioral health professionals and the  
21 board of medicine pursuant to this section and section 148.13B  
22 shall only be adopted by agreement of both boards through a  
23 joint rule-making process.

24 Sec. 507. Section 154C.1, subsection 1, Code 2024, is  
25 amended to read as follows:

26 1. "Board" means the board of ~~social work~~ behavioral health  
27 professionals established in chapter 147.

28 Sec. 508. Section 154D.1, subsection 1, Code 2024, is  
29 amended to read as follows:

30 1. "Board" means the board of behavioral ~~science~~ health  
31 professionals established in chapter 147.

32 Sec. 509. Section 228.1, subsection 7, paragraph b, Code  
33 2024, is amended to read as follows:

34 b. The individual holds a current Iowa license if  
35 practicing in a field covered by an Iowa licensure law and

1 is a psychiatrist, an advanced registered nurse practitioner  
2 who holds a national certification in psychiatric mental  
3 health care and is licensed by the board of nursing, a  
4 physician assistant practicing under the supervision of or in  
5 collaboration with a psychiatrist, a qualified mental health  
6 professional physician assistant, a psychiatric advanced  
7 registered nurse practitioner as defined in section 125.2, or  
8 an individual who holds a doctorate degree in psychology and  
9 is licensed by the board of behavioral health professionals  
10 to practice psychology. For the purposes of this paragraph,  
11 "*collaboration*" means the same as defined in section 148C.1.

12 Sec. 510. Section 249A.15, Code 2024, is amended to read as  
13 follows:

14 **249A.15 Licensed psychologists eligible for payment —**  
15 **provisional licensees.**

16 1. The department shall adopt rules pursuant to chapter  
17 17A entitling psychologists who are licensed pursuant to  
18 chapter 154B and psychologists who are licensed in the state  
19 where the services are provided and have a doctorate degree  
20 in psychology, have had at least two years of clinical  
21 experience in a recognized health setting, or have met the  
22 standards of a national register of health service providers  
23 in psychology, to payment for services provided to recipients  
24 of medical assistance, subject to limitations and exclusions  
25 the department finds necessary on the basis of federal laws and  
26 regulations and of funds available for the medical assistance  
27 program. The rules shall also provide that an individual, who  
28 holds a provisional license to practice psychology pursuant  
29 to section 154B.6, is entitled to payment under this section  
30 for services provided to recipients of medical assistance,  
31 when such services are provided under the supervision of a  
32 supervisor who meets the qualifications determined by the  
33 board of ~~psychology~~ behavioral health professionals by rule,  
34 and claims for payment for such services are submitted by the  
35 supervisor.

1       2. Entitlement to payment under this section is applicable  
2 to services provided to recipients of medical assistance  
3 under both the fee-for-service and managed care payment and  
4 delivery systems. Neither the fee-for-service nor the managed  
5 care payment and delivery system shall impose a practice  
6 or supervision restriction which is inconsistent with or  
7 more restrictive than the authority already granted by law,  
8 including the authority to provide supervision in person or  
9 remotely through electronic means as specified by rule of the  
10 board of ~~psychology~~ behavioral health professionals.

11       Sec. 511. Section 249A.15A, subsections 1, 2, and 3, Code  
12 2024, are amended to read as follows:

13       1. The department shall adopt rules pursuant to chapter  
14 17A entitling marital and family therapists who are licensed  
15 pursuant to chapter 154D to payment for behavioral health  
16 services provided to recipients of medical assistance, subject  
17 to limitations and exclusions the department finds necessary  
18 on the basis of federal laws and regulations. The rules shall  
19 also provide that a marital and family therapist, who holds  
20 a temporary license to practice marital and family therapy  
21 pursuant to section 154D.7, is entitled to payment under this  
22 section for behavioral health services provided to recipients  
23 of medical assistance, when such services are provided under  
24 the supervision of a qualified supervisor as determined by  
25 the board of behavioral ~~science~~ health professionals by rule,  
26 and claims for payment for such services are submitted by the  
27 qualified supervisor.

28       2. The department shall adopt rules pursuant to chapter  
29 17A entitling master social workers who hold a master's  
30 degree approved by the board of ~~social work~~ behavioral health  
31 professionals, are licensed as a master social worker pursuant  
32 to section 154C.3, subsection 1, paragraph "b", and provide  
33 treatment services under the supervision of an independent  
34 social worker licensed pursuant to section 154C.3, subsection  
35 1, paragraph "c", to payment for behavioral health services

1 provided to recipients of medical assistance, subject to  
2 limitations and exclusions the department finds necessary on  
3 the basis of federal laws and regulations.

4 3. The department shall adopt rules pursuant to chapter 17A  
5 entitling mental health counselors who are licensed pursuant  
6 to chapter 154D to payment for behavioral health services  
7 provided to recipients of medical assistance, subject to  
8 limitations and exclusions the department finds necessary  
9 on the basis of federal laws and regulations. The rules  
10 shall also provide that a mental health counselor, who holds  
11 a temporary license to practice mental health counseling  
12 pursuant to section 154D.7, is entitled to payment under this  
13 section for behavioral health services provided to recipients  
14 of medical assistance, when such services are provided under  
15 the supervision of a qualified supervisor as determined by  
16 the board of behavioral ~~science~~ health professionals by rule,  
17 and claims for payment for such services are submitted by the  
18 qualified supervisor.

19 Sec. 512. Section 272C.1, subsection 6, paragraph s, Code  
20 2024, is amended to read as follows:

21 s. The board of ~~psychology~~ behavioral health professionals,  
22 created pursuant to chapter 147.

23 Sec. 513. Section 514C.32, subsection 1, paragraphs a and b,  
24 Code 2024, are amended to read as follows:

25 a. A licensed master social worker who is licensed by the  
26 board of ~~social work~~ behavioral health professionals as a  
27 master social worker pursuant to section 154C.3, subsection 1,  
28 paragraph "b", and who provides services under the supervision  
29 of an independent social worker licensed pursuant to section  
30 154C.3, subsection 1, paragraph "c".

31 b. A licensed mental health counselor or a licensed  
32 marital and family therapist who holds a temporary license to  
33 practice mental health counseling or marital and family therapy  
34 pursuant to section 154D.7, and who provides services under  
35 the supervision of a qualified supervisor as determined by the

1 board of behavioral ~~science~~ health professionals by rule.

2 Sec. 514. Section 514C.33, subsections 1 and 2, Code 2024,  
3 are amended to read as follows:

4 1. Notwithstanding section 514C.6, a policy or contract  
5 providing for third-party payment or prepayment of health or  
6 medical expenses shall include a provision for the payment of  
7 necessary behavioral health services provided by a person who  
8 holds a provisional license to practice psychology pursuant to  
9 section 154B.6, and who practices under the supervision of a  
10 supervisor who meets the qualifications determined by the board  
11 of ~~psychology~~ behavioral health professionals by rule.

12 2. A policy or contract subject to this section shall  
13 not impose a practice or supervision restriction which is  
14 inconsistent with or more restrictive than the authority  
15 already granted by law, including the authority to provide  
16 supervision in person or remotely through electronic means as  
17 specified by rule of the board of ~~psychology~~ behavioral health  
18 professionals.

19 Sec. 515. Section 622.10, subsection 7, Code 2024, is  
20 amended to read as follows:

21 7. For the purposes of this section, "*mental health*  
22 *professional*" means a psychologist licensed under chapter 154B,  
23 a registered nurse licensed under chapter 152, a social worker  
24 licensed under chapter 154C, a marital and family therapist  
25 licensed under chapter 154D, a mental health counselor licensed  
26 under chapter 154D, or an individual holding at least a  
27 master's degree in a related field as deemed appropriate by the  
28 board of behavioral ~~science~~ health professionals.

29 DIVISION XXIII

30 TRANSITION PROVISIONS

31 Sec. 516. TRANSITION PROVISIONS.

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

1 a. The rule is amended, rescinded, or supplemented by the  
2 affirmative action of the board of pharmacy, state historical  
3 society board of trustees, board of education, employment  
4 appeal board, economic development authority board, human  
5 rights board, board of behavioral health professionals, or the  
6 government body under which the former government body was  
7 organized.

8 b. The rule expires by its own terms.

9 2. Any license or permit issued by a government body  
10 eliminated in this Act in effect on the effective date of this  
11 division of this Act shall continue in full force and effect  
12 until expiration or renewal.

13 3. a. Any moneys in any account or fund of, and all client  
14 and organizational files in the possession of, the prescription  
15 monitoring program advisory council shall be transferred to the  
16 control of the board of pharmacy.

17 b. Any moneys in any account or fund of, and all client and  
18 organizational files in the possession of, the secondary road  
19 fund distribution committee shall be transferred to the control  
20 of the state transportation commission.

21 c. Any moneys in any account or fund of, and all client and  
22 organizational files in the possession of, the state historical  
23 records advisory board shall be transferred to the control of  
24 the board of trustees of the state historical society.

25 d. Any moneys in any account or fund of, and all client and  
26 organizational files in the possession of, the state board of  
27 preserves or farmer advisory committee shall be transferred to  
28 the control of the natural resource commission.

29 e. Any moneys in any account or fund of, and all client  
30 and organizational files in the possession of, the community  
31 college council or nonpublic school advisory committee shall be  
32 transferred to the control of the board of education.

33 f. Any moneys in any account or fund of, and all client  
34 and organizational files in the possession of, the public  
35 employment relations board shall be transferred to the control



1 of the employment appeal board.

2 g. Any moneys in any account or fund of, and all client  
3 and organizational files in the possession of, the enhance  
4 Iowa board shall be transferred to the control of the economic  
5 development authority board.

6 h. Any moneys in any account or fund of, and all client and  
7 organizational files in the possession of, the advisory council  
8 on brain injuries, children's behavioral health system state  
9 board, congenital and inherited disorders advisory committee,  
10 emergency medical services advisory council, family development  
11 and self-sufficiency council, justice advisory board, trauma  
12 system advisory council, or Iowa collaboration for youth  
13 development council shall be transferred to the control of the  
14 council on health and human services.

15 i. Any moneys in any account or fund of, and all client  
16 and organizational files in the possession of, the commissions  
17 on the status of African Americans or the status of women,  
18 the commissions of Asian and Pacific Islanders, persons with  
19 disabilities, or Native Americans, or the Latino affairs  
20 commission shall be transferred to the control of the human  
21 rights board.

22 j. Any moneys in any account or fund of, and all client and  
23 organizational files in the possession of, the healthy and well  
24 kids in Iowa board or advisory committee shall be transferred  
25 to the control of the medical assistance advisory council.

26 k. Any moneys in any account or fund of, and all client and  
27 organizational files in the possession of, the dual party relay  
28 council shall be transferred to the control of the commission  
29 of deaf services.

30 l. Any moneys in any account or fund of, and all client and  
31 organizational files in the possession of, any other board,  
32 council, committee, or commission eliminated in this Act shall  
33 be transferred to the control of the state agency or department  
34 under which the board, council, committee, or commission was  
35 organized.

1 m. Any moneys in any account or fund of, and all client  
2 and organizational files in the possession of, the boards  
3 of behavioral science, psychology, or social work shall be  
4 transferred to the control of the board of behavioral health  
5 professionals.

6 4. a. Any cause of action, statute of limitation,  
7 or 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 b. 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 c. 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 d. 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 e. 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 f. 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 g. Any cause of action, statute of limitation, or

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 h. Any cause of action, statute of limitation, or  
5 administrative action relating to or initiated by the advisory  
6 council on brain injuries, children's behavioral health system  
7 state board, congenital and inherited disorders advisory  
8 committee, emergency medical services advisory council, family  
9 development and self-sufficiency council, justice advisory  
10 board, trauma system advisory council, or Iowa collaboration  
11 for youth development council shall not be affected as a result  
12 of this Act and shall apply to the council on health and human  
13 services.

14 i. Any cause of action, statute of limitation, or  
15 administrative action relating to or initiated by the  
16 commissions on the status of African Americans or the status of  
17 women, the commissions of Asian and Pacific Islanders, persons  
18 with disabilities, or Native Americans, or the Latino affairs  
19 commission shall not be affected as a result of this Act and  
20 shall apply to the human rights board.

21 j. Any cause of action, statute of limitation, or  
22 administrative action relating to or initiated by the healthy  
23 and well kids in Iowa board or advisory committee shall not be  
24 affected as a result of this Act and shall apply to the medical  
25 assistance advisory council.

26 k. Any cause of action, statute of limitation, or  
27 administrative action relating to or initiated by the dual  
28 party relay council shall not be affected as a result of this  
29 Act and shall apply to the commission of deaf services.

30 l. Any cause of action, statute of limitation, or  
31 administrative action relating to or initiated by any other  
32 board, council, committee, or commission eliminated in this Act  
33 shall not be affected as a result of this Act and shall apply to  
34 the state agency or department under which the board, council,  
35 committee, or commission was organized.

1 m. Any cause of action, statute of limitation, or  
2 administrative action relating to or initiated by the boards  
3 of behavioral science, psychology, or social work shall not be  
4 affected as a result of this Act and shall apply to the board of  
5 behavioral health professionals.

6 5. Any personnel in the state merit system of employment  
7 who are mandatorily transferred due to the effect of this Act  
8 shall be so transferred without any loss in salary, benefits,  
9 or accrued years of service.

10 6. a. Except as otherwise provided, nothing in this Act  
11 shall affect the appointment or any term of office of a member  
12 of any board, council, commission, committee, or other similar  
13 entity of the state established by the Code prior to the  
14 effective date of this division of this Act.

15 b. Notwithstanding any other provision to the contrary  
16 in this Act, the terms of all members serving on any board,  
17 council, commission, committee, or other similar entity merged,  
18 consolidated, or eliminated by this Act, or any such entity  
19 with fewer members or reduced term lengths for current members  
20 resulting from the provisions of this Act, shall terminate on  
21 the effective date of this division of this Act.

22 c. Except for those boards, councils, commissions,  
23 committees, or other similar entities eliminated by this Act,  
24 the governor or other appointing or designating authority shall  
25 appoint or designate new members to the boards, councils,  
26 commissions, committees, or other similar entities provided  
27 for in this subsection on or before the effective date of this  
28 division of this Act. The governor or other appointing or  
29 designating authority shall determine the length of the initial  
30 terms of office for each respective position, but in any event  
31 shall stagger such terms, beginning and ending as otherwise  
32 provided by law.>

SENATE FILE 2410

S-5169

1 Amend Senate File 2410 as follows:

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

4 <DIVISION I

5 IOWA-FOALED HORSES

6 Section 1. Section 99D.22, subsection 2, paragraph b,  
7 subparagraph (3), Code 2024, is amended to read as follows:

8 (3) (a) ~~Continuous~~ For a thoroughbred foal, continuous  
9 residency from December 31 15 until the foal is inspected if  
10 the mare was bred by other than an Iowa registered stallion and  
11 is not bred back to an Iowa registered stallion.

12 (b) For a standardbred foal or quarter horse foal,  
13 continuous residency from January 31 until the foal is  
14 inspected if the mare was bred by other than an Iowa registered  
15 stallion and is not bred back to an Iowa registered stallion.

16 DIVISION II

17 AGRICULTURAL MARKETING

18 Sec. 2. Section 159.20, subsection 2, Code 2024, is amended  
19 to read as follows:

20 2. The department shall ~~establish and administer a~~  
21 ~~choose Iowa promotional program as provided in part 2 of~~  
22 ~~this subchapter, in order to provide consumers a choice in~~  
23 programs that advance the purchasing food items of agricultural  
24 commodities produced on Iowa farms and Iowa products that  
25 originate as an agricultural commodity commodities produced on  
26 Iowa farms under this title, including chapter 187.

27 Sec. 3. Section 159.20, subsection 3, unnumbered paragraph  
28 1, Code 2024, is amended to read as follows:

29 As used in this ~~subchapter~~ section:

30 Sec. 4. Section 159.28, Code 2024, is amended to read as  
31 follows:

32 **159.28 Choose Iowa promotional program.**

33 1. The department shall establish and administer a choose  
34 Iowa promotional program to advertise for retail sale on a  
35 ~~retail basis a food item that originates as an agricultural~~

1 ~~commodity produced on an Iowa farm, and~~ an Iowa product that  
2 may include any of the following:

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

6     b. ~~A product, if it is~~ An agricultural commodity processed  
7 in this state ~~and any of its ingredients, if its components~~  
8 originate as an agricultural commodity produced on an Iowa  
9 farm.

10     2. a. The department may adopt rules further defining an  
11 Iowa farm, Iowa agricultural commodity, and Iowa product; and  
12 describing how an Iowa agricultural commodity originates on an  
13 Iowa farm.

14     b. The department may adopt rules providing for the  
15 acceptable use of ~~ingredients originating a component that~~  
16 originates from an agricultural commodities commodity not  
17 produced on an Iowa farms farm. In adopting the rules, the  
18 department may consider whether the ~~ingredient component~~ is  
19 an incidental ~~additive or other component that the department~~  
20 ~~determines is~~ or insignificant part of an Iowa product.

21     Sec. 5. Section 159.29, subsections 1 and 5, Code 2024, are  
22 amended to read as follows:

23     1. As part of the choose Iowa promotional program, the  
24 department may establish a choose Iowa logo to identify a ~~food~~  
25 ~~item originating as an agricultural commodity produced on an~~  
26 ~~Iowa farm~~ an Iowa product.

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

29     a. Provide an express or implied guarantee or warranty  
30 concerning the safety, fitness, merchantability, or use of a  
31 ~~food item~~ product.

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

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

3 Sec. 6. Section 159.31, subsections 1, 2, and 3, Code 2024,  
4 are amended to read as follows:

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

7 2. The fund shall include moneys collected as fees by  
8 the department as provided in section ~~159.30~~ 187.303, moneys  
9 appropriated by the general assembly, and other moneys  
10 available to and obtained or accepted by the department,  
11 including moneys from public or private sources.

12 3. Moneys in the fund are appropriated to the department  
13 and shall be used exclusively to ~~carry out the provisions of~~  
14 ~~this part~~ administer the programs created in this subchapter  
15 as determined and directed by the department, and shall not  
16 require further special authorization by the general assembly.

17 Sec. 7. Section 159.31A, Code 2024, is amended to read as  
18 follows:

19 **159.31A Dairy innovation fund and revitalization program.**

20 1. ~~As used in this section unless the context otherwise~~  
21 ~~requires:~~

22 a. ~~"Financial assistance" means assistance provided only~~  
23 ~~from the moneys and assets legally available to the department~~  
24 ~~pursuant to this section and includes assistance in the form of~~  
25 ~~grants, low interest loans, and forgivable loans.~~

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

27 c. ~~"Located in" means the place or places at which~~  
28 ~~a business's operations are located and where at least~~  
29 ~~ninety-eight percent of the business's employees work, or where~~  
30 ~~employees that are paid at least ninety-eight percent of the~~  
31 ~~business's payroll work.~~

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

33 2. a. ~~The fund is created in the state treasury under~~  
34 ~~the control of the department and consists of any moneys~~  
35 ~~appropriated to the fund by the general assembly and any other~~

1 ~~moneys available to or obtained or accepted by the department~~  
2 ~~for placement in the fund. Moneys in the fund are appropriated~~  
3 ~~to the department to award financial assistance as provided~~  
4 ~~under the program. The department shall use any moneys~~  
5 ~~specifically appropriated for purposes of this section only for~~  
6 ~~the purposes of the program.~~

7 ~~b. Notwithstanding section 8.33, moneys in the fund~~  
8 ~~that remain unencumbered or unobligated at the close of the~~  
9 ~~fiscal year shall not revert but shall remain available for~~  
10 ~~expenditure for the purposes designated until the close of the~~  
11 ~~succeeding fiscal year.~~

12 1. A dairy innovation and revitalization program is created  
13 within the department. The purpose of the program is to  
14 promote the development, modernization, and expansion of this  
15 state's dairy industry.

16 ~~3.~~ 2. The In administering the program, the department  
17 shall establish and administer the program for the purpose of  
18 awarding award financial assistance to eligible businesses  
19 engaged in to support projects that do one or more of the  
20 following:

21 a. Expand or refurbish existing milk plants or establish a  
22 new milk plant, operating pursuant to a permit issued pursuant  
23 to section 192.111 or 194.3A.

24 b. Expand or refurbish existing mobile dairy processing  
25 units, or establish new mobile dairy processing units.

26 c. Rent buildings, refrigeration facilities, or freezer  
27 facilities, or equipment necessary to expand dairy processing  
28 capacity, including mobile dairy or refrigeration units used  
29 exclusively for dairy processing.

30 d. Incorporate methods and technologies that reduce farm  
31 labor associated with milk production and storage, including  
32 but not limited to the use of robotics and processes or systems  
33 that operate using computerized equipment or machinery.

34 ~~4.~~ 3. The department shall establish eligibility criteria  
35 for the program by rule. The eligibility criteria must include



1 all of the following:

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

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

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

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

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

11     ~~5-~~ 4. A An eligible business seeking financial assistance  
12 under this section shall make application to the department in  
13 the manner and on forms prescribed by the department ~~by rule.~~

14     ~~6-~~ 5. Applications for financial assistance under this  
15 section shall be accepted during one or more annual application  
16 periods ~~to be determined~~ established by the department ~~by~~  
17 ~~rule.~~ Upon reviewing and scoring all applications that are  
18 received during an application period, and subject to ~~funding~~  
19 the availability of moneys, the department may award financial  
20 assistance to eligible businesses. A financial assistance  
21 award shall not exceed the amount of eligible project costs  
22 included in the eligible business's application. Priority  
23 shall be given to eligible businesses whose proposed project  
24 or projects under subsection ~~3~~ 2 are most likely to do any  
25 one or more of the following:

26     *a.* Create new jobs.

27     *b.* Create or expand opportunities for local small-scale milk  
28 producers to market pasteurized milk and milk products under  
29 private labels.

30     *c.* Provide greater flexibility or convenience for local  
31 small-scale farmers to have milk processed.

32     *d.* Reduce labor associated with the on-farm production and  
33 storage of milk.

34     ~~7-~~ 6. A An eligible business that is awarded financial  
35 assistance under this section may apply for financial

1 assistance under other programs administered by the authority  
2 department.

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

5 Sec. 8. NEW SECTION. 187.101 **Short title.**

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

8 Sec. 9. NEW SECTION. 187.102 **Definitions.**

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

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

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

15 3. "*Department*" means the department of agriculture and land  
16 stewardship.

17 4. "*Farm*" means land and associated structures used to  
18 produce an agricultural commodity.

19 5. *a.* "*Financial assistance*" means support provided by the  
20 department to an eligible business under this chapter from  
21 moneys or other assets legally available to the department.

22 *b.* "*Financial assistance*" includes any form of grant,  
23 low-interest loan, or forgivable loan.

24 6. "*Food item*" means an agricultural commodity, or an item  
25 processed from an agricultural commodity, that is fit for human  
26 consumption.

27 7. "*Fund*" means the choose Iowa fund created in section  
28 187.201.

29 8. "*Horticulture item*" means any of the following:

30 *a.* A nursery, floral, or greenhouse plant.

31 *b.* A product processed from a nursery, floral, or greenhouse  
32 plant, including a seed, rooting, cutting, tissue culture,  
33 seedling, or other propagation material.

34 9. "*Located in*" means the place or places at which  
35 a business's operations are located and where at least

1 ninety-eight percent of the business's employees work, or where  
2 employees that are paid at least ninety-eight percent of the  
3 business's payroll work.

4 10. "*Natural fiber item*" means fiber originating from  
5 an agricultural commodity for use in processing, including  
6 manufacturing into a textile, apparel, or other similar  
7 product.

8 11. "*Process*" means to prepare a product that includes an  
9 agricultural commodity alone or as a component.

10 12. *a.* "*Product*" means an agricultural commodity that  
11 in its raw or processed state is moveable at the time of its  
12 retail sale.

13 *b.* "*Product*" includes but is not limited to a food item,  
14 horticulture item, or natural fiber item.

15 Sec. 10. NEW SECTION. 187.103 **Administration.**

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

18 Sec. 11. NEW SECTION. 187.321 **Value-added agricultural**  
19 **grant program.**

20 A value-added agricultural grant program is created within  
21 the department. The purpose of the program is to identify,  
22 evaluate, and support projects and services that add value to  
23 agricultural commodities produced on Iowa farms, including by  
24 supporting new technologies and marketing strategies.

25 Sec. 12. REPEAL. Sections 159.26 and 159.27, Code 2024,  
26 are repealed.

27 Sec. 13. TRANSFER OF MONEYS.

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

31 2. Not later than June 30, 2024, any moneys appropriated  
32 to the department of agriculture and land stewardship that the  
33 department has not expended as required to support a value  
34 added agriculture grant program shall be transferred to the  
35 choose Iowa fund, including moneys appropriated in 2022 Iowa

S-5169 (Continued)

1 Acts, chapter 1147, section 12, and 2023 Iowa Acts, chapter  
2 109, section 4, subsection 9.

3 Sec. 14. CODE EDITOR DIRECTIVE.

4 1. The Code editor is directed to make the following  
5 transfers:

- 6 a. Section 159.28 to 187.301.
- 7 b. Section 159.29 to 187.302.
- 8 c. Section 159.30 to 187.303.
- 9 d. Section 159.31 to 187.201.
- 10 e. Section 159.31A to 187.311.

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. 15. DIRECTIONS TO CODE EDITOR — SUBCHAPTERS AND  
15 PARTS. The Code editor is directed to divide the provisions  
16 of chapter 187, as amended, enacted, or transferred in this  
17 division of this Act, into subchapters and parts as follows:

18 1. Subchapter I, including sections 187.101 through  
19 187.103.

20 2. Subchapter II, including section 187.201.

21 3. Subchapter III, as follows:

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

23 b. Part 2, including section 187.311.

24 c. Part 3, including section 187.321.

25 Sec. 16. EFFECTIVE DATE.

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

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

30 The section that provides for the transfer of moneys to the  
31 choose Iowa fund.

32 DIVISION III

33 COMMERCIAL ESTABLISHMENTS

34 Sec. 17. Section 162.2, subsection 8, Code 2024, is amended  
35 to read as follows:

1 8. "Commercial breeder" means a person, engaged in the  
2 business of breeding dogs or cats, who sells, exchanges, or  
3 leases dogs or cats in return for consideration, or who offers  
4 to do so, whether or not the animals are raised, trained,  
5 groomed, or boarded by the person. A person who owns or  
6 harbors three or fewer breeding males or females is not a  
7 commercial breeder. ~~However, a person who breeds any number~~  
8 ~~of breeding male or female greyhounds for the purposes of~~  
9 ~~using them for pari-mutuel wagering at a racetrack as provided~~  
10 ~~in chapter 99D shall be considered a commercial breeder~~  
11 ~~irrespective of whether the person sells, leases, or exchanges~~  
12 ~~the greyhounds for consideration or offers to do so.~~

13 Sec. 18. Section 162.2B, subsection 1, paragraph b, Code  
14 2024, is amended to read as follows:

15 b. For the issuance or renewal of a state license or permit,  
16 one hundred seventy-five dollars. ~~However, a commercial~~  
17 ~~breeder who owns, keeps, breeds, or transports a greyhound dog~~  
18 ~~for pari-mutuel wagering at a racetrack as provided in chapter~~  
19 ~~99D shall pay a different fee for the issuance or renewal of a~~  
20 ~~state license as provided in rules adopted by the department.~~

21 Sec. 19. Section 162.10A, subsection 2, Code 2024, is  
22 amended to read as follows:

23 2. a. Except as provided in paragraph "b" or "c", a  
24 commercial establishment shall comply with rules that the  
25 department adopts to implement subsection 1. A commercial  
26 establishment shall be regulated under this paragraph "a"  
27 unless the person is a state licensee as provided in paragraph  
28 "b" or a permittee as provided in paragraph "c" "b".

29 ~~b. A state licensee who is a commercial breeder owning,~~  
30 ~~breeding, transporting, or keeping a greyhound dog for~~  
31 ~~pari-mutuel wagering at a racetrack as provided in chapter 99D~~  
32 ~~may be required to comply with different rules adopted by the~~  
33 ~~department.~~

34 ~~c.~~ b. A permittee is not required to comply with rules  
35 that the department adopts to implement a standard of care as

1 provided in subsection 1 for state licensees and registrants.  
2 The department may adopt rules regulating a standard of care  
3 for a permittee, so long as the rules are not more restrictive  
4 than required for a permittee under the Animal Welfare Act.  
5 However, the department may adopt prescriptive rules relating  
6 to the standard of care. Regardless of whether the department  
7 adopts such rules, a permittee meets the standard of care  
8 required in subsection 1 if it voluntarily complies with rules  
9 applicable to state licensees or registrants. A finding by  
10 the United States department of agriculture that a permittee  
11 complies with the Animal Welfare Act is not conclusive when  
12 determining that the permittee provides a standard of care  
13 required in subsection 1.

14 Sec. 20. Section 717B.3, subsection 2, paragraph a,  
15 subparagraph (2), subparagraph divisions (a) and (b), Code  
16 2024, are amended to read as follows:

17 (a) A state licensee or registrant operating pursuant to  
18 section 162.10A, subsection 2, paragraph "a" or "b".

19 (b) A permittee operating pursuant to section 162.10A,  
20 subsection 2, paragraph "c" "b".

21 DIVISION IV

22 GRADE "A" MILK

23 Sec. 21. Section 192.101A, Code 2024, is amended by adding  
24 the following new subsections:

25 NEW SUBSECTION. 1A. "Department" means the department of  
26 agriculture and land stewardship.

27 NEW SUBSECTION. 5. "Secretary" means the secretary of  
28 agriculture.

29 Sec. 22. Section 192.109, Code 2024, is amended to read as  
30 follows:

31 **192.109 Certification of grade "A" label.**

32 The department of agriculture and land stewardship shall  
33 annually biennially conduct a survey and based on that survey  
34 certify all milk labeled grade "A" pasteurized and grade "A"  
35 raw milk for pasteurization, and, in. In the event that a

1 survey shows the requirements for production, processing, and  
2 distribution for such grade are not being complied with, ~~the~~  
3 that fact ~~thereof~~ shall be certified by the department to the  
4 secretary ~~of agriculture~~ who shall proceed with the provisions  
5 of section 192.107 for suspending the permit of the violator or  
6 who, if the secretary did not issue such permit, shall withdraw  
7 the grade "A" declared on the label.

8 Sec. 23. Section 192.111, subsection 1, paragraph a,  
9 subparagraph (5), Code 2024, is amended to read as follows:

10 (5) A milk grader which must obtain a milk grader permit and  
11 pay a ~~license~~ permit fee not greater than twenty dollars.

12 Sec. 24. Section 192.116, Code 2024, is amended to read as  
13 follows:

14 **192.116 Bacteriologists.**

15 The department ~~of agriculture and land stewardship~~ may  
16 employ dairy specialists or bacteriologists who shall devote  
17 their full time to the improvement of sanitation in the  
18 production, processing, and marketing of dairy products.  
19 ~~Said~~ The dairy specialists and bacteriologists shall have  
20 qualifications as to education and experience and such other  
21 requirements as the secretary may require.

22 Sec. 25. Section 192.118, subsection 1, Code 2024, is  
23 amended to read as follows:

24 1. To ensure uniformity in the tests and reporting, an  
25 employee certified by the United States public health service  
26 of the bacteriological laboratory of the department shall  
27 annually certify, in accordance with rules adopted by the  
28 department incorporating or incorporating by reference the  
29 federal publication entitled "Evaluation of Milk Laboratories",  
30 all laboratories doing work in the sanitary quality of  
31 milk and dairy products for public report. The approval by  
32 the department shall be based on the evaluation of these  
33 laboratories as to personnel training, laboratory methods  
34 used, and reporting. The results on tests made by approved  
35 laboratories shall be reported to the department on request,

1 on forms prescribed by the secretary ~~of agriculture~~, and such  
2 reports may be used by the department.

3 DIVISION V

4 FERTILIZERS AND SOIL CONDITIONERS

5 Sec. 26. Section 200.3, subsection 29, Code 2024, is amended  
6 to read as follows:

7 29. The term "*unmanipulated manures*" means any substances  
8 composed primarily of excreta, plant remains, or mixtures of  
9 such substances which have not been processed in any manner  
10 other than dewatering.

11 Sec. 27. EFFECTIVE DATE. This division of this Act, being  
12 deemed of immediate importance, takes effect upon enactment.

13 DIVISION VI

14 HEMP

15 PART A

16 HEMP REGULATIONS

17 Sec. 28. Section 204.2, subsections 1, 4, 5, 10, 12, 14, 15,  
18 and 16, Code 2024, are amended by striking the subsections.

19 Sec. 29. Section 204.2, subsection 6, Code 2024, is amended  
20 by striking the subsection and inserting in lieu thereof the  
21 following:

22 6. "*Department of health and human services*" or "*department*"  
23 means the principal central department established in section  
24 7E.5, subsection 1, paragraph "i".

25 Sec. 30. Section 204.2, subsection 9, Code 2024, is amended  
26 by striking the subsection and inserting in lieu thereof the  
27 following:

28 9. "*Hemp*" means the same as defined in section 204A.2.

29 Sec. 31. Section 204.7, subsections 1, 2, 3, 4, 5, 6, and 7,  
30 Code 2024, are amended by striking the subsections.

31 Sec. 32. Section 204.8, Code 2024, is amended by striking  
32 the section and inserting in lieu thereof the following:

33 **204.8 Hemp — testing requirements and certificate of**  
34 **analysis.**

35 For purposes of this chapter, requirements for testing hemp



1 and the issuance of a certificate of analysis for hemp are  
2 governed by chapter 204A.

3 Sec. 33. Section 204.12, subsection 2, Code 2024, is amended  
4 by striking the subsection.

5 Sec. 34. Section 204.14, subsections 2 and 3, Code 2024, are  
6 amended to read as follows:

7 2. ~~a. Except as provided in paragraph "b",~~ The person  
8 is required to hold a certificate of analysis to possess,  
9 handle, use, manufacture, market, transport, deliver, or  
10 distribute hemp that has been harvested under this chapter.

11 ~~b. The person is required to hold a temporary harvest and~~  
12 ~~transportation permit to possess, harvest, or move hemp.~~

13 3. The person knowingly or intentionally does any of the  
14 following:

15 a. ~~Falsifies the temporary harvest and transportation permit~~  
16 ~~or~~ a certificate of analysis.

17 b. ~~Acquires the temporary harvest and transportation permit~~  
18 ~~or~~ a certificate of analysis that the person knows has been  
19 falsified.

20 Sec. 35. Section 204.15, Code 2024, is amended by striking  
21 the section and inserting in lieu thereof the following:

22 **204.15 Negligent violation program.**

23 A USDA licensee who is participating in or has successfully  
24 completed the program for negligent violations as provided in 7  
25 C.F.R. §990.29 shall not be subject to a criminal offense under  
26 chapter 124 or 453B for committing an act that otherwise would  
27 constitute the offense.

28 Sec. 36. Section 204.17, subsection 1, Code 2024, is amended  
29 by striking the subsection.

30 Sec. 37. Section 204.17, subsection 6, Code 2024, is amended  
31 by striking the subsection and inserting in lieu thereof the  
32 following:

33 6. Nothing in this chapter shall be construed or applied  
34 to affect a statute or rule which applies to an article under  
35 this chapter, if it would apply in the same manner as to other

1 articles subject to the same general regulation in other  
2 chapters.

3 Sec. 38. NEW SECTION. 204A.2 Definitions.

4 As used in this chapter, unless the context otherwise  
5 requires:

- 6 1. "*Acceptable hemp THC level*" means the same as defined in  
7 7 C.F.R. §990.1.
- 8 2. "*Cannabis*" means the same as defined in 7 C.F.R. §990.1.
- 9 3. "*Controlled substance*" means the same as defined in  
10 section 124.101.
- 11 4. "*Delta-9 tetrahydrocannabinol*" or "*THC*" means the same as  
12 defined in 7 C.F.R. §990.1.
- 13 5. "*Department*" means the department of agriculture and land  
14 stewardship.
- 15 6. "*Federal hemp law*" means 7 U.S.C. §1639o, 1639q, and  
16 1639r, together with the domestic hemp production program as  
17 provided in 7 C.F.R. pt. 990.
- 18 7. "*Hemp*" means the same as defined in 7 C.F.R. §990.1.
- 19 8. "*Local law enforcement agency*" means an office of county  
20 sheriff or a municipal police department.
- 21 9. "*Lot*" means the same as defined in 7 C.F.R. §990.1.
- 22 10. "*Total THC*" means the same as defined in 7 C.F.R.  
23 §990.1.
- 24 11. "*USDA licensee*" means the same as defined in 7 C.F.R.  
25 §990.1.

26 Sec. 39. NEW SECTION. 204A.3 Administration — rules.

27 The department may adopt rules that it deems necessary to  
28 administer and enforce this chapter. The rules shall comply  
29 with the federal hemp law, or requirements of the United States  
30 department of agriculture acting under the federal hemp law.

31 Sec. 40. NEW SECTION. 204A.4 Criminal offenses.

32 A criminal offense involving hemp includes but is not  
33 limited to production, use, harvest, transportation, delivery,  
34 distribution, or sale of cannabis as a controlled substance  
35 except as otherwise provided in this chapter and chapter 204.

1       Sec. 41. NEW SECTION.   **204A.5 Hemp production.**

2       1. Except to the extent otherwise provided in the federal  
3 hemp law, or by the United States department of agriculture  
4 acting under the federal hemp law, this chapter does not affect  
5 the powers and duties of the state, including the department of  
6 public safety or a local law enforcement agency, to investigate  
7 or prosecute a person for a violation of a criminal offense,  
8 including an act in violation of chapter 124 or 453B.

9       2. *a.* Except to the extent otherwise provided in the  
10 federal hemp law, or by the United States department of  
11 agriculture acting under the federal hemp law, the department  
12 of public safety may require a USDA licensee to submit to the  
13 department of public safety any of the following:

14       (1) A notice that the United States department of  
15 agriculture's lot includes cannabis that exceeds the acceptable  
16 hemp THC level and a description of the noncompliant plant's  
17 disposal as required in 7 C.F.R. §990.27.

18       (2) A corrective action plan filed with the United States  
19 department of agriculture to cure the negligent violation as  
20 required in 7 C.F.R. §990.27.

21       (3) A notice of the United States department of  
22 agriculture's license suspension under 7 C.F.R. §990.30 or  
23 United States department of agriculture's license revocation  
24 under 7 C.F.R. §990.31.

25       (4) A report or record required to be submitted to  
26 the United States department of agriculture as part of  
27 participation in the domestic hemp program as provided in 7  
28 C.F.R. §990.32.

29       *b.* Any data or business information designated as  
30 confidential by the United States department of agriculture  
31 under this subsection and received by a government body as  
32 defined in section 22.1 shall be a confidential record under  
33 chapter 22 and subject to any restrictions imposed by the  
34 United States department of agriculture.

35       Sec. 42. NEW SECTION.   **204A.6 Hemp transportation.**

1 Except to the extent otherwise provided in the federal  
2 hemp law, including 7 C.F.R. §990.25, or by the United States  
3 department of agriculture acting under the federal hemp law, a  
4 person transporting hemp seed or harvested hemp in this state,  
5 on an intrastate or interstate basis, is subject to all of the  
6 following public safety requirements:

7 1. If the person is licensed under 7 C.F.R. ch. 990, subpt.  
8 B or C, the person must carry a copy of that license.

9 2. The person must carry a certificate of analysis.

10 3. The person must carry a bill of lading under all of the  
11 following circumstances:

12 a. The person is in possession of the hemp in transit to  
13 transfer ownership.

14 b. The person is delivering cannabis seed for planting and  
15 the seed is not of the licensee's own production.

16 c. A person brings hemp produced in another state into or  
17 through this state.

18 Sec. 43. NEW SECTION. 204A.9 Statutory construction.

19 1. Nothing in this chapter shall be construed or applied to  
20 be less stringent than required under the federal hemp law.

21 2. Nothing in this chapter shall be construed or applied  
22 to be in conflict with applicable federal law and related  
23 regulations.

24 3. Nothing in this chapter shall be construed or applied to  
25 infringe upon the ability of the department of public safety  
26 or a local law enforcement agency to obtain a search warrant  
27 issued by a court, or enter onto any premises in a manner  
28 consistent with the laws of this state and the United States,  
29 including Article I, section 8, of the Constitution of the  
30 State of Iowa, or the fourth amendment to the Constitution of  
31 the United States.

32 4. Nothing in this chapter shall be construed or applied  
33 to affect a statute or rule which applies to an article under  
34 this chapter, if it would apply in the same manner as to other  
35 articles subject to the same general regulation in other

1 chapters.

2 Sec. 44. REPEAL. Sections 204.3, 204.4, 204.5, 204.6,  
3 204.9, 204.10, 204.11, 204.13, and 204.16, Code 2024, are  
4 repealed.

5 Sec. 45. CODE EDITOR DIRECTIVE.

6 1. The Code editor is directed to make the following  
7 transfers:

8 a. Section 204.1 to section 204A.1.

9 b. Section 204.14 to section 204A.7.

10 c. Section 204.15 to section 204A.8.

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 PART B

15 CORRESPONDING CHANGES

16 Sec. 46. Section 124.201A, subsection 4, Code 2024, is  
17 amended to read as follows:

18 4. Any cannabis-derived investigational product or  
19 cannabis-derived product approved as a prescription drug  
20 medication by the United States food and drug administration  
21 shall not be considered marijuana or cannabimimetic agents,  
22 both as defined in section 124.204, tetrahydrocannabinols  
23 as used in section 124.204, subsection 4, paragraph "u",  
24 unnumbered paragraph 1, or hemp as defined in section ~~204.2~~  
25 204A.2.

26 Sec. 47. Section 124.204, subsection 7, paragraph a, Code  
27 2024, is amended to read as follows:

28 a. Hemp as defined in section ~~204.2~~ 204A.2, including hemp  
29 that is or was produced in this state, or was produced in  
30 another state, in accordance with the provisions of ~~chapter 204~~  
31 the federal hemp law as defined in chapter 204A, with a maximum  
32 delta-9 tetrahydrocannabinol concentration that does not exceed  
33 three-tenths of one percent on a dry weight basis.

34 Sec. 48. Section 124.401, subsection 6, paragraph a, Code  
35 2024, is amended by striking the paragraph and inserting in

1 lieu thereof the following:

2     *a.* Hemp that is hemp seed, including hemp seed delivered  
3 for planting at a lot by a USDA licensee or hemp that is or was  
4 produced at a lot by a USDA licensee, in accordance with the  
5 provisions of the federal hemp law, as those terms are defined  
6 in chapter 204A.

7     Sec. 49. Section 124.401G, Code 2024, is amended by striking  
8 the section and inserting in lieu thereof the following:

9     **124.401G Iowa hemp Act — negligent violation program.**

10     Notwithstanding any provision of this chapter to the  
11 contrary, a person shall not be guilty of an offense under  
12 this chapter, including under section 124.401 or 124.410,  
13 for producing, possessing, using, harvesting, handling,  
14 manufacturing, marketing, transporting, delivering, or  
15 distributing the plant cannabis, to the extent that the person  
16 is a USDA licensee acting in accordance with the federal hemp  
17 law, as those terms are defined in chapter 204A.

18     Sec. 50. Section 124.506, subsection 5, Code 2024, is  
19 amended by striking the subsection.

20     Sec. 51. Section 317.1D, Code 2024, is amended to read as  
21 follows:

22     **317.1D Exemption — Iowa hemp Act.**

23     This chapter does not apply to a plant or any part of the  
24 plant qualifying as hemp, if the hemp is produced ~~on a crop~~  
25 ~~site regulated under chapter 204~~ on the USDA licensee's lot  
26 in accordance with the federal hemp law, as those terms are  
27 defined in chapter 204A.

28     Sec. 52. Section 453B.17, subsection 1, Code 2024, is  
29 amended by striking the subsection and inserting in lieu  
30 thereof the following:

31     1. Hemp as defined in section 204A.2, including hemp seed  
32 delivered for planting at a lot by a USDA licensee or hemp that  
33 is or was produced at a lot by a USDA licensee, in accordance  
34 with the provisions of the federal hemp law, as those terms are  
35 defined in chapter 204A.



HOUSE FILE 626

S-5159

1 Amend House File 626, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 3, line 27, by striking <2024> and inserting <2025>

By CHERIELYNN WESTRICH

S-5159 FILED APRIL 16, 2024

ADOPTED



HOUSE FILE 2545

S-5161

1 Amend House File 2545, as amended, passed, and reprinted by  
2 the House, as follows:

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

5 <DIVISION I

6 STATE BOARD OF EDUCATION — COMPREHENSIVE REVIEW OF EDUCATIONAL  
7 STANDARDS

8 Section 1. DEPARTMENT OF EDUCATION — COMPREHENSIVE REVIEW  
9 OF IOWA EDUCATIONAL STANDARDS — RECOMMENDED REVISIONS.

10 1. The director of the department of education shall  
11 conduct a comprehensive review of the high school graduation  
12 requirements and core curriculum established pursuant to  
13 section 256.7, subsection 26, the core content standards  
14 established pursuant to section 256.7, subsection 28, and  
15 the educational standards established in section 256.11.  
16 The comprehensive review shall be designed to generate  
17 recommendations for policy changes to be included in the  
18 reports required under subsection 4. The recommendations for  
19 policy changes shall include all of the following:

20 a. A plan to regularly review and revise the core content  
21 standards focused on English language arts, mathematics,  
22 science, and social studies, with a focus on United States  
23 history, western civilization, and civics.

24 b. A plan to make Iowa's educational standards the best in  
25 the nation.

26 c. Input from relevant stakeholders, including parents and  
27 teachers.

28 d. A plan to increase the quality of the instructional  
29 curriculum.

30 e. A plan to maximize local flexibility in graduation  
31 requirements and course offerings while maintaining a goal that  
32 all high school graduates have necessary skills at graduation.

33 f. Identification of opportunities to equip high school  
34 graduates with sufficient knowledge of civics and United States  
35 history, including the principles reflected in the Constitution

1 of the United States, so that high school graduates are capable  
2 of discharging the responsibilities associated with United  
3 States citizenship.

4 g. A statewide literacy plan to increase student  
5 proficiency using systematic and sequential approaches to  
6 teaching phonetic awareness, phonics, vocabulary, fluency,  
7 and text comprehension. The statewide literacy plan shall  
8 address standards for practitioner preparation programs  
9 established under section 256.16 that promote evidence-based  
10 reading instruction and practical application that are  
11 direct, systematic, explicit, responsive, and that consist of  
12 phonetic awareness, phonics, vocabulary, fluency, and text  
13 comprehension. Such standards shall not include instruction or  
14 practical application that is designed to teach students using  
15 the instructional model commonly known as the three-cueing  
16 system.

17 2. The director of the department of education shall ensure  
18 that the core curriculum established pursuant to section 256.7,  
19 subsection 26, the core content standards established pursuant  
20 to section 256.7, subsection 28, and the educational standards  
21 established in section 256.11, comply with section 279.74.

22 3. The comprehensive review described in subsection 1 shall  
23 include all of the following:

24 a. Providing the opportunity for the public and interested  
25 stakeholders to provide comments related to the comprehensive  
26 review, including comments related to each graduation  
27 requirement, core content standard, and educational requirement  
28 by grade level, at each committee meeting convened pursuant to  
29 this subsection.

30 b. Collecting and considering the comments provided  
31 pursuant to paragraph "a".

32 c. (1) Convening committees to assist in the comprehensive  
33 review and provide recommendations related to the subject areas  
34 in the educational standards established in section 256.11.

35 (2) The director of the department of education shall

1 determine the membership of each committee; provided, however,  
2 that each committee shall include four members of the general  
3 assembly with one member designated by each of the following:  
4 the president of the senate, the minority leader of the senate,  
5 the speaker of the house of representatives, and the minority  
6 leader of the house of representatives. A legislative member  
7 serves in an ex officio, nonvoting capacity.

8 4. a. The director of the department of education shall  
9 submit an initial report, including initial findings and  
10 recommendations for policy changes, to the governor and the  
11 general assembly on or before December 31, 2024.

12 b. The director of the department of education shall submit  
13 a final report, including findings and recommendations for  
14 policy changes, to the governor and the general assembly on or  
15 before July 1, 2025.

16 Sec. 2. EFFECTIVE DATE. This division of this Act, being  
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION II

19 STATE BOARD OF EDUCATION — CORE CURRICULUM

20 Sec. 3. Section 256.7, subsection 26, paragraph a,  
21 unnumbered paragraph 1, Code 2024, is amended to read as  
22 follows:

23 Adopt ~~rules that establish~~ a core curriculum and adopt rules  
24 that establish high school graduation requirements for all  
25 students in school districts and accredited nonpublic schools  
26 that include at a minimum satisfactory completion of four years  
27 of English and language arts, three years of mathematics, three  
28 years of science, and three years of social studies.

29 Sec. 4. Section 256.7, subsection 26, paragraph a,  
30 subparagraph (3), Code 2024, is amended to read as follows:

31 (3) The ~~rules establishing~~ a core curriculum shall address  
32 the core content standards in subsection 28 and the skills and  
33 knowledge students need to be successful in the twenty-first  
34 century. The core curriculum shall include social studies  
35 and twenty-first century learning skills which include but



1 States and the state of Iowa, including civic virtues displayed  
2 in the lives of exemplary Americans.

3 c. The history of the United States and the state of Iowa,  
4 including all of the following:

5 (1) The political, diplomatic, and military history of the  
6 United States, including exemplary Americans important to such  
7 events, beginning with the discovery of the western hemisphere  
8 through the present, including but not limited to the founding  
9 fathers, the American Revolutionary War, the War of 1812, the  
10 Civil War, World War I, World War II, the Vietnam War, the  
11 Korean War, and the War on Terrorism, including the attacks on  
12 September 11, 2001.

13 (2) The founding of Iowa, and famous Iowans and their  
14 involvement in important events in history.

15 (3) The secular and religious ideals and institutions of  
16 liberty, including political, religious, economic, social, and  
17 cultural liberty, in western civilization, the United States,  
18 and the state of Iowa.

19 d. Exemplary figures and important events in western  
20 civilization, the United States, and the state of Iowa,  
21 including but not limited to the history of ancient Israel, the  
22 free Greek city-states, the Roman Republic, the Roman Empire,  
23 medieval Europe, Columbus and the Age of Discovery, World War  
24 I, World War II and instruction related to the Holocaust, and  
25 the Cold War.

26 e. Important historical and founding documents to the  
27 United States and the state of Iowa, including but not limited  
28 to the Mayflower Compact, the Declaration of Independence,  
29 the Constitution of the United States and the amendments to  
30 the Constitution, the Federalist Papers, and the Emancipation  
31 Proclamation.

32 2. The director of the department of education, or the  
33 director's designee, shall present the revised social studies  
34 standards to the state board of education for adoption on or  
35 before December 31, 2025.

DIVISION IV

EDUCATIONAL STANDARDS FOR GRADES SEVEN AND EIGHT

1  
2           Sec. 7. Section 256.11, subsection 4, Code 2024, is amended  
3 to read as follows:

4           4. The following shall be taught in grades seven and  
5 eight: English-language arts; social studies, including  
6 instruction related to civics; mathematics; science;  
7 health; age-appropriate and research-based human growth and  
8 development; career exploration and development; physical  
9 education; music; and visual art. Computer science instruction  
10 incorporating the standards established under section 256.7,  
11 subsection 26, paragraph "a", subparagraph (4), shall be  
12 offered in at least one grade level commencing with the  
13 school year beginning July 1, 2023. Career exploration  
14 and development shall be designed so that students are  
15 appropriately prepared to create an individual career  
16 and academic plan pursuant to section 279.61, incorporate  
17 foundational career and technical education concepts aligned  
18 with the six career and technical education service areas as  
19 defined in subsection 5, paragraph "h", incorporate relevant  
20 twenty-first century skills to facilitate career readiness,  
21 and introduce students to career opportunities within the  
22 local community and across this state. The health curriculum  
23 shall include age-appropriate and research-based information  
24 regarding the characteristics of sexually transmitted diseases.  
25 The state board as part of accreditation standards shall adopt  
26 curriculum definitions for implementing the program in grades  
27 seven and eight. However, this subsection shall not apply to  
28 the teaching of career exploration and development in nonpublic  
29 schools.>

30  
31           2. Title page, by striking lines 1 through 5 and inserting  
32 <An Act relating to education, including by requiring the  
33 director of the department of education to review the state's  
34 high school graduation requirements, core curriculum, core  
35 content standards, and educational standards, requiring the

S-5161 (Continued)

1 state board of education to review and revise the state's  
2 social studies standards, requiring that the social studies  
3 instruction provided to students enrolled in school districts  
4 and accredited nonpublic schools in grades seven and eight  
5 include instruction related to civics, and including effective  
6 date provisions.>

By BRAD ZAUN

[S-5161](#) FILED APRIL 16, 2024

ADOPTED

HOUSE FILE 2545

S-5163

1 Amend the amendment, S-5161, to House File 2545, as amended,  
2 passed, and reprinted by the House, as follows:

3 1. Page 1, line 23, by striking <western civilization> and  
4 inserting <world civilizations>

5 2. Page 4, line 22, by striking <western civilization> and  
6 inserting <world civilizations>

7 3. Page 5, line 17, by striking <western civilization> and  
8 inserting <world civilizations>

9 4. Page 5, lines 19 and 20, by striking <western  
10 civilization> and inserting <world civilizations>

By HERMAN C. QUIRMBACH

S-5163 FILED APRIL 16, 2024

LOST



HOUSE FILE 2639

S-5164

1 Amend House File 2639, as passed by the House, as follows:

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

3 <Section 1. NEW SECTION. 80.49 Right to keep and bear arms  
4 education and training fund.

5 1. A right to keep and bear arms education and training  
6 fund is created in the state treasury under the control of the  
7 department. The fund shall consist of moneys transferred to  
8 the fund pursuant to section 321.34, subsection 11E, and any  
9 other moneys appropriated to or deposited in the fund. Moneys  
10 in the fund are appropriated to the department for the purposes  
11 set forth in subsection 2.

12 2. The department shall distribute moneys in the fund by  
13 awarding grants to persons to provide education and training  
14 on the right to keep and bear arms protected under the  
15 Constitution of the United States and the Constitution of the  
16 State of Iowa. In the awarding of grants, the department shall  
17 give first consideration to any official state association  
18 of the national rifle association and similar nonprofit  
19 organizations.

20 3. Notwithstanding section 8.33, moneys in the fund  
21 that remain unencumbered or unobligated at the close of a  
22 fiscal year shall not revert but shall remain available for  
23 expenditure for the purposes designated. Notwithstanding  
24 section 12C.7, subsection 2, interest or earnings on moneys in  
25 the fund shall be credited to the fund.>

26 2. By striking page 1, line 29, through page 2, line 5,  
27 and inserting <in section 321.145, subsection 2, to the right  
28 to keep and bear arms education and training fund created in  
29 section 80.49 the amount of the special fees collected in the  
30 previous month for Gadsden flag plates.>

31 3. Title page, line 3, by striking <plates.> and inserting  
32 <plates, and making appropriations.>

33 4. By renumbering as necessary.

By CHRIS COURNOYER

S-5164 (Continued)

S-5164 FILED APRIL 16, 2024

HOUSE FILE 2639

S-5168

- 1 Amend the amendment, S-5164, to House File 2639, as passed by  
2 the House, as follows:
- 3 1. Page 1, by striking lines 2 through 25.
- 4 2. Page 1, by striking lines 27 through 30 and inserting  
5 <and inserting <in section 321.145, subsection 2, to the public  
6 safety survivor benefits fund created in section 80.47 the  
7 amount of the special fees collected in the previous month for  
8 Gadsden flag plates.>>
- 9 3. Page 1, by striking lines 31 through 33.
- 10 4. By renumbering as necessary.

By WILLIAM A. DOTZLER, JR.  
TONY BISIGNANO  
NATE BOULTON  
CLAIRE CELSI  
MOLLY DONAHUE  
ERIC GIDDENS  
PAM JOCHUM  
IZA AH KNOX  
JANET PETERSEN  
HERMAN C. QUIRMBACH  
TODD TAYLOR  
SARAH TRONE GARRIOTT  
JANICE WEINER  
CINDY WINCKLER

S-5168 FILED APRIL 16, 2024

S-5160

1 Amend House File 2673, as amended, passed, and reprinted by  
2 the House, as follows:

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

5 <DIVISION I

6 BEHAVIORAL HEALTH SERVICE SYSTEM

7 Section 1. NEW SECTION. 225A.1 Definitions.

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

10 1. "*Administrative services organization*" means an entity  
11 designated by the department pursuant to section 225A.4, to  
12 develop and perform planning and administrative services in  
13 accordance with a district behavioral health service system  
14 plan.

15 2. "*Behavioral health condition*" means a substantial  
16 limitation in major life activities due to a mental,  
17 behavioral, or addictive disorder or condition diagnosed in  
18 accordance with the criteria provided in the most current  
19 edition of the diagnostic and statistical manual of mental  
20 disorders, published by the American psychiatric association.

21 3. "*Behavioral health district*" or "*district*" means a  
22 geographic, multicounty, sub-state area as designated by the  
23 department under section 225A.4.

24 4. "*Behavioral health provider*" or "*provider*" means an  
25 individual, firm, corporation, association, or institution  
26 that, pursuant to this chapter, is providing or has been  
27 approved by the department to provide services to an individual  
28 with a behavioral health condition.

29 5. "*Behavioral health service system*" means the behavioral  
30 health service system established in section 225A.3.

31 6. "*Caregiver*" means an adult family member, or other  
32 individual, who is providing care to a person outside of a  
33 formal program.

34 7. "*Community mental health center*" means an entity  
35 designated by the department to address the mental health needs

1 of one or more counties.

2 8. "*Department*" means the department of health and human  
3 services.

4 9. "*Director*" means the director of the department of health  
5 and human services.

6 10. "*District behavioral health advisory council*"  
7 or "*advisory council*" means a council established by an  
8 administrative services organization under section 225A.5, to  
9 identify opportunities, address challenges, and advise the  
10 administrative services organization in accordance with section  
11 225A.5.

12 11. "*District behavioral health service system plan*" or  
13 "*district behavioral health plan*" means a plan developed by  
14 an administrative services organization and approved by the  
15 department to outline the services intended to be provided  
16 within the administrative services organization's behavioral  
17 health district.

18 12. "*Indicated prevention*" means prevention activities  
19 designed to prevent the onset of substance use disorders in  
20 individuals who do not meet the medical criteria for addiction,  
21 but who show early signs of developing a substance use disorder  
22 in the future.

23 13. "*Selective prevention*" means prevention activities  
24 designed to target subsets of the total population who are  
25 considered at-risk for a substance use disorder by virtue of  
26 their membership in a particular segment of the population.  
27 Selective prevention targets the entire subgroup, regardless of  
28 the degree of risk of any individual within the group.

29 14. "*State behavioral health service system plan*" or  
30 "*state behavioral health plan*" means the plan developed by the  
31 department that describes the key components of the state's  
32 behavioral health service system.

33 15. "*Universal prevention*" means prevention activities  
34 designed to address an entire population class for the purpose  
35 of preventing or delaying the use of alcohol, tobacco, and

1 other drugs. Population classes include but are not limited  
2 to the national population, local populations, community  
3 populations, school populations, and neighborhood populations.

4 Sec. 2. NEW SECTION. **225A.2 State mental health authority**  
5 **— state agency for substance abuse.**

6 1. The department is designated as the state mental health  
7 authority as defined in 42 U.S.C. §201(m) for the purpose of  
8 directing benefits from the federal community mental health  
9 services block grant, 42 U.S.C. §300x et seq., and the state  
10 authority designated for the purpose of directing benefits  
11 from the federal substance abuse prevention and treatment  
12 block grant, 42 U.S.C. §300x-21 et seq. This designation  
13 does not preclude the state board of regents from authorizing  
14 or directing any institution under the board of regents'  
15 jurisdiction to carry out educational, prevention, and research  
16 activities in the areas of mental health and intellectual  
17 disability.

18 2. The department is designated as the single state agency  
19 for substance abuse for the purposes of 42 U.S.C. §1396a et  
20 seq.

21 3. For the purposes of effectuating the department's roles  
22 designated in this section, the department shall have the  
23 following powers and the authority to take all of the following  
24 actions:

25 *a.* Plan, establish, and maintain prevention, education,  
26 early intervention, treatment, recovery support, and crisis  
27 services programs as necessary or desirable for the behavioral  
28 health service system established in section 225A.3.

29 *b.* Develop and submit a state plan as required by, and in  
30 accordance with, 42 U.S.C. §300x-1.

31 *c.* Review and approve district behavioral health service  
32 system plans developed in accordance with the state behavioral  
33 health service system plan.

34 *d.* Perform all necessary acts to cooperate with any state  
35 agency, political subdivision, or federal government agency to

1 apply for grants.

2 *e.* Solicit and accept for use any gift of money by will or  
3 otherwise, and any grant of money or services from the federal  
4 government, the state, or any political subdivision thereof,  
5 or any private source.

6 *f.* Collect and maintain records, engage in studies and  
7 analyses, and gather relevant statistics.

8 *g.* Take any other actions as necessary to execute the  
9 duties granted to the department in this chapter, or that  
10 are otherwise required to maintain compliance with federal  
11 requirements related to the department's roles as designated in  
12 this section.

13 **Sec. 3. NEW SECTION. 225A.3 Behavioral health service**  
14 **system — department powers and duties.**

15 1. *a.* A behavioral health service system is established  
16 under the control of the department for the purposes of  
17 implementing a statewide system of prevention, education, early  
18 intervention, treatment, recovery support, and crisis services  
19 related to mental health and addictive disorders, including but  
20 not limited to alcohol use, substance use, tobacco use, and  
21 problem gambling.

22 *b.* The behavioral health service system shall support  
23 equitable statewide access to all services offered through  
24 the behavioral health service system and offer specialized  
25 services with a focus on at-risk populations including but not  
26 limited to children, youth, young adults, individuals with  
27 disabilities, pregnant and parenting women, older adults, and  
28 people with limited access to financial resources.

29 *c.* Services offered through the behavioral health service  
30 system shall, at a minimum, include all of the following:

31 (1) Prevention intervention services and education  
32 programs designed to reduce and mitigate behavioral health  
33 conditions and future behavioral health conditions. Prevention  
34 intervention programs shall incorporate indicated prevention,  
35 selective prevention, and universal prevention activities.

1 (2) Evidence-based and evidence-informed early intervention  
2 and treatment services.

3 (3) Comprehensive recovery support services with a focus on  
4 community-based services that avoid, divert, or offset the need  
5 for long-term inpatient services, law enforcement involvement,  
6 or incarceration.

7 (4) Crisis services with a focus on reducing the escalation  
8 of crisis situations, relieving the immediate distress of  
9 individuals experiencing a crisis situation, and reducing the  
10 risk that individuals in a crisis situation harm themselves.

11 2. To the extent funding is available, the department shall  
12 perform all of the following duties to develop and administer  
13 the behavioral health service system:

14 a. (1) Develop a state behavioral health service system  
15 plan that accomplishes all of the following:

16 (a) Identifies the goals, objectives, and targeted outcomes  
17 for the behavioral health service system.

18 (b) Identifies the strategies to meet system objectives and  
19 ensure equitable access statewide to prevention, education,  
20 early intervention, treatment, recovery support, and crisis  
21 services.

22 (c) Is consistent with the state health improvement plan  
23 developed under section 217.17.

24 (d) Is consistent with the department's agency strategic  
25 plan adopted pursuant to section 8E.206.

26 (2) The department shall do all of the following when  
27 developing the state behavioral health service system plan:

28 (a) Collaborate with stakeholders including but not limited  
29 to county supervisors and other local elected officials,  
30 experienced behavioral health providers, and organizations that  
31 represent populations, including but not limited to children,  
32 served by the behavioral health service system.

33 (b) Publish the proposed state behavioral health service  
34 system plan on the department's internet site and allow the  
35 public to review and comment on the proposed state behavioral



1 health system plan prior to the adoption of the proposed state  
2 behavioral health plan.

3 *b.* Administer and distribute state appropriations, federal  
4 aid, and grants that have been deposited into the behavioral  
5 health fund established in section 225A.7.

6 *c.* Oversee, provide technical assistance to, and  
7 monitor administrative services organizations to ensure the  
8 administrative services organizations' compliance with district  
9 behavioral health plans.

10 *d.* Collaborate with the department of inspections, appeals,  
11 and licensing on the accreditation, certification, and  
12 licensure of behavioral health providers including but not  
13 limited to the approval, denial, revocation, or suspension of  
14 a behavioral health provider's accreditation, certification,  
15 or licensure.

16 *e.* Develop and adopt minimum accreditation standards for  
17 the maintenance and operation of community mental health  
18 centers to ensure that each community mental health center,  
19 and each entity that provides services under contract with a  
20 community mental health center, furnishes high-quality mental  
21 health services to the community that the community mental  
22 health center serves in accordance with rules adopted by the  
23 department.

24 *f.* Designate community mental health centers.

25 *g.* Conduct formal accreditation reviews of community mental  
26 health centers based on minimum accreditation standards adopted  
27 by the department pursuant to paragraph "e".

28 *h.* Establish and maintain a data collection and management  
29 information system to identify, collect, and analyze service  
30 outcome and performance data to address the needs of patients,  
31 providers, the department, and programs operating within the  
32 behavioral health service system.

33 *i.* Collect, monitor, and utilize information including but  
34 not limited to behavioral health service system patient records  
35 and syndromic surveillance data to understand emerging needs,

1 and to deploy information, resources, and technical assistance  
2 in response.

3 *j.* Collaborate with the department of revenue for  
4 enforcement of tobacco laws, regulations, and ordinances and  
5 engage in tobacco control activities.

6 *k.* Adopt rules pursuant to chapter 17A to administer this  
7 chapter. Such rules shall include but not be limited to rules  
8 that provide for all of the following:

9 (1) Minimum access standards to ensure equitable access to  
10 services provided through the behavioral health service system  
11 including but not limited to when services are available, who  
12 is eligible for services, and where services are available.

13 (2) Methods to ensure each individual who is eligible  
14 for services receives an uninterrupted continuum of care for  
15 prevention, education, early intervention, treatment, recovery  
16 support, and crisis services.

17 (3) Standards for the implementation and maintenance  
18 of behavioral health programs and services offered by the  
19 behavioral health service system, and by each administrative  
20 services organization.

21 (4) Procedures for the management and oversight of  
22 behavioral health providers to ensure compliance with the terms  
23 of the behavioral health providers' contracts relating to the  
24 behavioral health service system, and with state and federal  
25 law and rules.

26 (5) Procedures for the suspension of an administrative  
27 services organization's services due to the administrative  
28 services organization's failure to comply with the terms and  
29 conditions of its contract with the department.

30 (6) Procedures for the reallocation of funds from  
31 an administrative services organization that is not in  
32 compliance with the terms of its contract with the department  
33 to an alternative administrative services organization or  
34 a behavioral health provider to provide for services the  
35 noncompliant administrative services organization failed to

1 provide.

2 (7) Procedures for the termination of an administrative  
3 services organization's designation as an administrative  
4 services organization.

5 (8) Procedures for the collection, utilization, and  
6 maintenance of the data necessary to establish a central data  
7 repository in accordance with section 225A.6.

8 (9) Any other requirements the department deems necessary  
9 to ensure that an administrative services organization  
10 fulfills the administrative services organization's duties  
11 as established in this chapter, and as established in the  
12 administrative services organization's district behavioral  
13 health plan.

14 Sec. 4. NEW SECTION. **225A.4 Behavioral health service**  
15 **system — districts and administrative services organizations.**

16 1. *a.* The department shall divide the entirety of the  
17 state into designated behavioral health districts. Behavioral  
18 health prevention, education, early intervention, treatment,  
19 recovery support, and crisis services related to mental health  
20 and addictive disorders, including but not limited to alcohol  
21 use, substance use, tobacco use, and problem gambling, shall  
22 be made available through each behavioral health district in a  
23 manner consistent with directives each district receives from  
24 the department.

25 *b.* For the purpose of providing equitable access to all  
26 services provided through the behavioral health service  
27 system, the department shall consider all of the following when  
28 designating behavioral health districts:

29 (1) City and county lines.

30 (2) The maximum population size that behavioral health  
31 services available in an area are able to effectively serve.

32 (3) Areas of high need for behavioral health services.

33 (4) Patterns various populations exhibit when accessing or  
34 receiving behavioral health services.

35 *c.* Notwithstanding chapter 17A, the manner in which the

1 department designates behavioral health districts including but  
2 not limited to the determination of the boundaries for each  
3 district shall not be subject to judicial review.

4 2. a. The department shall designate an administrative  
5 services organization for each behavioral health district to  
6 oversee and organize each district and the behavioral health  
7 services associated with the district. The department shall  
8 issue requests for proposals for administrative services  
9 organization candidates.

10 b. At the department's discretion, the department may  
11 designate any of the following entities as an administrative  
12 services organization:

13 (1) An organization that coordinated administrative  
14 services or mental health and disability services for a mental  
15 health and disability services region formed on or before June  
16 30, 2024.

17 (2) A public or private nonprofit agency located in a  
18 behavioral health district, or any separate organizational  
19 unit within the public or private nonprofit agency, that has  
20 the capabilities to engage in the planning or provision of a  
21 broad range of behavioral health prevention, education, early  
22 intervention, treatment, recovery support, and crisis services  
23 related to mental health and addictive disorders, including but  
24 not limited to alcohol use, substance use, tobacco use, and  
25 problem gambling, only as directed by the department.

26 c. The department shall consider all of the following  
27 factors in determining whether to designate an entity as an  
28 administrative services organization:

29 (1) Whether the entity has demonstrated the capacity to  
30 manage and utilize available resources in a manner required of  
31 an administrative services organization.

32 (2) Whether the entity has demonstrated the ability to  
33 ensure the delivery of behavioral health services within the  
34 district as required by the department by rule.

35 (3) Whether the entity has demonstrated the ability to

1 fulfill the monitoring, oversight, and provider compliance  
2 responsibilities as required by the department by rule.

3 (4) Whether the entity has demonstrated the capacity to  
4 function as a subrecipient for the purposes of the federal  
5 community mental health services block grant, 42 U.S.C.  
6 §300x et seq., and the federal substance abuse prevention and  
7 treatment block grant, 42 U.S.C. §300x-21 et seq., and the  
8 ability to comply with all federal requirements applicable to  
9 subrecipients under the block grants.

10 3. a. Upon designation by the department, an administrative  
11 services organization shall be considered an instrumentality of  
12 the state and shall adhere to all state and federal mandates  
13 and prohibitions applicable to an instrumentality of the state.

14 b. An entity's designation as an administrative services  
15 organization shall continue until the designation is removed  
16 by the department, the administrative services organization  
17 withdraws, or a change in state or federal law necessitates the  
18 removal of the designation.

19 4. Each administrative services organization shall function  
20 as a subrecipient for the purposes of the federal community  
21 mental health services block grant, 42 U.S.C. §300x et seq.,  
22 and the federal substance abuse prevention and treatment block  
23 grant, 42 U.S.C. §300x-21 et seq., and shall comply with all  
24 federal requirements applicable to subrecipients under the  
25 block grants.

26 5. Each administrative services organization shall perform  
27 all of the following duties:

28 a. Develop and administer a district behavioral health plan  
29 in accordance with the standards adopted by the department by  
30 rule.

31 b. Coordinate the administration of the district behavioral  
32 health plan with federal, state, and local resources in order  
33 to develop a comprehensive and coordinated local behavioral  
34 health service system.

35 c. Enter into contracts necessary to provide services under

1 the district behavioral health plan.

2 *d.* Oversee, provide technical assistance to, and monitor  
3 the compliance of providers contracted by the administrative  
4 services organization to provide behavioral health services in  
5 accordance with the district behavioral health plan.

6 *e.* Establish a district behavioral health advisory council  
7 pursuant to section 225A.5.

8 **Sec. 5. NEW SECTION. 225A.5 District behavioral health**  
9 **advisory councils.**

10 1. Each administrative services organization shall  
11 establish a district behavioral health advisory council that  
12 shall do all of the following:

13 *a.* Identify opportunities and address challenges based on  
14 updates received from the administrative services organization  
15 regarding the implementation of the district behavioral health  
16 plan.

17 *b.* Advise the administrative services organization while the  
18 administrative services organization is developing behavioral  
19 health policies.

20 *c.* Advise the administrative services organization on  
21 how to best provide access to behavioral health prevention,  
22 education, early intervention, treatment, recovery support,  
23 and crisis services related to mental health and addictive  
24 disorders, including but not limited to alcohol use, substance  
25 use, tobacco use, and problem gambling, throughout the district  
26 as directed by the department.

27 2. An advisory council shall consist of ten members.  
28 Members shall be appointed by the administrative services  
29 organization subject to the following requirements:

30 *a.* Three members shall be local elected public officials  
31 currently holding office within the behavioral health district,  
32 or the public official's designated representative.

33 *b.* Three members shall be chosen in accordance with  
34 procedures established by the administrative services  
35 organization to ensure representation of the populations

1 served within the behavioral health district. At least one  
2 member chosen under this paragraph shall represent child and  
3 adolescent persons.

4 *c.* Three members shall be chosen who have experience  
5 or education related to core behavioral health functions,  
6 essential behavioral health services, behavioral health  
7 prevention, behavioral health treatment, population-based  
8 behavioral health services, or community-based behavioral  
9 health initiatives.

10 *d.* One member shall be a law enforcement representative from  
11 within the behavioral health district.

12 3. An advisory council shall perform the duties required  
13 under this section regardless of whether any seat on the  
14 advisory council is vacant.

15 **Sec. 6. NEW SECTION. 225A.6 Behavioral health service**  
16 **system — data collection and use.**

17 1. The department shall take all of the following actions  
18 for data related to the behavioral health service system:

19 *a.* Collect and analyze the data, including but not  
20 limited to Medicaid and community services network data, as  
21 necessary to issue cost estimates for serving populations,  
22 providing treatment, making and receiving payments, conducting  
23 operations, and performing prevention and health promotion  
24 activities. In doing so, the department shall maintain  
25 compliance with applicable federal and state privacy laws  
26 to ensure the confidentiality and integrity of individually  
27 identifiable data. The department shall periodically assess  
28 the status of the department's compliance to ensure that data  
29 collected by and stored with the department is protected.

30 *b.* Establish and administer a central data repository for  
31 collecting and analyzing state, behavioral health district, and  
32 contracted behavioral health provider data.

33 *c.* Establish a record for each individual receiving publicly  
34 funded services from an administrative services organization.  
35 Each record shall include a unique client identifier for the

1 purposes of identifying and tracking the individual's record.

2 *d.* Consult with administrative services organizations,  
3 behavioral health service providers, and other behavioral  
4 health service system stakeholders on an ongoing basis to  
5 implement and maintain the central data repository.

6 *e.* Engage with all entities that maintain information the  
7 department is required to collect pursuant to this section in  
8 order to integrate all data concerning individuals receiving  
9 services within the behavioral health service system.

10 *f.* Engage with all entities that maintain general population  
11 data relating to behavioral health in order to develop action  
12 plans, create projections relating to a population's behavioral  
13 health needs, develop policies concerning behavioral health,  
14 and otherwise perform acts as necessary to enhance the state's  
15 overall behavioral health.

16 2. Administrative services organizations shall report all  
17 data required to be maintained in the central data repository  
18 to the department in a manner as established by the department  
19 by rule. For the purpose of making such data reports, an  
20 administrative services organization shall do one of the  
21 following:

22 *a.* Utilize a data system that integrates with the data  
23 systems used by the department.

24 *b.* Utilize a data system that has the capacity to securely  
25 exchange information with the department, other behavioral  
26 health districts, contractors, and other entities involved with  
27 the behavioral health service system who are authorized to  
28 access the central data repository.

29 3. Data and information maintained by and exchanged between  
30 an administrative services organization and the department  
31 shall be labeled consistently, share the same definitions,  
32 utilize the same common coding and nomenclature, and be in a  
33 form and format as required by the department by rule.

34 4. Administrative services organizations shall report  
35 to the department, in a manner specified by the department,



1 information including but not limited to demographic  
2 information, expenditure data, and data concerning the  
3 behavioral health services and other support provided to  
4 individuals in the administrative service organization's  
5 district.

6 5. The department shall ensure that public and private  
7 agencies, organizations, and individuals that operate within  
8 the behavioral health service system, or that make formal  
9 requests for the release of data collected by the department,  
10 maintain uniform methods for keeping statistical information  
11 relating to behavioral health service system outcomes and  
12 performance.

13 6. The department shall develop and implement a  
14 communication plan that details how outcome and performance  
15 data will be shared with stakeholders including but not limited  
16 to the public, persons involved with the behavioral health  
17 service system, and the general assembly.

18 Sec. 7. NEW SECTION. **225A.7 Behavioral health fund.**

19 1. For purposes of this section:

20 a. "*Population*" means, as of July 1 of the fiscal year  
21 preceding the fiscal year in which the population figure is  
22 applied, the population shown by the latest preceding certified  
23 federal census or the latest applicable population estimate  
24 issued by the United States census bureau, whichever is most  
25 recent.

26 b. "*State growth factor*" for a fiscal year means an amount  
27 equal to the dollar amount used to calculate the appropriation  
28 under this section for the immediately preceding fiscal year  
29 multiplied by the percent increase, if any, in the amount of  
30 sales tax revenue deposited into the general fund of the state  
31 under section 423.2A, subsection 1, paragraph "a", less the  
32 transfers required under section 423.2A, subsection 2, between  
33 the fiscal year beginning three years prior to the applicable  
34 fiscal year and the fiscal year beginning two years prior  
35 to the applicable year, but not to exceed one and one-half

1 percent.

2 2. A behavioral health fund is established in the state  
3 treasury under the control of the department. The fund shall  
4 consist of moneys deposited into the fund pursuant to this  
5 section and section 426B.1, gifts of money or property accepted  
6 by the state or the department to support any services under  
7 this chapter or chapter 231, and moneys otherwise appropriated  
8 by the general assembly. Moneys in the fund are appropriated  
9 to the department to implement and administer the behavioral  
10 health service system and related programs including but not  
11 limited to all of the following:

12 a. Distributions to administrative services organizations  
13 to provide services as outlined in the organizations' district  
14 behavioral health plan.

15 b. Distributions to providers of mental health services  
16 and addictive disorder services, including but not limited to  
17 tobacco use services, substance use disorder services, and  
18 problem gambling services.

19 c. Funding of disability services pursuant to chapter 231.  
20 This paragraph is repealed July 1, 2028.

21 3. For the fiscal year beginning July 1, 2025, there  
22 is transferred from the general fund of the state to the  
23 behavioral health fund an amount equal to forty-two dollars  
24 multiplied by the state's population for the fiscal year.

25 4. For the fiscal year beginning July 1, 2026, and each  
26 succeeding fiscal year, there is transferred from the general  
27 fund of the state to the behavioral health fund an amount equal  
28 to the state's population for the fiscal year multiplied by  
29 the sum of the dollar amount used to calculate the transfer  
30 from the general fund to the behavioral health fund for the  
31 immediately preceding fiscal year, plus the state growth factor  
32 for the fiscal year for which the transfer is being made.

33 5. For each fiscal year, an administrative services  
34 organization shall not spend on administrative costs an amount  
35 more than seven percent of the total amount distributed to the

1 administrative services organization through this section and  
2 all other appropriations for the same fiscal year.

3 6. Moneys in the behavioral health fund may be used by the  
4 department for cash flow purposes, provided that any moneys so  
5 allocated are returned to the behavioral health fund by the end  
6 of each fiscal year.

7 7. Notwithstanding section 12C.7, subsection 2, interest  
8 or earnings on moneys deposited in the behavioral health fund  
9 shall be credited to the behavioral health fund.

10 8. Notwithstanding section 8.33, moneys appropriated in  
11 this section that remain unencumbered or unobligated at the  
12 close of the fiscal year shall not revert but shall remain  
13 available for expenditure for the purposes designated.

14 Sec. 8. NEW SECTION. **225A.8 Addictive disorders prevention**  
15 **— prohibitions.**

16 1. For purposes of this section, "*entity*" means a  
17 manufacturer, distributor, wholesaler, retailer, or  
18 distributing agent, or an agent of a manufacturer, distributor,  
19 wholesaler, retailer, or distributing agent as those terms are  
20 defined in section 453A.1.

21 2. To promote comprehensive tobacco use prevention and  
22 control initiatives outlined in the state behavioral health  
23 service system plan, an entity shall not perform any of the  
24 following acts:

25 a. Give away cigarettes or tobacco products.

26 b. Provide free articles, products, commodities, gifts, or  
27 concessions in any exchange for the purchase of cigarettes or  
28 tobacco products.

29 3. The prohibitions in this section shall not apply to  
30 transactions between manufacturers, distributors, wholesalers,  
31 or retailers as those terms are defined in section 453A.1.

32 Sec. 9. NEW SECTION. **225A.9 Application for services —**  
33 **minors.**

34 A minor who is twelve years of age or older shall have  
35 the legal capacity to act and give consent to the provision

1 of tobacco cessation coaching services pursuant to a tobacco  
2 cessation telephone and internet-based program approved by  
3 the department through the behavioral health service system  
4 established in section 225A.3. Consent shall not be subject to  
5 later disaffirmance by reason of such minority. The consent of  
6 another person, including but not limited to the consent of a  
7 spouse, parent, custodian, or guardian, shall not be necessary.

8 Sec. 10. CODE EDITOR DIRECTIVE. The Code editor is directed  
9 to do all of the following:

10 1. Designate sections 225A.1 through 225A.9, as enacted  
11 in this division of this Act, as Code chapter 225A entitled  
12 "Department of Health and Human Services — Behavioral Health  
13 Service System".

14 2. Correct internal references in the Code and in any  
15 enacted legislation as necessary due to the enactment of this  
16 division of this Act.

17 Sec. 11. EFFECTIVE DATE. This division of this Act takes  
18 effect July 1, 2025.

19 DIVISION II

20 BEHAVIORAL HEALTH SERVICE SYSTEM — CONFORMING CHANGES

21 Sec. 12. Section 11.6, subsection 1, paragraph b, Code 2024,  
22 is amended to read as follows:

23 *b.* The financial condition and transactions of ~~community~~  
24 ~~mental health centers organized under chapter 230A,~~ substance  
25 use disorder programs ~~organized~~ licensed under chapter 125~~7~~ and  
26 community action agencies organized under chapter 216A~~7~~ shall  
27 be audited at least once each year.

28 Sec. 13. Section 97B.1A, subsection 8, paragraph a,  
29 subparagraph (13), Code 2024, is amended by striking the  
30 subparagraph.

31 Sec. 14. Section 123.17, subsection 5, Code 2024, is amended  
32 to read as follows:

33 5. After any transfer provided for in subsection 3 is made,  
34 the department shall transfer into a special revenue account  
35 in the general fund of the state, a sum of money at least equal

1 to seven percent of the gross amount of sales made by the  
2 department from the beer and liquor control fund on a monthly  
3 basis but not less than nine million dollars annually. Of  
4 the amounts transferred, ~~two~~ three million dollars, ~~plus an~~  
5 ~~additional amount determined by the general assembly, shall be~~  
6 ~~appropriated to the department of health and human services for~~  
7 ~~use by the staff who administer the comprehensive substance use~~  
8 ~~disorder program under chapter 125 for substance use disorder~~  
9 ~~treatment and prevention programs shall be transferred to the~~  
10 behavioral health fund established under section 225A.7. Any  
11 amounts received in excess of the amounts ~~appropriated to the~~  
12 ~~department of health and human services for use by the staff~~  
13 ~~who administer the comprehensive substance use disorder program~~  
14 ~~under chapter 125~~ transferred to the behavioral health fund  
15 shall be considered part of the general fund balance.

16 Sec. 15. Section 123.17, subsection 8, Code 2024, is amended  
17 by striking the subsection.

18 Sec. 16. Section 123.17, subsection 9, Code 2024, is amended  
19 to read as follows:

20 9. After any transfers provided for in subsections 3, 5,  
21 6, and 7, ~~and~~ 8 are made, and before any other transfer to the  
22 general fund, the department shall transfer to the economic  
23 development authority from the beer and liquor control fund the  
24 lesser of two hundred fifty thousand dollars or one percent of  
25 the gross sales of native distilled spirits by all class "A"  
26 native distilled spirits license holders made by the department  
27 for the purposes of promoting Iowa wine, beer, and spirits.

28 Sec. 17. Section 124.409, subsection 2, Code 2024, is  
29 amended by striking the subsection.

30 Sec. 18. Section 125.2, subsections 4, 5, and 10, Code 2024,  
31 are amended by striking the subsections.

32 Sec. 19. Section 125.91, subsection 1, Code 2024, is amended  
33 to read as follows:

34 1. The procedure prescribed by this section shall only  
35 be used for a person with a substance use disorder due to

1 intoxication or substance-induced incapacitation who has  
2 threatened, attempted, or inflicted physical self-harm or harm  
3 on another, and is likely to inflict physical self-harm or harm  
4 on another unless immediately detained, or who is incapacitated  
5 by a chemical substance, if an application has not been filed  
6 naming the person as the respondent pursuant to section 125.75  
7 and the person cannot be ordered into immediate custody and  
8 detained pursuant to section 125.81.

9     Sec. 20. Section 125.93, Code 2024, is amended to read as  
10 follows:

11     **125.93 Commitment records — confidentiality.**

12     Records of the identity, diagnosis, prognosis, or treatment  
13 of a person which are maintained in connection with the  
14 provision of substance use disorder treatment services are  
15 confidential, consistent with ~~the requirements of section~~  
16 ~~125.37, and with the~~ federal confidentiality regulations  
17 authorized by ~~the federal Drug Abuse Office and Treatment Act,~~  
18 ~~42 U.S.C. §290ee~~ and the federal Comprehensive Alcohol Abuse  
19 and Alcoholism Prevention, Treatment and Rehabilitation Act, 42  
20 U.S.C. §290dd-2. However, such records may be disclosed to an  
21 employee of the department of corrections, if authorized by the  
22 director of the department of corrections, or to an employee  
23 of a judicial district department of correctional services, if  
24 authorized by the director of the judicial district department  
25 of correctional services.

26     Sec. 21. Section 135.11, subsection 11, Code 2024, is  
27 amended to read as follows:

28     11. Administer chapters 125, 136A, 136C, 139A, 142, ~~142A,~~  
29 144, and 147A.

30     Sec. 22. Section 135C.2, subsection 5, unnumbered paragraph  
31 1, Code 2024, is amended to read as follows:

32     The department shall establish a special classification  
33 within the residential care facility category in order to  
34 foster the development of residential care facilities which  
35 serve persons with an intellectual disability, chronic mental

1 illness, a developmental disability, or brain injury, ~~as~~  
2 ~~described under section 225C.26,~~ and which contain five or  
3 fewer residents. A facility within the special classification  
4 established pursuant to this subsection is exempt from the  
5 requirements of section 10A.713. The department shall adopt  
6 rules which are consistent with rules previously developed for  
7 the ~~waiver demonstration~~ waiver project pursuant to 1986 Iowa  
8 Acts, ch. 1246, §206, and which include all of the following  
9 provisions:

10 Sec. 23. Section 135C.6, subsection 1, Code 2024, is amended  
11 to read as follows:

12 1. A person or governmental unit acting severally or  
13 jointly with any other person or governmental unit shall not  
14 establish or operate a health care facility in this state  
15 without a license for the facility. A supported community  
16 living service, as defined in section ~~225C.21~~ 249A.38A, is not  
17 required to be licensed under this chapter, but is subject to  
18 approval under section ~~225C.21~~ 249A.38A in order to receive  
19 public funding.

20 Sec. 24. Section 135C.23, subsection 1, unnumbered  
21 paragraph 1, Code 2024, is amended to read as follows:

22 Each resident shall be covered by a contract executed  
23 by the resident, or the resident's legal representative,  
24 and the health care facility at or prior to the time of the  
25 resident's admission or prior thereto by the resident, or the  
26 ~~legal representative, and the health care facility, except as~~  
27 ~~otherwise provided by subsection 5 with respect to residents~~  
28 ~~admitted at public expense to a county care facility operated~~  
29 ~~under chapter 347B.~~ Each party to the contract shall be  
30 entitled to a duplicate of the original thereof contract, and  
31 the health care facility shall keep on file all contracts  
32 which it has with residents and shall not destroy or otherwise  
33 dispose of any such contract for at least one year after its  
34 expiration. Each such contract shall expressly set forth:

35 Sec. 25. Section 135C.23, subsection 2, paragraph b, Code

1 2024, is amended to read as follows:

2     **b.** This section does not prohibit the admission of a  
3 patient with a history of dangerous or disturbing behavior to  
4 an intermediate care facility for persons with mental illness,  
5 intermediate care facility for persons with an intellectual  
6 disability, or nursing facility, ~~or county care facility~~ when  
7 the intermediate care facility for persons with mental illness,  
8 intermediate care facility for persons with an intellectual  
9 disability, or nursing facility, ~~or county care facility~~ has a  
10 program which has received prior approval from the department  
11 to properly care for and manage the patient. An intermediate  
12 care facility for persons with mental illness, intermediate  
13 care facility for persons with an intellectual disability,  
14 or nursing facility, ~~or county care facility~~ is required to  
15 transfer or discharge a resident with dangerous or disturbing  
16 behavior when the intermediate care facility for persons with  
17 mental illness, intermediate care facility for persons with an  
18 intellectual disability, or nursing facility, ~~or county care~~  
19 ~~facility~~ cannot control the resident's dangerous or disturbing  
20 behavior. The department, ~~in coordination with the state~~  
21 ~~mental health and disability services commission created in~~  
22 ~~section 225C.5,~~ shall adopt rules pursuant to chapter 17A for  
23 programs to be required in intermediate care facilities for  
24 persons with mental illness, intermediate care facilities  
25 for persons with an intellectual disability, and nursing  
26 facilities, ~~and county care facilities~~ that admit patients  
27 or have residents with histories of dangerous or disturbing  
28 behavior.

29     Sec. 26. Section 135C.23, subsection 5, Code 2024, is  
30 amended by striking the subsection.

31     Sec. 27. Section 135C.24, subsection 5, Code 2024, is  
32 amended by striking the subsection.

33     Sec. 28. Section 135G.1, subsection 12, Code 2024, is  
34 amended to read as follows:

35     12. a. "*Subacute mental health services*" means ~~the same~~



1 ~~as defined in section 225C.6~~ services that provide all of the  
2 following:

3 (1) A comprehensive set of wraparound services for a  
4 person who has had, or is at imminent risk of having, acute or  
5 crisis mental health symptoms that do not permit the person to  
6 remain in or threatens removal of the person from the person's  
7 home and community, but who has been determined by a mental  
8 health professional and a licensed health care professional,  
9 subject to the professional's scope of practice, not to need  
10 inpatient acute hospital services. For the purposes of this  
11 subparagraph, "licensed health care professional" means a person  
12 licensed under chapter 148, an advanced registered nurse  
13 practitioner, or a physician assistant.

14 (2) Intensive, recovery-oriented treatment and monitoring  
15 of a person. Treatment may be provided directly or remotely  
16 by a licensed psychiatrist or an advanced registered nurse  
17 practitioner.

18 (3) An outcome-focused, interdisciplinary approach designed  
19 to return a person to living successfully in the community.

20 b. Subacute mental health services may include services  
21 provided in a wide array of settings ranging from a person's  
22 home to a specialized facility with restricted means of egress.

23 c. Subacute mental health services shall be limited to a  
24 period not to exceed ten calendar days or another time period  
25 determined in accordance with rules adopted by the department  
26 for this purpose, whichever is longer.

27 Sec. 29. Section 142.1, Code 2024, is amended to read as  
28 follows:

29 **142.1 Delivery of bodies.**

30 The body of every person ~~dying~~ who died in a public asylum,  
31 hospital, ~~county care facility,~~ penitentiary, or reformatory  
32 in this state, or found dead within the state, or ~~which~~ who  
33 is to be buried at public expense in this state, except those  
34 buried under the provisions of chapter 144C or 249, and which  
35 is suitable for scientific purposes, shall be delivered to the

1 medical college of the state university, or some osteopathic  
2 or chiropractic college or school located in this state, which  
3 has been approved under the law regulating the practice of  
4 osteopathic medicine or chiropractic; but no such body shall  
5 be delivered to any such college or school if the deceased  
6 person expressed a desire during the person's last illness  
7 that the person's body should be buried or cremated, nor if  
8 such is the desire of the person's relatives. Such bodies  
9 shall be equitably distributed among said colleges and schools  
10 according to their needs for teaching anatomy in accordance  
11 with such rules as may be adopted by the department of health  
12 and human services. The expense of transporting said bodies to  
13 such college or school shall be paid by the college or school  
14 receiving the same. If the deceased person has not expressed  
15 a desire during the person's last illness that the person's  
16 body should be buried or cremated and no person authorized to  
17 control the deceased person's remains under section 144C.5  
18 requests the person's body for burial or cremation, and if a  
19 friend objects to the use of the deceased person's body for  
20 scientific purposes, said deceased person's body shall be  
21 ~~forthwith~~ delivered to such friend for burial or cremation at  
22 no expense to the state or county. Unless such friend provides  
23 for burial and burial expenses within five days, the body shall  
24 be used for scientific purposes under this chapter.

25 Sec. 30. Section 142.3, Code 2024, is amended to read as  
26 follows:

27 **142.3 Notification of department.**

28 Every county medical examiner, funeral director or embalmer,  
29 and the managing officer of every public asylum, hospital,  
30 ~~county care facility,~~ penitentiary, or reformatory, as soon as  
31 any dead body shall come into the person's custody which may be  
32 used for scientific purposes as provided in sections 142.1 and  
33 142.2, shall at once notify the nearest relative or friend of  
34 the deceased, if known, and the department of health and human  
35 services, and hold such body unburied for forty-eight hours.

1 Upon receipt of notification, the department shall issue verbal  
2 or written instructions relative to the disposition to be made  
3 of said body. Complete jurisdiction over said bodies is vested  
4 exclusively in the department of health and human services. No  
5 autopsy or post mortem, except as are legally ordered by county  
6 medical examiners, shall be performed on any of said bodies  
7 prior to their delivery to the medical schools.

8 Sec. 31. NEW SECTION. **217.17 State health improvement plan.**

9 1. The department shall develop, implement, and administer  
10 a state health improvement plan to identify health priorities,  
11 goals, and measurable objectives, and outline strategies to  
12 improve health statewide.

13 2. The state health improvement plan shall be developed  
14 and updated in collaboration and in coordination with other  
15 state departments, stakeholders, and statewide organizations  
16 the department determines to be relevant.

17 3. The state health improvement plan may be updated by the  
18 department at the department's discretion.

19 Sec. 32. NEW SECTION. **217.37 Recovery of payment —**  
20 **assignment of liens — county attorney to enforce.**

21 1. For purposes of this section, "*assistance*" means all of  
22 the following:

23 *a.* A payment by the state for services rendered through  
24 the behavioral health service system established under section  
25 225A.3.

26 *b.* A payment by the state for aging and disability services  
27 rendered in accordance with chapter 231.

28 2. The department shall have the authority to investigate if  
29 a person is eligible to have assistance paid on the person's  
30 behalf and whether payment of assistance was proper.

31 3. Notwithstanding any provision of law to the contrary,  
32 assistance shall not be recoverable unless the department  
33 finds that the assistance was paid for the benefit of a person  
34 who was not entitled to have assistance paid on the person's  
35 behalf.

1 4. Assistance paid for the benefit of a person who was  
2 not entitled to have assistance paid on the person's behalf  
3 shall be recoverable from the entity to which the assistance  
4 was paid, from the person on whose behalf assistance was paid,  
5 or from a third party who is liable for the person's debts or  
6 support.

7 5. Upon the death of a person who was not entitled to  
8 have assistance paid on the person's behalf, the department  
9 shall have a lien equivalent in priority to liens described  
10 in section 633.425, subsection 6, against the person's estate  
11 for the portion of the assistance improperly paid which the  
12 department had not recovered at the time of the person's death.

13 6. The department may waive all or a portion of improperly  
14 paid assistance, or a lien created under subsection 5, if  
15 the department finds that collection would result in undue  
16 hardship.

17 7. The department shall adopt rules pursuant to chapter 17A  
18 to implement and administer this section.

19 Sec. 33. Section 218.30, Code 2024, is amended to read as  
20 follows:

21 **218.30 Investigation of other facilities.**

22 The director may investigate or cause the investigation of  
23 charges of abuse, neglect, or mismanagement on the part of an  
24 officer or employee of a private facility which is subject to  
25 the director's supervision or control. ~~The director shall also~~  
26 ~~investigate or cause the investigation of charges concerning~~  
27 ~~county care facilities in which persons with mental illness are~~  
28 ~~served.~~

29 Sec. 34. Section 218.78, subsection 1, Code 2024, is amended  
30 to read as follows:

31 1. All institutional receipts of the department, including  
32 funds received from client participation at the state resource  
33 centers under section 222.78 ~~and at the state mental health~~  
34 ~~institutes under section 230.20~~, shall be deposited in the  
35 general fund except for reimbursements for services provided

1 to another institution or state agency, for receipts deposited  
2 in the revolving farm fund under section 904.706, for deposits  
3 into the medical assistance fund under section 249A.11, and for  
4 rentals charged to employees or others for room, apartment, or  
5 house and meals, which shall be available to the institutions.

6 Sec. 35. Section 222.1, subsection 1, Code 2024, is amended  
7 to read as follows:

8 1. This chapter addresses the public and private services  
9 available in this state to meet the needs of persons with an  
10 intellectual disability. ~~The responsibility of the mental  
11 health and disability services regions formed by counties and  
12 of the state for the costs and administration of publicly  
13 funded services shall be as set out in section 222.60 and other  
14 pertinent sections of this chapter.~~

15 Sec. 36. Section 222.2, Code 2024, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. 01. *"Administrative services organization"*  
18 means the same as defined in section 225A.1.

19 Sec. 37. Section 222.2, subsections 6 and 7, Code 2024, are  
20 amended by striking the subsections.

21 Sec. 38. Section 222.12, subsection 2, Code 2024, is amended  
22 by striking the subsection.

23 Sec. 39. Section 222.13, Code 2024, is amended to read as  
24 follows:

25 **222.13 Voluntary admissions.**

26 1. If an adult person is believed to be a person with an  
27 intellectual disability, the adult person or the adult person's  
28 guardian may apply to the department and the superintendent of  
29 any state resource center for the voluntary admission of the  
30 adult person either as an inpatient or an outpatient of the  
31 resource center. ~~If the expenses of the person's admission  
32 or placement are payable in whole or in part by the person's  
33 county of residence, application for the admission shall be  
34 made through the regional administrator. An application for  
35 admission to a special unit of any adult person believed to be~~

1 ~~in need of any of the services provided by the special unit~~  
2 ~~under section 222.88 may be made in the same manner. The~~  
3 superintendent shall accept the application if a preadmission  
4 diagnostic evaluation confirms or establishes the need for  
5 admission, except that an application shall not be accepted if  
6 the institution does not have adequate facilities available or  
7 if the acceptance will result in an overcrowded condition.

8 2. If the resource center does not have an appropriate  
9 program for the treatment of an adult or minor person with an  
10 intellectual disability applying under this section or section  
11 222.13A, ~~the regional administrator for the person's county~~  
12 ~~of residence or the department, as applicable,~~ shall arrange  
13 for the placement of the person in any public or private  
14 facility within or ~~without~~ outside of the state, approved by  
15 the director, which offers appropriate services for the person.  
16 ~~If the expenses of the placement are payable in whole or in~~  
17 ~~part by a county, the placement shall be made by the regional~~  
18 ~~administrator for the county.~~

19 3. ~~If the expenses of an admission of an adult to a resource~~  
20 ~~center or a special unit, or of the placement of the person~~  
21 ~~in a public or private facility are payable in whole or in~~  
22 ~~part by a mental health and disability services region, the~~  
23 ~~regional administrator shall make a full investigation into~~  
24 ~~the financial circumstances of the person and those liable for~~  
25 ~~the person's support under section 222.78 to determine whether~~  
26 ~~or not any of them are able to pay the expenses arising out of~~  
27 ~~the admission of the person to a resource center, special unit,~~  
28 ~~or public or private facility. If the regional administrator~~  
29 ~~finds that the person or those legally responsible for~~  
30 ~~the person are presently unable to pay the expenses, the~~  
31 ~~regional administrator shall pay the expenses. The regional~~  
32 ~~administrator may review such a finding at any subsequent~~  
33 ~~time while the person remains at the resource center, or is~~  
34 ~~otherwise receiving care or treatment for which this chapter~~  
35 ~~obligates the region to pay. If the regional administrator~~

~~1 finds upon review that the person or those legally responsible  
2 for the person are presently able to pay the expenses, the  
3 finding shall apply only to the charges incurred during the  
4 period beginning on the date of the review and continuing  
5 thereafter, unless and until the regional administrator again  
6 changes such a finding. If the regional administrator finds  
7 that the person or those legally responsible for the person  
8 are able to pay the expenses, the regional administrator shall  
9 collect the charges to the extent required by section 222.78,  
10 and the regional administrator shall be responsible for the  
11 payment of the remaining charges.~~

12 Sec. 40. Section 222.13A, subsections 3 and 4, Code 2024,  
13 are amended to read as follows:

14 3. During the preadmission diagnostic evaluation, the  
15 minor shall be informed both orally and in writing that the  
16 minor has the right to object to the voluntary admission. ~~If~~  
17 Notwithstanding section 222.33, if the preadmission diagnostic  
18 evaluation determines that the voluntary admission is  
19 appropriate but the minor objects to the admission, the minor  
20 shall not be admitted to the state resource center unless the  
21 court approves of the admission. A petition for approval of  
22 the minor's admission may be submitted to the juvenile court by  
23 the minor's parent, guardian, or custodian.

24 4. As soon as practicable after the filing of a petition for  
25 approval of the voluntary admission, the court shall determine  
26 whether the minor has an attorney to represent the minor in the  
27 proceeding. If the minor does not have an attorney, the court  
28 shall assign an attorney to the minor ~~an attorney~~. If the  
29 minor is unable to pay for an attorney, the attorney shall be  
30 compensated by ~~the mental health and disability services region~~  
31 an administrative services organization at an hourly rate to be  
32 established ~~by the regional administrator~~ in substantially the  
33 same manner as provided in section 815.7.

34 Sec. 41. Section 222.14, Code 2024, is amended to read as  
35 follows:

1       **222.14 Care by ~~region~~ pending admission.**

2       If the institution is unable to receive a patient, the  
3 superintendent shall notify ~~the regional administrator for the~~  
4 ~~county of residence of the prospective patient~~ an administrative  
5 services organization. Until such time as the patient is able  
6 to be received by the institution, or when application has been  
7 made for admission to a public or private facility as provided  
8 in section 222.13 and the application is pending, the care  
9 of the patient shall be provided as arranged by the ~~regional~~  
10 ~~administrator~~ administrative services organization.

11       Sec. 42. NEW SECTION. **222.33 State resource center —**  
12 **admissions and discharge.**

13       1. The department shall make all final determinations  
14 concerning whether a person may be admitted to a state resource  
15 center.

16       2. If a patient is admitted to a state resource center  
17 pursuant to section 222.13 or 222.13A, and the patient  
18 wishes to be placed outside of the state resource center, the  
19 discharge of the patient shall be made in accordance with  
20 section 222.15.

21       Sec. 43. NEW SECTION. **222.35 State — payor of last resort.**

22       The department shall implement services and adopt rules  
23 pursuant to chapter 17A in a manner that ensures that the state  
24 is the payor of last resort, and that the department shall not  
25 make any payments for services that have been provided until  
26 the department has determined that the services provided are  
27 not payable by a third-party source.

28       Sec. 44. Section 222.73, subsections 2 and 4, Code 2024, are  
29 amended by striking the subsections.

30       Sec. 45. Section 222.77, Code 2024, is amended to read as  
31 follows:

32       **222.77 Patients on leave.**

33       The cost of support of patients placed on convalescent leave  
34 or removed as a habilitation measure from a resource center,  
35 ~~or a special unit,~~ except when living in the home of a person



1 legally bound for the support of the patient, shall be paid by  
2 ~~the county of residence or the state as provided in section~~  
3 ~~222.60.~~

4 Sec. 46. Section 222.78, subsection 1, Code 2024, is amended  
5 to read as follows:

6 1. The father and mother of any patient admitted to a  
7 resource center ~~or to a special unit~~, as either an inpatient  
8 or an outpatient, and any person, firm, or corporation bound  
9 by contract made for support of the patient, are liable for  
10 the support of the patient. The patient and those legally  
11 bound for the support of the patient shall be liable to  
12 ~~the county or state, as applicable,~~ for all sums advanced  
13 ~~in accordance with the provisions of sections 222.60 and~~  
14 222.77 relating to reasonable attorney fees and court costs for  
15 the patient's admission to the resource center, and for the  
16 treatment, training, instruction, care, habilitation, support,  
17 transportation, or other expenditures made on behalf of the  
18 patient pursuant to this chapter.

19 Sec. 47. Section 222.79, Code 2024, is amended to read as  
20 follows:

21 **222.79 Certification statement presumed correct.**

22 In actions to enforce the liability imposed by section  
23 222.78, the superintendent ~~or the county of residence, as~~  
24 ~~applicable,~~ shall submit a certification statement stating  
25 the sums charged, and the certification statement shall be  
26 considered presumptively correct.

27 Sec. 48. Section 222.80, Code 2024, is amended to read as  
28 follows:

29 **222.80 Liability to ~~county or state.~~**

30 A person admitted to a county institution ~~or home~~ or admitted  
31 at ~~county or state~~ expense to a private hospital, sanitarium,  
32 or other facility for treatment, training, instruction, care,  
33 habilitation, and support as a patient with an intellectual  
34 disability shall be liable to the ~~county or state, as~~  
35 ~~applicable,~~ for the reasonable cost of the support as provided

1 in section 222.78.

2 Sec. 49. Section 222.82, Code 2024, is amended to read as  
3 follows:

4 **222.82 Collection of liabilities and claims.**

5 If liabilities and claims exist as provided in section  
6 222.78 or any other provision of this chapter, ~~the county of~~  
7 ~~residence or the state, as applicable,~~ may proceed as provided  
8 in this section. ~~If the liabilities and claims are owed to~~  
9 ~~a county of residence, the county's board of supervisors may~~  
10 ~~direct the county attorney to proceed with the collection of~~  
11 ~~the liabilities and claims as a part of the duties of the~~  
12 ~~county attorney's office when the board of supervisors deems~~  
13 ~~such action advisable. If the liabilities and claims are owed~~  
14 ~~to the state, the state shall proceed with the collection.~~  
15 ~~The board of supervisors or the state, as applicable,~~ may  
16 compromise any and all liabilities to the ~~county or~~ state  
17 arising under this chapter when such compromise is deemed to be  
18 in the best interests of the ~~county or~~ state. Any collections  
19 and liens shall be limited in conformance to section 614.1,  
20 subsection 4.

21 Sec. 50. Section 222.85, subsection 2, Code 2024, is amended  
22 to read as follows:

23 2. Moneys paid to a resource center from any source other  
24 than state appropriated funds and intended to pay all or a  
25 portion of the cost of care of a patient, which cost would  
26 otherwise be paid from state ~~or county~~ funds or from the  
27 patient's own funds, shall not be deemed "funds belonging to a  
28 patient" for the purposes of this section.

29 Sec. 51. Section 222.86, Code 2024, is amended to read as  
30 follows:

31 **222.86 Payment for care from fund.**

32 If a patient is not receiving medical assistance under  
33 chapter 249A and the amount in the account of any patient  
34 in the patients' personal deposit fund exceeds two hundred  
35 dollars, the department may apply any amount of the excess to

1 reimburse the ~~county of residence or the~~ state for liability  
2 incurred by the ~~county or~~ the state for the payment of care,  
3 support, and maintenance of the patient, when billed by the  
4 ~~county or state, as applicable.~~

5 Sec. 52. Section 222.92, subsection 1, Code 2024, is amended  
6 to read as follows:

7 1. The department shall operate the state resource centers  
8 on the basis of net appropriations from the general fund of  
9 the state. The appropriation amounts shall be the net amounts  
10 of state moneys projected to be needed for the state resource  
11 centers for the fiscal year of the appropriations. The purpose  
12 of utilizing net appropriations is to encourage the state  
13 resource centers to operate with increased self-sufficiency, to  
14 improve quality and efficiency, and to support collaborative  
15 efforts between the state resource centers and ~~counties and~~  
16 ~~other~~ providers of funding for the services available from  
17 the state resource centers. The state resource centers shall  
18 not be operated under the net appropriations in a manner that  
19 results in a cost increase to the state or in cost shifting  
20 between the state, the medical assistance program, ~~counties,~~ or  
21 other sources of funding for the state resource centers.

22 Sec. 53. Section 222.92, subsection 3, paragraph a, Code  
23 2024, is amended by striking the paragraph.

24 Sec. 54. Section 225.1, subsection 2, Code 2024, is amended  
25 to read as follows:

26 2. For the purposes of this chapter, unless the context  
27 otherwise requires:

28 ~~a. "Mental health and disability services region" means~~  
29 ~~a mental health and disability services region approved in~~  
30 ~~accordance with section 225C.56. "Administrative services~~  
31 ~~organization" means the same as defined in section 225A.1.~~

32 ~~b. "Regional administrator" means the administrator of a~~  
33 ~~mental health and disability services region, as defined in~~  
34 ~~section 225C.55. "Department" means the department of health~~  
35 ~~and human services.~~

1     *c.* "Respondent" means the same as defined in section 229.1.

2     Sec. 55. NEW SECTION. **225.4 State psychiatric hospital —**  
3 **admissions.**

4     The department shall make all final determinations  
5 concerning whether a person may be admitted to the state  
6 psychiatric hospital.

7     Sec. 56. Section 225.11, Code 2024, is amended to read as  
8 follows:

9     **225.11 Initiating commitment procedures.**

10     When a court finds upon completion of a hearing held pursuant  
11 to section 229.12 that the contention that a respondent is  
12 seriously mentally impaired has been sustained by clear and  
13 convincing evidence, and the application filed under section  
14 229.6 also contends or the court otherwise concludes that it  
15 would be appropriate to refer the respondent to the state  
16 psychiatric hospital for a complete psychiatric evaluation and  
17 appropriate treatment pursuant to section 229.13, the judge  
18 may order that a financial investigation be made in the manner  
19 prescribed by section 225.13. If the costs of a respondent's  
20 evaluation or treatment are payable in whole or in part by a  
21 ~~county~~ an administrative services organization, an order under  
22 this section shall be for referral of the respondent ~~through~~  
23 ~~the regional administrator for the respondent's county of~~  
24 ~~residence~~ by an administrative services organization for an  
25 evaluation and referral of the respondent to an appropriate  
26 placement or service, which may include the state psychiatric  
27 hospital for additional evaluation or treatment.

28     Sec. 57. Section 225.12, Code 2024, is amended to read as  
29 follows:

30     **225.12 Voluntary public patient — physician's or physician**  
31 **assistant's report.**

32     A physician or a physician assistant who meets the  
33 qualifications set forth in the definition of a mental health  
34 professional in section 228.1 ~~filing information under~~  
35 ~~section 225.10 shall include a written report to the regional~~

1 ~~administrator for the county of residence of the person named~~  
2 ~~in the information, giving~~ shall submit a detailed history of  
3 the case to an administrative services organization as will be  
4 likely to aid in the observation, treatment, and hospital care  
5 of the person ~~and describing the history in detail.~~

6 Sec. 58. Section 225.13, Code 2024, is amended to read as  
7 follows:

8 **225.13 Financial condition.**

9 ~~The regional administrator for the county of residence of~~  
10 ~~a person being admitted to the state psychiatric hospital is~~  
11 Administrative services organizations shall be responsible for  
12 investigating the financial condition of ~~the~~ a person and of  
13 those legally responsible for the person's support.

14 Sec. 59. Section 225.15, Code 2024, is amended to read as  
15 follows:

16 **225.15 Examination and treatment.**

17 ~~1.~~ When a respondent arrives at the state psychiatric  
18 hospital, the admitting physician, or a physician assistant  
19 who meets the qualifications set forth in the definition of a  
20 mental health professional in section 228.1, shall examine the  
21 respondent and determine whether or not, in the physician's  
22 or physician assistant's judgment, the respondent is a fit  
23 subject for observation, treatment, and hospital care. If,  
24 upon examination, the physician or physician assistant who  
25 meets the qualifications set forth in the definition of a  
26 mental health professional in section 228.1 decides that the  
27 respondent should be admitted to the hospital, the respondent  
28 shall be provided a proper bed in the hospital. The physician  
29 or physician assistant who meets the qualifications set forth  
30 in the definition of a mental health professional in section  
31 228.1 who has charge of the respondent shall proceed with  
32 observation, medical treatment, and hospital care as in the  
33 physician's or physician assistant's judgment are proper and  
34 necessary, in compliance with sections 229.13, 229.14, this  
35 section, and section 229.16. After the respondent's admission,

1 the observation, medical treatment, and hospital care of the  
2 respondent may be provided by a mental health professional,  
3 as defined in section 228.1, who is licensed as a physician,  
4 advanced registered nurse practitioner, or physician assistant.

5 ~~2. A proper and competent nurse shall also be assigned to~~  
6 ~~look after and care for the respondent during observation,~~  
7 ~~treatment, and care. Observation, treatment, and hospital~~  
8 ~~care under this section which are payable in whole or in part~~  
9 ~~by a county shall only be provided as determined through~~  
10 ~~the regional administrator for the respondent's county of~~  
11 ~~residence.~~

12 Sec. 60. Section 225.16, subsection 1, Code 2024, is amended  
13 to read as follows:

14 1. ~~If the regional administrator for a person's county of~~  
15 ~~residence~~ department finds from the physician's information  
16 or from the information of a physician assistant who  
17 meets the qualifications set forth in the definition of  
18 a mental health professional in section 228.1 which was  
19 filed under the provisions of section ~~225.10~~ 225.12 that it  
20 would be appropriate for the person to be admitted to the  
21 state psychiatric hospital, and ~~the report of the regional~~  
22 ~~administrator made pursuant to section 225.13~~ shows the  
23 department finds that the person and those who are legally  
24 responsible for the person are not able to pay the expenses  
25 incurred at the hospital, or are able to pay only a part of  
26 the expenses, the person shall be considered to be a voluntary  
27 public patient and ~~the regional administrator shall direct that~~  
28 ~~the person~~ shall be sent to the state psychiatric hospital at  
29 ~~the state university of Iowa~~ for observation, treatment, and  
30 hospital care.

31 Sec. 61. Section 225.17, subsection 2, Code 2024, is amended  
32 to read as follows:

33 2. When the respondent arrives at the hospital, the  
34 respondent shall receive the same treatment as is provided for  
35 committed public patients in section 225.15, in compliance

1 with sections 229.13 through 229.16. ~~However, observation,~~  
2 ~~treatment, and hospital care under this section of a respondent~~  
3 ~~whose expenses are payable in whole or in part by a county~~  
4 ~~shall only be provided as determined through the regional~~  
5 ~~administrator for the respondent's county of residence.~~

6 Sec. 62. Section 225.18, Code 2024, is amended to read as  
7 follows:

8 **225.18 Attendants.**

9 ~~The regional administrator~~ An administrative services  
10 organization may appoint an attendant to accompany the  
11 committed public patient or the voluntary public patient  
12 or the committed private patient from the place where the  
13 patient may be to the state psychiatric hospital, or to  
14 accompany the patient from the hospital to a place as may  
15 be designated by the ~~regional administrator~~ administrative  
16 services organization. If a patient is moved pursuant to this  
17 section, at least one attendant shall be of the same gender as  
18 the patient.

19 Sec. 63. Section 225.22, Code 2024, is amended to read as  
20 follows:

21 **225.22 Liability of private patients — payment.**

22 Every committed private patient, if the patient has an  
23 estate sufficient for that purpose, or if those legally  
24 responsible for the patient's support are financially able,  
25 shall be liable to the ~~county and~~ state for all expenses paid  
26 by ~~them in~~ the state on behalf of such patient. All bills  
27 for the care, nursing, observation, treatment, medicine, and  
28 maintenance of such patients shall be paid by the director of  
29 the department of administrative services in the same manner as  
30 those of committed and voluntary public patients as provided in  
31 this chapter, unless the patient or those legally responsible  
32 for the patient make such settlement with the state psychiatric  
33 hospital.

34 Sec. 64. Section 225.24, Code 2024, is amended to read as  
35 follows:

1       **225.24 Collection of preliminary expense.**

2       Unless a committed private patient or those legally  
3 responsible for the patient's support offer to settle the  
4 amount of the claims, the ~~regional administrator for the~~  
5 ~~person's county of residence~~ department shall collect, by  
6 action if necessary, the amount of all claims for per diem and  
7 expenses that have been approved by the ~~regional administrator~~  
8 ~~for the county~~ an administrative services organization and  
9 paid by the ~~regional administrator as provided under section~~  
10 ~~225.21~~ administrative services organization. Any amount  
11 collected shall be credited to the ~~mental health and disability~~  
12 ~~services region combined account created~~ behavioral health fund  
13 established in accordance with section ~~225C.58~~ 225A.7.

14       Sec. 65. Section 225.27, Code 2024, is amended to read as  
15 follows:

16       **225.27 Discharge — transfer.**

17       The state psychiatric hospital may, at any time, discharge  
18 any patient as recovered, as improved, or as not likely to  
19 be benefited by further treatment. If the patient being so  
20 discharged was involuntarily hospitalized, the hospital shall  
21 notify the committing judge or court of the discharge as  
22 required by section 229.14 or section 229.16, ~~whichever is as~~  
23 ~~applicable, and the applicable regional administrator~~. Upon  
24 receiving the notification, the court shall issue an order  
25 confirming the patient's discharge from the hospital or from  
26 care and custody, as the case may be, and shall terminate the  
27 proceedings pursuant to which the order was issued. The court  
28 or judge shall, if necessary, appoint a person to accompany the  
29 discharged patient from the state psychiatric hospital to such  
30 place as the hospital or the court may designate, or authorize  
31 the hospital to appoint such attendant.

32       Sec. 66. Section 226.1, subsection 4, Code 2024, is amended  
33 by adding the following new paragraph:

34       NEW PARAGRAPH. *Oa.* "Administrative services organization"  
35 means the same as defined in section 225A.1.



1     Sec. 67. Section 226.1, subsection 4, paragraphs d and f,  
2 Code 2024, are amended by striking the paragraphs.

3     Sec. 68. Section 226.8, subsection 2, Code 2024, is amended  
4 to read as follows:

5     2. Charges for the care of any person with a diagnosis of  
6 an intellectual disability admitted to a state mental health  
7 institute shall be made by the institute in the manner provided  
8 by chapter 230, but the liability of any other person to ~~any~~  
9 ~~mental health and disability services region~~ the state for the  
10 cost of care of such person with a diagnosis of an intellectual  
11 disability shall be as prescribed by section 222.78.

12     Sec. 69. Section 226.32, Code 2024, is amended to read as  
13 follows:

14     **226.32 Overcrowded conditions.**

15     The director shall order the discharge or removal from the  
16 mental health institute of incurable and harmless patients  
17 whenever it is necessary to make room for recent cases. ~~If~~  
18 ~~a patient who is to be discharged entered the mental health~~  
19 ~~institute voluntarily, the director shall notify the regional~~  
20 ~~administrator for the county interested at least ten days in~~  
21 ~~advance of the day of actual discharge.~~

22     Sec. 70. Section 226.34, subsection 2, paragraph d, Code  
23 2024, is amended by striking the paragraph.

24     Sec. 71. Section 228.6, subsection 1, Code 2024, is amended  
25 to read as follows:

26     1. A mental health professional or an employee of or  
27 agent for a mental health facility may disclose mental health  
28 information if and to the extent necessary, to meet the  
29 requirements of section 229.24, 229.25, ~~230.20, 230.21, 230.25,~~  
30 ~~230.26,~~ 230A.108, 232.74, or 232.147, or to meet the compulsory  
31 reporting or disclosure requirements of other state or federal  
32 law relating to the protection of human health and safety.

33     Sec. 72. Section 229.1, Code 2024, is amended by adding the  
34 following new subsection:

35     NEW SUBSECTION. 01. *"Administrative services organization"*

1 means the same as defined in section 225A.1.

2 Sec. 73. Section 229.1, subsections 11, 18, and 19, Code  
3 2024, are amended by striking the subsections.

4 Sec. 74. Section 229.1B, Code 2024, is amended to read as  
5 follows:

6 **229.1B ~~Regional administrator~~ Administrative services**  
7 **organization.**

8 Notwithstanding any provision of this chapter to the  
9 contrary, any person whose hospitalization expenses are  
10 payable in whole or in part by ~~a mental health and disability~~  
11 ~~services region~~ an administrative services organization  
12 shall be subject to all administrative requirements of the  
13 ~~regional administrator for the county~~ administrative services  
14 organization.

15 Sec. 75. Section 229.2, subsection 1, paragraph b,  
16 subparagraph (3), Code 2024, is amended to read as follows:

17 (3) As soon as is practicable after the filing of a  
18 petition for juvenile court approval of the admission of the  
19 minor, the juvenile court shall determine whether the minor  
20 has an attorney to represent the minor in the hospitalization  
21 proceeding, and if not, the court shall assign to the minor  
22 an attorney. If the minor is financially unable to pay for  
23 an attorney, the attorney shall be compensated by ~~the mental~~  
24 ~~health and disability services region~~ an administrative  
25 services organization at an hourly rate to be established  
26 by the ~~regional administrator for the county~~ in which the  
27 ~~proceeding is held~~ administrative services organization in  
28 substantially the same manner as provided in section 815.7.

29 Sec. 76. Section 229.2, subsection 2, paragraph a, Code  
30 2024, is amended to read as follows:

31 a. The chief medical officer of a public hospital shall  
32 receive and may admit the person whose admission is sought,  
33 subject in cases other than medical emergencies to availability  
34 of suitable accommodations and to the provisions of ~~sections~~  
35 section 229.41 and 229.42.

1     Sec. 77. Section 229.8, subsection 1, Code 2024, is amended  
2 to read as follows:

3     1. Determine whether the respondent has an attorney  
4 who is able and willing to represent the respondent in the  
5 hospitalization proceeding, and if not, whether the respondent  
6 is financially able to employ an attorney and capable of  
7 meaningfully assisting in selecting one. In accordance with  
8 those determinations, the court shall if necessary allow the  
9 respondent to select, or shall assign to the respondent, an  
10 attorney. If the respondent is financially unable to pay an  
11 attorney, the attorney shall be compensated by ~~the mental~~  
12 ~~health and disability services region~~ an administrative  
13 services organization at an hourly rate to be established  
14 by the ~~regional administrator for the county in which the~~  
15 ~~proceeding is held~~ administrative services organization in  
16 substantially the same manner as provided in section 815.7.

17     Sec. 78. Section 229.10, subsection 1, paragraph a, Code  
18 2024, is amended to read as follows:

19     a. An examination of the respondent shall be conducted by  
20 one or more licensed physicians or mental health professionals,  
21 as required by the court's order, within a reasonable time.  
22 If the respondent is detained pursuant to section 229.11,  
23 subsection 1, paragraph "b", the examination shall be conducted  
24 within twenty-four hours. If the respondent is detained  
25 pursuant to section 229.11, subsection 1, paragraph "a" or  
26 "c", the examination shall be conducted within forty-eight  
27 hours. If the respondent so desires, the respondent shall be  
28 entitled to a separate examination by a licensed physician or  
29 mental health professional of the respondent's own choice. The  
30 reasonable cost of the examinations shall, if the respondent  
31 lacks sufficient funds to pay the cost, be paid by ~~the regional~~  
32 ~~administrator from mental health and disability services region~~  
33 ~~funds~~ an administrative services organization upon order of the  
34 court.

35     Sec. 79. Section 229.11, subsection 1, unnumbered paragraph

1 1, Code 2024, is amended to read as follows:

2 If the applicant requests that the respondent be taken into  
3 immediate custody and the judge, upon reviewing the application  
4 and accompanying documentation, finds probable cause to believe  
5 that the respondent has a serious mental impairment and is  
6 likely to injure the respondent or other persons if allowed  
7 to remain at liberty, the judge may enter a written order  
8 directing that the respondent be taken into immediate custody  
9 by the sheriff or the sheriff's deputy and be detained until  
10 the hospitalization hearing. The hospitalization hearing shall  
11 be held no more than five days after the date of the order,  
12 except that if the fifth day after the date of the order is  
13 a Saturday, Sunday, or a holiday, the hearing may be held  
14 on the next succeeding business day. If the expenses of a  
15 respondent are payable in whole or in part by a ~~mental health~~  
16 ~~and disability services region~~ an administrative services  
17 organization, for a placement in accordance with paragraph "a",  
18 the judge shall give notice of the placement to ~~the regional~~  
19 ~~administrator for the county in which the court is located~~ an  
20 administrative services organization, and for a placement in  
21 accordance with paragraph "b" or "c", the judge shall order  
22 the placement in a hospital or facility designated ~~through~~  
23 ~~the regional administrator~~ by an administrative services  
24 organization. The judge may order the respondent detained for  
25 the period of time until the hearing is held, and no longer,  
26 in accordance with paragraph "a", if possible, and if not then  
27 in accordance with paragraph "b", or, only if neither of these  
28 alternatives is available, in accordance with paragraph "c".  
29 Detention may be in any of the following:

30 Sec. 80. Section 229.13, subsection 1, paragraph a, Code  
31 2024, is amended to read as follows:

32 a. The court shall order a respondent whose expenses are  
33 payable in whole or in part by a ~~mental health and disability~~  
34 ~~services region~~ an administrative services organization  
35 placed under the care of an appropriate hospital or facility

1 ~~designated through the regional administrator for the county~~  
2 by an administrative services organization on an inpatient or  
3 outpatient basis.

4 Sec. 81. Section 229.13, subsection 7, paragraph b, Code  
5 2024, is amended to read as follows:

6 ~~b. A region~~ An administrative services organization shall  
7 contract with mental health professionals to provide the  
8 appropriate treatment including treatment by the use of oral  
9 medicine or injectable antipsychotic medicine pursuant to this  
10 section.

11 Sec. 82. Section 229.14, subsection 2, paragraph a, Code  
12 2024, is amended to read as follows:

13 ~~a. For a respondent whose expenses are payable in whole~~  
14 ~~or in part by a mental health and disability services region~~  
15 an administrative services organization, placement as  
16 ~~designated through the regional administrator for the county~~  
17 by an administrative services organization in the care of an  
18 appropriate hospital or facility on an inpatient or outpatient  
19 basis, or other appropriate treatment, or in an appropriate  
20 alternative placement.

21 Sec. 83. Section 229.14A, subsections 7 and 9, Code 2024,  
22 are amended to read as follows:

23 7. If a respondent's expenses are payable in whole or in  
24 part by ~~a mental health and disability services region through~~  
25 ~~the regional administrator for the county~~ an administrative  
26 services organization, notice of a placement hearing shall be  
27 provided to the county attorney and ~~the regional administrator~~  
28 an administrative services organization. At the hearing, the  
29 county may present evidence regarding appropriate placement.

30 9. A placement made pursuant to an order entered under  
31 section 229.13 or 229.14 or this section shall be considered to  
32 be authorized ~~through the regional administrator for the county~~  
33 by an administrative services organization.

34 Sec. 84. Section 229.15, subsection 4, Code 2024, is amended  
35 to read as follows:

1 4. When a patient has been placed in an alternative facility  
2 other than a hospital pursuant to a report issued under section  
3 229.14, subsection 1, paragraph "d", a report on the patient's  
4 condition and prognosis shall be made to the court which placed  
5 the patient, at least once every six months, unless the court  
6 authorizes annual reports. ~~If an evaluation of the patient is  
7 performed pursuant to section 227.2, subsection 4, a copy of  
8 the evaluation report shall be submitted to the court within  
9 fifteen days of the evaluation's completion. The court may in  
10 its discretion waive the requirement of an additional report  
11 between the annual evaluations. If the department exercises  
12 the authority to remove residents or patients from a county  
13 care facility or other county or private facility under section  
14 227.6, the department shall promptly notify each court which  
15 placed in that facility any resident or patient removed.~~

16 Sec. 85. Section 229.19, subsection 1, paragraphs a and b,  
17 Code 2024, are amended to read as follows:

18 a. In each county the board of supervisors shall appoint  
19 an individual who has demonstrated by prior activities an  
20 informed concern for the welfare and rehabilitation of persons  
21 with mental illness, and who is not an officer or employee of  
22 the department, ~~an officer or employee of a region, an officer  
23 or employee of a county performing duties for a region, or  
24 an officer or employee of any agency or facility providing  
25 care or treatment to persons with mental illness, to act as an  
26 advocate representing the interests of patients involuntarily  
27 hospitalized by the court, in any matter relating to the  
28 patients' hospitalization or treatment under section 229.14 or  
29 229.15.~~

30 b. The committing court shall assign the advocate for the  
31 county where the patient is located. A county ~~or region~~ may  
32 seek reimbursement from ~~the patient's county of residence or  
33 from the region in which the patient's county of residence is  
34 located~~ an administrative services organization.

35 Sec. 86. Section 229.19, subsection 4, unnumbered paragraph

1 1, Code 2024, is amended to read as follows:

2     ~~The state mental health and disability services commission~~  
3 ~~created in section 225C.5 department~~, in consultation with  
4 advocates and county and judicial branch representatives, shall  
5 adopt rules pursuant to chapter 17A relating to advocates that  
6 include but are not limited to all of the following topics:

7     Sec. 87. Section 229.22, subsection 2, paragraph b, Code  
8 2024, is amended to read as follows:

9     b. If the magistrate orders that the person be detained,  
10 the magistrate shall, by the close of business on the next  
11 working day, file a written order with the clerk in the county  
12 where it is anticipated that an application may be filed  
13 under section 229.6. The order may be filed by facsimile if  
14 necessary. A peace officer from the law enforcement agency  
15 that took the person into custody, if no request was made  
16 under paragraph "a", may inform the magistrate that an arrest  
17 warrant has been issued for or charges are pending against the  
18 person and request that any written order issued under this  
19 paragraph require the facility or hospital to notify the law  
20 enforcement agency about the discharge of the person prior to  
21 discharge. The order shall state the circumstances under which  
22 the person was taken into custody or otherwise brought to a  
23 facility or hospital, and the grounds supporting the finding  
24 of probable cause to believe that the person is seriously  
25 mentally impaired and likely to injure the person's self or  
26 others if not immediately detained. The order shall also  
27 include any law enforcement agency notification requirements if  
28 applicable. The order shall confirm the oral order authorizing  
29 the person's detention including any order given to transport  
30 the person to an appropriate facility or hospital. A peace  
31 officer from the law enforcement agency that took the person  
32 into custody may also request an order, separate from the  
33 written order, requiring the facility or hospital to notify the  
34 law enforcement agency about the discharge of the person prior  
35 to discharge. The clerk shall provide a copy of the written

1 order or any separate order to the chief medical officer of  
2 the facility or hospital to which the person was originally  
3 taken, to any subsequent facility to which the person was  
4 transported, and to any law enforcement department, ambulance  
5 service, or transportation service under contract with a  
6 ~~mental health and disability services region~~ an administrative  
7 services organization that transported the person pursuant  
8 to the magistrate's order. A transportation service that  
9 contracts with a ~~mental health and disability services region~~  
10 an administrative services organization for purposes of this  
11 paragraph shall provide a secure transportation vehicle and  
12 shall employ staff that has received or is receiving mental  
13 health training.

14 Sec. 88. Section 229.24, subsection 3, unnumbered paragraph  
15 1, Code 2024, is amended to read as follows:

16 If all or part of the costs associated with hospitalization  
17 of an individual under this chapter are chargeable to a ~~county~~  
18 ~~of residence~~ an administrative services organization, the  
19 clerk of the district court shall provide to ~~the regional~~  
20 ~~administrator for the county of residence and to the regional~~  
21 ~~administrator for the county in which the hospitalization~~  
22 ~~order is entered~~ an administrative services organization the  
23 following information pertaining to the individual which would  
24 be confidential under subsection 1:

25 Sec. 89. Section 229.38, Code 2024, is amended to read as  
26 follows:

27 **229.38 Cruelty or official misconduct.**

28 If any person having the care of a person with mental illness  
29 who has voluntarily entered a hospital or other facility for  
30 treatment or care, or who is responsible for psychiatric  
31 examination care, treatment, and maintenance of any person  
32 involuntarily hospitalized under sections 229.6 through 229.15,  
33 whether in a hospital or elsewhere, with or without proper  
34 authority, shall treat such patient with unnecessary severity,  
35 harshness, or cruelty, or in any way abuse the patient or if



1 any person unlawfully detains or deprives of liberty any person  
2 with mental illness or any person who is alleged to have mental  
3 illness, or if any officer required by the provisions of this  
4 chapter and ~~chapters~~ chapter 226 and 227, to perform any act  
5 shall willfully refuse or neglect to perform the same, the  
6 offending person shall, unless otherwise provided, be guilty of  
7 a serious misdemeanor.

8 Sec. 90. Section 230.1, Code 2024, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 01. *"Administrative service organization"*  
11 means the same as defined in section 225A.1.

12 Sec. 91. Section 230.1, subsections 4 and 5, Code 2024, are  
13 amended by striking the subsections.

14 Sec. 92. Section 230.10, Code 2024, is amended to read as  
15 follows:

16 **230.10 Payment of costs.**

17 All legal costs and expenses for the taking into custody,  
18 care, investigation, and admission or commitment of a person to  
19 a state mental health institute ~~under a finding that the person~~  
20 ~~has residency in another county of this state~~ shall be charged  
21 ~~against the regional administrator of the person's county of~~  
22 residence to an administrative services organization.

23 Sec. 93. Section 230.11, Code 2024, is amended to read as  
24 follows:

25 **230.11 Recovery of costs from state.**

26 Costs and expenses for the taking into custody, care, and  
27 investigation of a person who has been admitted or committed  
28 to a state mental health institute, United States department  
29 of veterans affairs hospital, or other agency of the United  
30 States government, for persons with mental illness and  
31 who has no residence in this state or whose residence is  
32 unknown, including cost of commitment, if any, shall be paid  
33 as approved by the department. The amount of the costs and  
34 expenses approved by the department is appropriated to the  
35 department from any moneys in the state treasury not otherwise

1 appropriated. ~~Payment shall be made by the department on~~  
2 ~~itemized vouchers executed by the regional administrator of~~  
3 ~~the person's county which has paid them, and approved by the~~  
4 ~~department.~~

5 Sec. 94. Section 230.15, subsections 1 and 2, Code 2024, are  
6 amended to read as follows:

7 1. A person with mental illness and a person legally liable  
8 for the person's support remain liable for the support of  
9 the person with mental illness as provided in this section.  
10 Persons legally liable for the support of a person with mental  
11 illness include the spouse of the person, and any person  
12 bound by contract for support of the person. ~~The regional~~  
13 ~~administrator of the person's county of residence, subject to~~  
14 ~~the direction of the region's governing board, shall enforce~~  
15 ~~the obligation created in this section as to all sums advanced~~  
16 ~~by the regional administrator. The liability to the regional~~  
17 ~~administrator incurred by a person with mental illness or a~~  
18 ~~person legally liable for the person's support under this~~  
19 ~~section is limited to an amount equal to one hundred percent~~  
20 ~~of the cost of care and treatment of the person with mental~~  
21 ~~illness at a state mental health institute for one hundred~~  
22 ~~twenty days of hospitalization. This limit of liability may~~  
23 ~~be reached by payment of the cost of care and treatment of the~~  
24 ~~person with mental illness subsequent to a single admission~~  
25 ~~or multiple admissions to a state mental health institute or,~~  
26 ~~if the person is not discharged as cured, subsequent to a~~  
27 ~~single transfer or multiple transfers to a county care facility~~  
28 ~~pursuant to section 227.11. After reaching this limit of~~  
29 ~~liability, a person with mental illness or a person legally~~  
30 ~~liable for the person's support is liable to the regional~~  
31 ~~administrator state for the care and treatment of the person~~  
32 ~~with mental illness at a state mental health institute or,~~  
33 ~~if transferred but not discharged as cured, at a county care~~  
34 ~~facility in an amount not in excess of to exceed the average~~  
35 ~~minimum cost of the maintenance of an individual who is~~

1 physically and mentally healthy residing in the individual's  
2 own home, ~~which standard shall be as established and may be~~  
3 ~~revised by the department by rule. A lien imposed by section~~  
4 ~~230.25 shall not exceed the amount of the liability which may~~  
5 ~~be incurred under this section on account of a person with~~  
6 ~~mental illness.~~

7 2. A person with a substance use disorder is legally  
8 liable for the total amount of the cost of providing care,  
9 maintenance, and treatment for the person with a substance  
10 use disorder while a voluntary or committed patient. When  
11 a portion of the cost is paid by ~~a county~~ an administrative  
12 services organization, the person with a substance use disorder  
13 is legally liable to the county administrative services  
14 organization for the amount paid. The person with a substance  
15 use disorder shall assign any claim for reimbursement under any  
16 contract of indemnity, by insurance or otherwise, providing  
17 for the person's care, maintenance, and treatment in a state  
18 mental health institute to the state. ~~Any payments received~~  
19 ~~by the state from or on behalf of a person with a substance use~~  
20 ~~disorder shall be in part credited to the county in proportion~~  
21 ~~to the share of the costs paid by the county.~~

22 Sec. 95. NEW SECTION. 230.23 State — payor of last resort.

23 The department shall implement services and adopt rules  
24 pursuant to chapter 17A in a manner that ensures that the state  
25 is the payor of last resort, and that the department does not  
26 make any payments for services that have been provided until  
27 the department has determined that the services provided are  
28 not payable by a third-party source.

29 Sec. 96. Section 230.30, Code 2024, is amended to read as  
30 follows:

31 **230.30 Claim against estate.**

32 On the death of a person receiving or who has received  
33 assistance under the provisions of this chapter, and whom the  
34 ~~board~~ department has previously found, ~~under section 230.25,~~  
35 is able to pay, there shall be allowed against the estate of

1 such decedent a claim of the sixth class for that portion of  
2 the total amount paid for that person's care which exceeds  
3 the total amount of all claims of the first through the fifth  
4 classes, inclusive, as defined in section 633.425, which are  
5 allowed against that estate.

6 Sec. 97. Section 232.78, subsection 5, unnumbered paragraph  
7 1, Code 2024, is amended to read as follows:

8 The juvenile court, before or after the filing of a petition  
9 under this chapter, may enter an ex parte order authorizing  
10 a physician or physician assistant or hospital to conduct an  
11 outpatient physical examination or authorizing a physician or  
12 physician assistant, a psychologist certified under section  
13 154B.7, or a community mental health center accredited pursuant  
14 to ~~chapter 230A~~ section 225A.3 to conduct an outpatient mental  
15 examination of a child if necessary to identify the nature,  
16 extent, and cause of injuries to the child as required by  
17 section 232.71B, provided all of the following apply:

18 Sec. 98. Section 232.83, subsection 2, unnumbered paragraph  
19 1, Code 2024, is amended to read as follows:

20 Anyone authorized to conduct a preliminary investigation in  
21 response to a complaint may apply for, or the court on its own  
22 motion may enter, an ex parte order authorizing a physician  
23 or physician assistant or hospital to conduct an outpatient  
24 physical examination or authorizing a physician or physician  
25 assistant, a psychologist certified under section 154B.7, or a  
26 community mental health center accredited pursuant to ~~chapter~~  
27 ~~230A~~ section 225A.3 to conduct an outpatient mental examination  
28 of a child if necessary to identify the nature, extent, and  
29 causes of any injuries, emotional damage, or other such needs  
30 of a child as specified in section 232.96A, subsection 3, 5, or  
31 6, provided that all of the following apply:

32 Sec. 99. Section 235.7, subsection 2, Code 2024, is amended  
33 to read as follows:

34 2. *Membership.* The department may authorize the governance  
35 boards of decategorization of child welfare and juvenile

1 justice funding projects established under section 232.188 to  
2 appoint the transition committee membership and may utilize  
3 the boundaries of decategorization projects to establish  
4 the service areas for transition committees. The committee  
5 membership may include but is not limited to department staff  
6 involved with foster care, child welfare, and adult services,  
7 juvenile court services staff, staff involved with county  
8 general assistance or emergency relief under chapter 251 or  
9 252, ~~or a regional administrator of the county mental health~~  
10 ~~and disability services region, as defined in section 225C.55,~~  
11 ~~in the area,~~ school district and area education agency staff  
12 involved with special education, and a child's court appointed  
13 special advocate, guardian ad litem, service providers, and  
14 other persons knowledgeable about the child.

15 Sec. 100. Section 235A.15, subsection 2, paragraph c,  
16 subparagraphs (5) and (8), Code 2024, are amended by striking  
17 the subparagraphs.

18 Sec. 101. Section 249A.4, subsection 15, Code 2024, is  
19 amended by striking the subsection.

20 Sec. 102. Section 249A.12, subsection 4, Code 2024, is  
21 amended by striking the subsection.

22 Sec. 103. NEW SECTION. **249A.38A Supported community living**  
23 **services.**

24 1. As used in this section, "*supported community living*  
25 *service*" means a service provided in a noninstitutional setting  
26 to persons sixteen years of age and older with mental illness,  
27 an intellectual disability, brain injury, or developmental  
28 disabilities to meet the persons' daily living needs.

29 2. The department shall adopt rules pursuant to chapter 17A  
30 establishing minimum standards for supported community living  
31 services.

32 3. The department shall determine whether to grant, deny, or  
33 revoke approval for any supported community living service.

34 4. Approved supported community living services may receive  
35 funding from the state, federal and state social services block

1 grant funds, and other appropriate funding sources, consistent  
2 with state legislation and federal regulations. The funding  
3 may be provided on a per diem, per hour, or grant basis, as  
4 appropriate.

5 Sec. 104. Section 249N.8, Code 2024, is amended by striking  
6 the section and inserting in lieu thereof the following:

7 **249N.8 Behavioral health services reports.**

8 The department shall annually submit a report to the  
9 governor and the general assembly with details related to the  
10 department's review of the funds administered by, and the  
11 outcomes and effectiveness of, the behavioral health services  
12 provided by, the behavioral health service system established  
13 in section 225A.3.

14 Sec. 105. Section 252.24, subsections 1 and 3, Code 2024,  
15 are amended to read as follows:

16 1. The county of residence, as defined in section ~~225C.61~~  
17 331.190, shall be liable to the county granting assistance for  
18 all reasonable charges and expenses incurred in the assistance  
19 and care of a poor person.

20 3. This section shall apply to assistance or maintenance  
21 provided by a county through the county's mental health  
22 and disability services behavioral health service system  
23 implemented under chapter 225C established in section 225A.3.

24 Sec. 106. Section 256.25, subsections 2 and 3, Code 2024,  
25 are amended to read as follows:

26 2. A school district, which may collaborate and partner  
27 with one or more school districts, area education agencies,  
28 accredited nonpublic schools, nonprofit agencies, and  
29 institutions that provide children's mental health services,  
30 ~~located in mental health and disability services regions~~  
31 ~~providing children's behavioral health services in accordance~~  
32 ~~with chapter 225C, subchapter VII~~ operating within the state's  
33 behavioral health service system under chapter 225A, may apply  
34 for a grant under this program to establish a therapeutic  
35 classroom in the school district in accordance with this

1 section.

2 3. The department shall develop a grant application  
3 and selection and evaluation criteria. Selection criteria  
4 shall include a method for prioritizing grant applications  
5 submitted by school districts. First priority shall be  
6 given to applications submitted by school districts that  
7 submitted an application pursuant to this section for the  
8 ~~previous~~ immediately preceding fiscal year. Second priority  
9 shall be given to applications submitted by school districts  
10 that, pursuant to subsection 2, are collaborating and  
11 partnering with one or more school districts, area education  
12 agencies, accredited nonpublic schools, nonprofit agencies,  
13 or institutions that provide mental health services for  
14 children. Third priority shall be given to applications  
15 submitted by school districts located in ~~mental health and~~  
16 ~~disability services regions~~ behavioral health districts as  
17 defined in section 225A.1, and that are providing behavioral  
18 health services for children in accordance with chapter 225C,  
19 ~~subchapter VII 225A.~~ Grant awards shall be distributed as  
20 equitably as possible among small, medium, and large school  
21 districts. For purposes of this subsection, a small school  
22 district is a district with an actual enrollment of fewer than  
23 six hundred pupils; a medium school district is a district  
24 with an actual enrollment that is at least six hundred pupils,  
25 but less than two thousand five hundred pupils; and a large  
26 school district is a district with an actual enrollment of two  
27 thousand five hundred or more pupils.

28 Sec. 107. 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

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 health and disability services~~  
9 ~~commission~~ department of health and human services, shall  
10 develop educational media to raise awareness of a licensee's  
11 ability to request the license be marked to reflect the  
12 licensee's autism spectrum disorder status.

13 Sec. 108. 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 health and~~  
25 ~~disability services commission~~ department of health and human  
26 services, shall develop educational media to raise awareness of  
27 an applicant's ability to request the card be marked to reflect  
28 the applicant's autism spectrum disorder status.

29 Sec. 109. Section 321J.25, subsection 1, paragraph b, Code  
30 2024, is amended to read as follows:

31 *b.* "Program" means a substance use disorder awareness  
32 program, licensed under chapter 125, and provided under a  
33 contract entered into between the provider and the department  
34 of health and human services under chapter 125 or an  
35 administrative services organization as defined in section



1 225A.1.

2 Sec. 110. Section 321J.25, subsection 2, unnumbered  
3 paragraph 1, Code 2024, is amended to read as follows:

4 A substance use disorder awareness program is established  
5 in each of the regions established by the director of health  
6 and human services pursuant to section ~~125.12~~ behavioral  
7 health district designated pursuant to section 225A.4. The  
8 program shall consist of an insight class and a substance  
9 use disorder evaluation, which shall be attended by the  
10 participant, to discuss issues related to the potential  
11 consequences of substance use disorder. The parent or parents  
12 of the participant shall also be encouraged to participate  
13 in the program. The program provider shall consult with the  
14 participant or the parents of the participant in the program  
15 to determine the timing and appropriate level of participation  
16 for the participant and any participation by the participant's  
17 parents. The program may also include a supervised educational  
18 tour by the participant to any or all of the following:

19 Sec. 111. Section 331.321, subsection 1, paragraph e, Code  
20 2024, is amended by striking the paragraph.

21 Sec. 112. Section 331.323, subsection 1, paragraph a,  
22 subparagraph (7), Code 2024, is amended by striking the  
23 subparagraph.

24 Sec. 113. Section 331.381, subsections 4 and 5, Code 2024,  
25 are amended to read as follows:

26 4. Comply with chapter 222, ~~including but not limited to~~  
27 ~~sections 222.13, 222.14, 222.59 through 222.70, 222.73 through~~  
28 ~~222.75, and 222.77 through 222.82,~~ in regard to the care of  
29 persons with an intellectual disability.

30 5. Comply with chapters 227, 229 and 230, ~~including but not~~  
31 ~~limited to sections 227.11, 227.14, 229.42, 230.25, 230.27, and~~  
32 ~~230.35,~~ in regard to the care of persons with mental illness.

33 Sec. 114. Section 331.382, subsection 1, paragraphs e, f,  
34 and g, Code 2024, are amended by striking the paragraphs.

35 Sec. 115. Section 331.382, subsection 3, Code 2024, is

1 amended by striking the subsection.

2 Sec. 116. Section 331.432, subsection 3, Code 2024, is  
3 amended by striking the subsection.

4 Sec. 117. Section 331.502, subsection 10, Code 2024, is  
5 amended by striking the subsection.

6 Sec. 118. Section 331.502, subsection 12, Code 2024, is  
7 amended to read as follows:

8 12. Carry out duties relating to the hospitalization and  
9 support of persons with mental illness as provided in sections  
10 ~~229.42, 230.3, 230.11, and 230.15, 230.21, 230.22, 230.25, and~~  
11 ~~230.26.~~

12 Sec. 119. Section 331.552, subsection 13, Code 2024, is  
13 amended by striking the subsection.

14 Sec. 120. Section 331.756, subsections 25, 38, and 41, Code  
15 2024, are amended by striking the subsections.

16 Sec. 121. Section 331.910, subsection 2, Code 2024, is  
17 amended by adding the following new paragraph:

18 NEW PARAGRAPH. *Oa. "Administrative services organization"*  
19 means the same as defined in section 225A.1.

20 Sec. 122. Section 331.910, subsection 2, paragraph d, Code  
21 2024, is amended by striking the paragraph.

22 Sec. 123. Section 331.910, subsection 3, paragraphs a and c,  
23 Code 2024, are amended to read as follows:

24 *a.* ~~A region~~ An administrative services organization may  
25 contract with a receiving agency in a bordering state to secure  
26 substance use disorder or mental health care and treatment  
27 under this subsection for persons who receive substance use  
28 disorder or mental health care and treatment pursuant to  
29 section 125.33, 125.91, 229.2, or 229.22 ~~through a region.~~

30 *c.* ~~A region~~ An administrative services organization may  
31 contract with a sending agency in a bordering state to provide  
32 care and treatment under this subsection for residents of  
33 the bordering state in approved substance use disorder and  
34 mental health care and treatment hospitals, centers, and  
35 facilities in this state, except that care and treatment shall

1 not be provided for residents of the bordering state who are  
2 involved in criminal proceedings substantially similar to the  
3 involvement described in paragraph "b".

4 Sec. 124. Section 347.16, subsection 3, Code 2024, is  
5 amended to read as follows:

6 3. Care and treatment may be furnished in a county public  
7 hospital to any sick or injured person who has residence  
8 outside the county which maintains the hospital, subject to  
9 such policies and rules as the board of hospital trustees  
10 may adopt. If care and treatment is provided under this  
11 subsection to a person who is indigent, the person's county of  
12 residence, as defined in section ~~225C.61~~ 331.190, shall pay to  
13 the board of hospital trustees the fair and reasonable cost of  
14 the care and treatment provided by the county public hospital  
15 unless the cost of the indigent person's care and treatment is  
16 otherwise provided for. If care and treatment is provided to  
17 an indigent person under this subsection, the county public  
18 hospital furnishing the care and treatment shall immediately  
19 notify, by regular mail, the auditor of the county of residence  
20 of the indigent person of the provision of care and treatment  
21 to the indigent person including care and treatment provided  
22 ~~by a county through the county's mental health and disability~~  
23 ~~services system implemented under chapter 225C~~ behavioral  
24 health service system established in section 225A.3.

25 Sec. 125. Section 423.3, subsection 18, paragraph d, Code  
26 2024, is amended to read as follows:

27 d. Community mental health centers accredited by the  
28 department of health and human services pursuant to ~~chapter~~  
29 ~~225C~~ section 225A.3.

30 Sec. 126. Section 426B.1, subsection 2, Code 2024, is  
31 amended to read as follows:

32 2. Moneys shall be distributed from the property tax relief  
33 fund to the ~~mental health and disability services regional~~  
34 ~~service system for mental health and disability services,~~  
35 behavioral health fund established in section 225A.7 in

1 accordance with the appropriations made to the fund and other  
2 statutory requirements.

3 Sec. 127. Section 437A.8, subsection 4, paragraph d, Code  
4 2024, is amended to read as follows:

5 d. (1) Notwithstanding paragraph "a", a taxpayer who owns  
6 or leases a new electric power generating plant and who has  
7 no other operating property in the state of Iowa except for  
8 operating property directly serving the new electric power  
9 generating plant as described in section 437A.16 shall pay  
10 the replacement generation tax associated with the allocation  
11 of the local amount to the county treasurer of the county in  
12 which the local amount is located and shall remit the remaining  
13 replacement generation tax, if any, to the director according  
14 to paragraph "a" for remittance of the tax to county treasurers.  
15 The director shall notify each taxpayer on or before August 31  
16 following a tax year of its remaining replacement generation  
17 tax to be remitted to the director. All remaining replacement  
18 generation tax revenues received by the director shall be  
19 deposited in the property tax relief fund created in section  
20 426B.1, ~~and shall be distributed as provided in section 426B.2.~~

21 (2) If a taxpayer has paid an amount of replacement tax,  
22 penalty, or interest which was deposited into the property tax  
23 relief fund and which was not due, all of the provisions of  
24 section 437A.14, subsection 1, paragraph "b", shall apply with  
25 regard to any claim for refund or credit filed by the taxpayer.  
26 The director shall have sole discretion as to whether the  
27 erroneous payment will be refunded to the taxpayer or credited  
28 against any replacement tax due, or to become due, from the  
29 taxpayer that would be subject to deposit in the property tax  
30 relief fund.

31 Sec. 128. Section 437A.15, subsection 3, paragraph f, Code  
32 2024, is amended to read as follows:

33 f. Notwithstanding the provisions of this section, if  
34 a taxpayer is a municipal utility or a municipal owner of  
35 an electric power facility financed under the provisions

1 of chapter 28F or 476A, the assessed value, other than the  
2 local amount, of a new electric power generating plant shall  
3 be allocated to each taxing district in which the municipal  
4 utility or municipal owner is serving customers and has  
5 electric meters in operation in the ratio that the number of  
6 operating electric meters of the municipal utility or municipal  
7 owner located in the taxing district bears to the total number  
8 of operating electric meters of the municipal utility or  
9 municipal owner in the state as of January 1 of the tax year.  
10 If the municipal utility or municipal owner of an electric  
11 power facility financed under the provisions of chapter 28F  
12 or 476A has a new electric power generating plant but the  
13 municipal utility or municipal owner has no operating electric  
14 meters in this state, the municipal utility or municipal owner  
15 shall pay the replacement generation tax associated with the  
16 new electric power generating plant allocation of the local  
17 amount to the county treasurer of the county in which the local  
18 amount is located and shall remit the remaining replacement  
19 generation tax, if any, to the director at the times contained  
20 in section 437A.8, subsection 4, for remittance of the tax to  
21 the county treasurers. All remaining replacement generation  
22 tax revenues received by the director shall be deposited in the  
23 ~~property tax relief~~ behavioral health fund ~~created~~ established  
24 in section ~~426B.1, and shall be distributed as provided in~~  
25 ~~section 426B.2~~ 225A.7.

26 Sec. 129. Section 483A.24, subsection 7, Code 2024, is  
27 amended to read as follows:

28 7. A license shall not be required of minor pupils of the  
29 Iowa school for the deaf or of minor residents of other state  
30 institutions under the control of the department of health  
31 and human services. In addition, a person who is on active  
32 duty with the armed forces of the United States, on authorized  
33 leave from a duty station located outside of this state, and  
34 a resident of the state of Iowa shall not be required to  
35 have a license to hunt or fish in this state. The military

1 person shall carry the person's leave papers and a copy of  
2 the person's current earnings statement showing a deduction  
3 for Iowa income taxes while hunting or fishing. In lieu of  
4 carrying the person's earnings statement, the military person  
5 may also claim residency if the person is registered to vote  
6 in this state. If a deer or wild turkey is taken, the military  
7 person shall immediately contact a state conservation officer  
8 to obtain an appropriate tag to transport the animal. A  
9 license shall not be required of ~~residents of county care~~  
10 ~~facilities or~~ any person who is receiving supplementary  
11 assistance under chapter 249.

12 Sec. 130. Section 602.8102, subsection 39, Code 2024, is  
13 amended to read as follows:

14 39. Refer persons applying for voluntary admission to a  
15 community mental health center accredited by the department  
16 of health and human services under section 225A.3, for a  
17 preliminary diagnostic evaluation ~~as provided in section~~  
18 ~~225C.16, subsection 2.~~

19 Sec. 131. Section 714.8, subsection 12, Code 2024, is  
20 amended to read as follows:

21 12. Knowingly transfers or assigns a legal or equitable  
22 interest in property, as defined in section 702.14, for less  
23 than fair consideration, with the intent to obtain public  
24 assistance under chapters 16, 35B, and 35D, ~~and 347B,~~ or Title  
25 VI, subtitles 2 through 6, or accepts a transfer of or an  
26 assignment of a legal or equitable interest in property, as  
27 defined in section 702.14, for less than fair consideration,  
28 with the intent of enabling the party transferring the property  
29 to obtain public assistance under chapters 16, 35B, and 35D,  
30 ~~and 347B,~~ or Title VI, subtitles 2 through 6. A transfer or  
31 assignment of property for less than fair consideration within  
32 one year prior to an application for public assistance benefits  
33 shall be evidence of intent to transfer or assign the property  
34 in order to obtain public assistance for which a person is  
35 not eligible by reason of the amount of the person's assets.

1 If a person is found guilty of a fraudulent practice in the  
2 transfer or assignment of property under this subsection the  
3 maximum sentence shall be the penalty established for a serious  
4 misdemeanor and sections 714.9, 714.10, and 714.11 shall not  
5 apply.

6 Sec. 132. Section 812.6, subsection 1, Code 2024, is amended  
7 to read as follows:

8 1. If the court finds the defendant does not pose a danger  
9 to the public peace and safety, is otherwise qualified for  
10 pretrial release, and is willing to cooperate with treatment,  
11 the court shall order, as a condition of pretrial release,  
12 that the defendant obtain mental health treatment designed to  
13 restore the defendant to competency. The costs of treatment  
14 pursuant to this subsection shall be paid by ~~the mental~~  
15 ~~health and disability services region for the county of the~~  
16 ~~defendant's residency pursuant to chapter 225C regardless of~~  
17 ~~whether the defendant meets financial eligibility requirements~~  
18 ~~under section 225C.62 or 225C.66 an administrative services~~  
19 organization designated pursuant to section 225A.4.

20 Sec. 133. Section 904.201, subsection 8, Code 2024, is  
21 amended to read as follows:

22 8. Chapter 230 governs the determination of costs and  
23 charges for the care and treatment of persons with mental  
24 illness admitted to the forensic psychiatric hospital,  
25 ~~except that charges for the care and treatment of any person~~  
26 ~~transferred to the forensic psychiatric hospital from an adult~~  
27 ~~correctional institution or from a state training school shall~~  
28 ~~be paid entirely from state funds. Charges for all other~~  
29 ~~persons at the forensic psychiatric hospital shall be billed to~~  
30 ~~the respective counties at the same ratio as for patients at~~  
31 ~~state mental health institutes under section 230.20.~~

32 Sec. 134. REPEAL. Chapters 142A, 225C, 227, 230A, and 347B,  
33 Code 2024, are repealed.

34 Sec. 135. REPEAL. Sections 125.1, 125.3, 125.7, 125.9,  
35 125.10, 125.12, 125.25, 125.32A, 125.34, 125.37, 125.38,





1 institutional care, and a comprehensive array of long-term  
2 living and community support services adequate to sustain ~~older~~  
3 people in their communities and, whenever possible, in their  
4 homes, including support for caregivers.

5 ~~6.~~ f. Pursuit of meaningful activity within the widest  
6 range of civic, cultural, educational, recreational, and  
7 employment opportunities.

8 ~~7.~~ g. Suitable community transportation systems to assist  
9 in the attainment of independent movement.

10 ~~8.~~ h. Freedom, independence, and the free exercise of  
11 individual initiative in planning and managing their own lives.

12 ~~9.~~ i. Freedom from abuse, neglect, and exploitation.

13 2. The general assembly declares that the state of Iowa  
14 recognizes a brain injury as a disability, and each agency and  
15 subdivision of this state shall recognize a brain injury as a  
16 distinct disability.

17 3. It is the policy of this state that each state agency  
18 shall make reasonable efforts to identify those persons with  
19 brain injuries among the persons served by the state agency.

20 Sec. 139. Section 231.4, subsection 1, Code 2024, is amended  
21 by adding the following new paragraph:

22 NEW PARAGRAPH. Oc. "Brain injury" means the same as defined  
23 in section 135.22.

24 Sec. 140. Section 231.4, subsection 1, paragraph d, Code  
25 2024, is amended to read as follows:

26 ~~d. "Commission" means the commission on aging.~~ "Council"  
27 means the council on health and human services created in  
28 section 217.2.

29 Sec. 141. Section 231.14, Code 2024, is amended to read as  
30 follows:

31 **231.14 Commission Council duties and authority.**

32 ~~1. The commission is the policymaking body of the sole state~~  
33 ~~agency responsible for administration of the federal Act. The~~  
34 ~~commission council shall do all of the following:~~

35 ~~a. 1. Approve~~ Make recommendations to the department

1 regarding approval of the state plan on aging developed under  
2 section 231.31 and area plans on aging, developed under section  
3 231.33.

4 ~~b.~~ 2. ~~Adopt~~ Recommend policies to coordinate state  
5 activities related to the purposes of this chapter.

6 ~~c.~~ 3. Serve as an effective and visible advocate for older  
7 individuals and individuals with disabilities by establishing  
8 recommending policies ~~for reviewing and commenting upon~~  
9 ~~all state plans, budgets, and policies~~ which affect older  
10 individuals and ~~for providing technical assistance to any~~  
11 ~~agency, organization, association, or individual representing~~  
12 ~~the needs of older individuals~~ with disabilities.

13 ~~d.~~ ~~Divide the state into distinct planning and service~~  
14 ~~areas after considering the geographical distribution of~~  
15 ~~older individuals in the state, the incidence of the need~~  
16 ~~for supportive services, nutrition services, multipurpose~~  
17 ~~senior centers, and legal services, the distribution of older~~  
18 ~~individuals who have low incomes residing in such areas, the~~  
19 ~~distribution of resources available to provide such services~~  
20 ~~or centers, the boundaries of existing areas within the~~  
21 ~~state which are drawn for the planning or administration of~~  
22 ~~supportive services programs, the location of units of general~~  
23 ~~purpose, local government within the state, and any other~~  
24 ~~relevant factors.~~

25 ~~e.~~ ~~Designate for each planning and service area a public or~~  
26 ~~private nonprofit agency or organization as the area agency on~~  
27 ~~aging for that area. The commission may revoke the designation~~  
28 ~~of an area agency on aging pursuant to section 231.32.~~

29 ~~f.~~ 4. ~~Adopt policies to assure~~ Make recommendations to  
30 ensure that the department will take into account the views  
31 of older individuals and individuals with disabilities in the  
32 development of policy.

33 ~~g.~~ ~~Adopt a method for the distribution of federal~~  
34 ~~Act and state funds taking into account, to the maximum~~  
35 ~~extent feasible, the best available data on the geographic~~

~~1 distribution of older individuals in the state, and publish the  
2 method for review and comment.~~

3 ~~h.~~ 5. Adopt Recommend policies and measures to assure  
4 ensure that preference will be given to providing services to  
5 older individuals and individuals with disabilities with the  
6 greatest economic or social needs, with particular attention to  
7 low-income minority ~~elder~~ individuals, ~~elder~~ individuals with  
8 limited English proficiency, and ~~elder~~ individuals residing in  
9 rural areas.

10 ~~i.~~ 6. Adopt Recommend policies to administer state programs  
11 authorized by this chapter.

12 ~~j.~~ 7. Adopt Recommend policies and ~~administrative rules~~  
13 ~~pursuant to chapter 17A~~ that support the capabilities of the  
14 area agencies on aging and the aging and disabilities resource  
15 centers to serve older individuals and ~~persons~~ individuals  
16 with disabilities experiencing Alzheimer's disease or related  
17 dementias.

18 ~~2. The commission shall adopt administrative rules pursuant~~  
19 ~~to chapter 17A to administer the duties specified in this~~  
20 ~~chapter and in all other chapters under the department's~~  
21 ~~jurisdiction.~~

22 Sec. 142. Section 231.21, Code 2024, is amended to read as  
23 follows:

24 **231.21 Administration of chapter — department of health and**  
25 **human services.**

26 The department of health and human services shall ~~administer~~  
27 ~~this chapter under the policy direction of the commission~~  
28 ~~on aging~~ consider the recommendations of the council when  
29 administering this chapter.

30 Sec. 143. Section 231.23, Code 2024, is amended to read as  
31 follows:

32 **231.23 Department — duties and authority.**

33 The department shall:

34 1. ~~Develop and administer a~~ Administer the state plan on  
35 aging developed pursuant to section 231.31.

1     2. ~~Assist the commission in the review and approval of~~  
2 Review and approve area plans developed under section 231.33.

3     3. ~~Pursuant to commission policy, coordinate~~ Coordinate  
4 state activities related to the purposes of this chapter  
5 ~~and all other chapters under the department's jurisdiction.~~  
6 State activities shall include, at a minimum, home and  
7 community-based services such as employment support, community  
8 living, and service coordination.

9     4. Advocate for older individuals and individuals with  
10 disabilities by reviewing and commenting upon all state plans,  
11 budgets, laws, rules, ~~regulations,~~ and policies which affect  
12 older individuals or individuals with disabilities and by  
13 providing technical assistance to any agency, organization,  
14 association, or individual representing the needs of older  
15 individuals or individuals with disabilities.

16     5. ~~Assist the commission in dividing~~ Divide the state into  
17 distinct planning and service areas after considering the  
18 geographical distribution of older individuals and individuals  
19 with disabilities in the state, the incidence of the need  
20 for supportive services, nutrition services, multipurpose  
21 senior centers, and legal services, the distribution of older  
22 individuals and individuals with disabilities with low income  
23 residing in such areas, the distribution of resources available  
24 to provide such services or centers, the boundaries of existing  
25 areas within the state which are drawn for the planning or  
26 administration of supportive services programs, the location of  
27 units of general purpose, local government within the state,  
28 and any other relevant factors.

29     6. ~~Assist the commission in designating~~ Designate for each  
30 area a public or private nonprofit agency or organization as  
31 the area agency on aging for that area. The department may  
32 revoke the designation of an area agency on aging pursuant to  
33 section 231.32.

34     7. ~~Pursuant to commission policy, take~~ Take into account the  
35 views of older Iowans and Iowans with disabilities.

1     8. ~~Assist the commission in adopting~~ Adopt a method for  
2 the distribution of funds available from the federal Act  
3 and state appropriations and allocations that takes into  
4 account, to the extent feasible, the best available data on the  
5 geographic distribution of older individuals and individuals  
6 with disabilities in the state.

7     9. ~~Assist the commission in assuring~~ Adopt policies and  
8 measures to ensure that preference will be given to providing  
9 services to older individuals and individuals with disabilities  
10 with the greatest economic or social needs, with particular  
11 attention to low-income minority ~~elder~~ individuals, ~~elder~~  
12 individuals with limited English proficiency, and ~~elder~~  
13 individuals residing in rural areas.

14     10. ~~Assist the commission in developing, adopting, and~~  
15 ~~enforcing~~ Develop, adopt, and enforce administrative rules,  
16 including by issuing necessary forms and procedures, to  
17 administer the duties specified in this chapter.

18     11. Apply for, receive, and administer grants, devises,  
19 donations, and gifts, ~~or bequests of real or personal property~~  
20 from any source to conduct projects consistent with the  
21 purposes of the department. Notwithstanding section 8.33,  
22 moneys received by the department pursuant to this section are  
23 not subject to reversion to the general fund of the state.

24     12. Administer state authorized programs.

25     13. Establish a procedure for an area agency on aging to  
26 use in selection of members of the agency's board of directors.  
27 The selection procedure shall be incorporated into the bylaws  
28 of the board of directors.

29     14. Adopt rules pursuant to chapter 17A that support the  
30 capabilities of the area agencies on aging, and aging and  
31 disabilities resource centers, to serve older individuals and  
32 individuals with disabilities.

33     Sec. 144. Section 231.23A, subsections 1 and 3, Code 2024,  
34 are amended to read as follows:

35     1. Services for older individuals, ~~persons with~~

1 ~~disabilities eighteen years of age and older~~, family  
2 caregivers, and veterans as defined by the department in the  
3 most current version of the department's reporting manual and  
4 pursuant to the federal Act and regulations.

5 3. ~~The aging~~ Aging and disability resource center centers.  
6 Sec. 145. Section 231.23A, Code 2024, is amended by adding  
7 the following new subsection:

8 NEW SUBSECTION. 7A. Services and supports available to  
9 individuals with disabilities including but not limited to  
10 individuals with mental illness, an intellectual disability or  
11 other developmental disability, or a brain injury.

12 Sec. 146. Section 231.31, Code 2024, is amended to read as  
13 follows:

14 **231.31 State plan on aging.**

15 The department shall develop, ~~and submit to the commission~~  
16 ~~on aging for approval~~, a multiyear state plan on aging.  
17 The state plan on aging shall meet all applicable federal  
18 requirements.

19 Sec. 147. Section 231.32, Code 2024, is amended to read as  
20 follows:

21 **231.32 Criteria for designation of area agencies on aging.**

22 1. The ~~commission~~ department shall designate an area  
23 agency on aging for each planning and service area. The  
24 ~~commission shall continue the designation~~ shall continue until  
25 an area agency on aging's designation is removed for cause as  
26 determined by the ~~commission~~ department, until the time of  
27 renewal or the annual update of an area plan, until the agency  
28 voluntarily withdraws as an area agency on aging, or until a  
29 change in the designation of planning and service areas or area  
30 agencies on aging is required by state or federal law. In that  
31 event, the ~~commission~~ department shall proceed in accordance  
32 with subsections 2, 3, and 4. Designated area agencies on  
33 aging shall comply with the requirements of the federal Act.

34 2. The ~~commission~~ department shall designate an area  
35 agency on aging to serve each planning and service area, after

1 consideration of the views offered by units of general purpose  
2 local government. An area agency on aging may be:

3     *a.* An established office of aging which is operating within  
4 a planning and service area designated by the ~~commission~~  
5 department.

6     *b.* Any office or agency of a unit of general purpose local  
7 government, which is designated to function only for the  
8 purpose of serving as an area agency on aging by the chief  
9 elected official of such unit.

10     *c.* Any office or agency designated by the appropriate  
11 chief elected officials of any combination of units of  
12 general purpose local government to act only on behalf of such  
13 combination for such purpose.

14     *d.* Any public or nonprofit private agency in a planning and  
15 service area or any separate organizational unit within such  
16 agency which is under the supervision or direction for this  
17 purpose of the department and which can and will engage only in  
18 the planning or provision of a broad range of long-term living  
19 and community support services or nutrition services within the  
20 planning and service area.

21     3. When the ~~commission~~ department designates a new area  
22 agency on aging, the ~~commission~~ department shall give the right  
23 of first refusal to a unit of general purpose local government  
24 if:

25     *a.* Such unit can meet the requirements of subsection 1.

26     *b.* The boundaries of such a unit and the boundaries of the  
27 area are reasonably contiguous.

28     4. Each area agency on aging shall provide assurance,  
29 determined adequate by the ~~commission~~ department, that the  
30 area agency on aging has the ability to develop an area plan  
31 and to carry out, directly or through contractual or other  
32 arrangements, a program in accordance with the plan within the  
33 planning and service area. In designating an area agency on  
34 aging within the planning and service area, the ~~commission~~  
35 department shall give preference to an established office of

1 aging, unless the ~~commission~~ department finds that no such  
2 office within the planning and service area has the capacity to  
3 carry out the area plan.

4 5. Upon designation, an area agency on aging shall be  
5 considered an instrumentality of the state and shall adhere to  
6 all state and federal mandates applicable to an instrumentality  
7 of the state.

8 Sec. 148. Section 231.33, subsections 1 and 13, Code 2024,  
9 are amended to read as follows:

10 1. Develop and administer an area plan ~~on aging~~ approved by  
11 the ~~commission~~ department.

12 13. Submit all fiscal and performance reports in accordance  
13 with the policies of the ~~commission~~ department.

14 Sec. 149. NEW SECTION. 231.35 Procedures related to  
15 **expenditure of state and federal funds.**

16 1. The department shall establish and enforce procedures  
17 relating to expenditure of state and federal funds by area  
18 agencies on aging that require compliance with both state and  
19 federal laws, rules, and regulations, including but not limited  
20 to all of the following:

21 a. Requiring that expenditures are incurred only for goods  
22 or services received or performed prior to the end of the  
23 fiscal period designated for use of the funds.

24 b. Prohibiting prepayment for goods or services not received  
25 or performed prior to the end of the fiscal period designated  
26 for use of the funds.

27 c. Prohibiting prepayment for goods or services not defined  
28 specifically by good or service, time period, or recipient.

29 d. Prohibiting the establishment of accounts from which  
30 future goods or services which are not defined specifically by  
31 good or service, time period, or recipient, may be purchased.

32 2. The procedures shall provide that if any funds are  
33 expended in a manner that is not in compliance with the  
34 procedures and applicable federal and state laws, rules, and  
35 regulations, and are subsequently subject to repayment, the



1 area agency on aging expending such funds in contravention of  
2 such procedures, laws, rules and regulations, not the state,  
3 shall be liable for such repayment.

4 Sec. 150. Section 231.56, Code 2024, is amended to read as  
5 follows:

6 **231.56 Services and programs.**

7 The department shall administer long-term living and  
8 community support services and programs that allow older  
9 individuals and individuals with disabilities to secure and  
10 maintain maximum independence and dignity in a home environment  
11 that provides for self-care with appropriate supportive  
12 services, assist in removing individual and social barriers  
13 to economic and personal independence for older individuals  
14 and individuals with disabilities, and provide a continuum of  
15 care for older individuals and individuals with disabilities.  
16 Funds appropriated for this purpose shall be allocated based  
17 on ~~administrative~~ rules adopted by the ~~commission~~ department  
18 pursuant to chapter 17A. The department shall ~~require such~~  
19 ~~records as needed~~ adopt rules pursuant to chapter 17A that  
20 allow the department to collect information as necessary from  
21 long-term living and community support services, program  
22 providers, and patients to administer this section.

23 Sec. 151. Section 231.57, Code 2024, is amended to read as  
24 follows:

25 **231.57 Coordination of advocacy.**

26 The department shall administer a program for the  
27 coordination of information and assistance provided within  
28 the state to assist older individuals and individuals with  
29 disabilities, and their caregivers, in obtaining and protecting  
30 their rights and benefits. State and local agencies providing  
31 information and assistance to older individuals and individuals  
32 with disabilities, and their caregivers, in seeking their  
33 rights and benefits shall cooperate with the department in  
34 administering this program.

35 Sec. 152. Section 231.58, Code 2024, is amended to read as

1 follows:

2 **231.58 Long-term living coordination.**

3 The director may convene meetings, as necessary, of the  
4 director and the director of inspections, appeals, and  
5 licensing, to assist in the coordination of policy, service  
6 delivery, and long-range planning relating to the long-term  
7 living system and older Iowans and Iowans with disabilities  
8 in the state. The group may consult with individuals,  
9 institutions, and entities with expertise in the area of the  
10 long-term living system and older Iowans and Iowans with  
11 disabilities, as necessary, to facilitate the group's efforts.

12 Sec. 153. Section 231.64, Code 2024, is amended to read as  
13 follows:

14 **231.64 Aging and disability resource center centers.**

15 1. ~~The aging and disability resource center shall be~~  
16 ~~administered by the department consistent with the federal~~  
17 ~~Act.~~ The department shall designate ~~area agencies on aging and~~  
18 disability resource centers to establish, in consultation with  
19 other stakeholders including organizations representing the  
20 disability community, a coordinated local aging and disability  
21 service system for providing. In addition to services required  
22 by the department by rules adopted pursuant to chapter 17A,  
23 aging and disability resource centers shall provide for all of  
24 the following:

25 a. Comprehensive information, referral, and assistance  
26 regarding the full range of available public and private  
27 long-term living and community support services, options,  
28 service providers, and resources within a community, including  
29 information on the availability of integrated long-term care.

30 b. Options counseling to assist individuals in assessing  
31 their existing or anticipated long-term care needs and  
32 developing and implementing a plan for long-term living and  
33 community support services designed to meet their specific  
34 needs and circumstances. The plan for long-term living  
35 and community support services may include support with

1 person-centered care transitions to assist consumers and family  
2 caregivers with transitions between home and care settings.

3 c. Consumer access to the range of publicly-supported  
4 long-term living and community support services for which  
5 consumers may be eligible, by serving as a convenient point  
6 of entry for such services. ~~The aging~~ Aging and disability  
7 resource center centers shall offer information online and  
8 be available via a toll-free telephone number, electronic  
9 communications, and in person.

10 2. The following entities shall be eligible to be designated  
11 as an aging and disability resource center by the department:

12 a. An area agency on aging established on or before June 30,  
13 2024.

14 b. A public or private nonprofit agency, or any separate  
15 organizational unit within the public or private nonprofit  
16 agency, that has the capabilities to engage in the planning or  
17 provision of aging and disability services only as directed by  
18 the department.

19 ~~2.~~ 3. ~~The aging~~ Aging and disability resource center  
20 centers shall assist older individuals, ~~persons~~ individuals  
21 with disabilities ~~age eighteen or older~~, family caregivers,  
22 and people who inquire about or request assistance on behalf  
23 of members of these groups, as they seek long-term living and  
24 community support services.

25 4. The department shall adopt rules pursuant to chapter 17A  
26 to implement this section.

27 Sec. 154. NEW SECTION. 231.75 Scope.

28 The service quality standards and rights in this subchapter  
29 VII shall apply to any person with an intellectual disability,  
30 a developmental disability, brain injury, or chronic mental  
31 illness who receives services which are funded in whole or in  
32 part by public funds, or services which are permitted under  
33 Iowa law.

34 Sec. 155. NEW SECTION. 231.76 Service quality standards.

35 As the state participates more fully in funding services

1 and other support for persons with an intellectual disability,  
2 developmental disability, brain injury, or chronic mental  
3 illness, it is the intent of the general assembly that the  
4 state shall seek to attain the following quality standards in  
5 the provision of services and other supports:

- 6 1. Provide comprehensive evaluation and diagnosis adapted  
7 to the cultural background, primary language, and ethnic origin  
8 of a person.
- 9 2. Provide an individual treatment, habilitation, and  
10 program services plan.
- 11 3. Provide treatment, habilitation, and program services  
12 that are individualized, flexible, cost-effective, and produce  
13 results.
- 14 4. Provide periodic review of an individual's treatment,  
15 habilitation, and program services plan.
- 16 5. Provide for the least restrictive environment, and  
17 age-appropriate services.
- 18 6. Provide appropriate training and employment  
19 opportunities so that a person's ability to contribute to, and  
20 participate in, the community is maximized.
- 21 7. Provide an ongoing process to determine the degree of  
22 access to, and the effectiveness of, the services and other  
23 supports in achieving the disability service outcomes and  
24 indicators identified by the department.

25 Sec. 156. NEW SECTION. 231.77 Rights.

26 All of the following rights shall apply to a person with an  
27 intellectual disability, a developmental disability, a brain  
28 injury, or a chronic mental illness:

- 29 1. *Wage protection.* A person engaged in a work program  
30 shall be paid wages commensurate with the going rate for  
31 comparable work and productivity.
- 32 2. *Insurance protection.* Pursuant to section 507B.4,  
33 subsection 3, paragraph "g", a person or designated group  
34 of persons shall not be unfairly discriminated against for  
35 purposes of insurance coverage.

1     3. *Citizenship.* A person retains the right to citizenship  
2 in accordance with the laws of the state.

3     4. *Participation in planning activities.* A person has  
4 the right to participate in the formulation of an individual  
5 treatment, habilitation, and program plan developed for the  
6 person.

7     Sec. 157. NEW SECTION. **231.78 Compliance.**

8     1. A person's sole remedy for a violation of a rule adopted  
9 by the department to implement sections 231.75 through 231.77  
10 shall be to initiate a proceeding with the department by  
11 request pursuant to chapter 17A.

12     a. Any decision of the department shall be in accordance  
13 with due process of law. A person or party who is aggrieved or  
14 adversely affected by the department's action may seek judicial  
15 review pursuant to section 17A.19. A person or party who is  
16 aggrieved or adversely affected by a final judgment of the  
17 district court may appeal under section 17A.20.

18     b. Either the department or a party in interest may apply  
19 to the Iowa district court for an order to enforce a final  
20 decision of the department.

21     2. Any rules adopted by the department to implement sections  
22 231.76 and 231.77 shall not create any right, entitlement,  
23 property or liberty right or interest, or private cause of  
24 action for damages against the state or a political subdivision  
25 of the state, or for which the state or a political subdivision  
26 of the state would be responsible.

27     3. Notwithstanding subsection 1, any violation of section  
28 231.77, subsection 2, shall be subject to enforcement by the  
29 commissioner of insurance pursuant to chapter 507B.

30     Sec. 158. NEW SECTION. **231.79 Appeals process.**

31     The department shall establish an appeals process by which a  
32 person or the person's representative may appeal a decision of  
33 the department concerning the provision or denial of aging or  
34 disability services to the person.

35     Sec. 159. Section 231E.3, Code 2024, is amended to read as

1 follows:

2 **231E.3 Definitions.**

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

- 5 1. "*Client*" means an individual for whom a representative  
6 payee is appointed.
- 7 ~~2. "*Commission*" means the commission on aging.~~
- 8 ~~3.~~ 2. "*Conservator*" means conservator as defined in section  
9 633.3.
- 10 ~~4.~~ 3. "*Court*" means court as defined in section 633.3.
- 11 ~~5.~~ 4. "*Department*" means the department of health and human  
12 services.
- 13 ~~6.~~ 5. "*Director*" means the director of health and human  
14 services.
- 15 ~~7.~~ 6. "*Guardian*" means guardian as defined in section  
16 633.3.
- 17 ~~8.~~ 7. "*Incompetent*" means incompetent as defined in section  
18 633.3.
- 19 ~~9.~~ 8. "*Local office*" means a local office of public  
20 guardian.
- 21 ~~10.~~ 9. "*Local public guardian*" means an individual under  
22 contract with the department to act as a guardian, conservator,  
23 or representative payee.
- 24 ~~11.~~ 10. "*Public guardian*" means the state public guardian  
25 or a local public guardian.
- 26 ~~12.~~ 11. "*Public guardianship services*" means guardianship,  
27 conservatorship, or representative payee services provided by  
28 the state public guardian or a local public guardian.
- 29 ~~13.~~ 12. "*Representative payee*" means an individual  
30 appointed by a government entity to receive funds on behalf of  
31 a client pursuant to federal regulation.
- 32 ~~14.~~ 13. "*State agency*" means any executive department,  
33 commission, board, institution, division, bureau, office,  
34 agency, or other executive entity of state government.
- 35 ~~15.~~ 14. "*State office*" means the state office of public

1 guardian.

2 ~~16.~~ 15. "*State public guardian*" means the administrator of  
3 the state office of public guardian.

4 ~~17.~~ 16. "*Ward*" means the individual for whom a guardianship  
5 or conservatorship is established.

6 Sec. 160. REPEAL. Sections 231.11, 231.12, and 231.13, Code  
7 2024, are repealed.

8 Sec. 161. CODE EDITOR DIRECTIVE. The Code editor is  
9 directed to do all of the following:

10 1. Entitle Code chapter 231 "Department of Health and Human  
11 Services — Aging and Disability Services".

12 2. Designate sections 231.75 through 231.79, as enacted in  
13 this division of this Act, as subchapter VII entitled "Bill  
14 of Rights and Service Quality Standards for Persons with an  
15 Intellectual Disability, Developmental Disability, Brain  
16 Injury, or Chronic Mental Illness".

17 3. Correct internal references in the Code and in any  
18 enacted legislation as necessary due to the enactment of this  
19 division of this Act.

20 Sec. 162. EFFECTIVE DATE. The following take effect July  
21 1, 2025:

22 1. The parts of the sections of this division of this Act  
23 amending the following:

24 a. Section 231.3.

25 b. Section 231.4, subsection 1.

26 c. Section 231.23, subsections 4 and 7.

27 d. Section 231.23A, subsection 1.

28 e. Sections 231.56, 231.57, and 231.58.

29 f. Section 231.64, subsection 2.

30 2. The parts of the sections of this division of this Act  
31 enacting the following: sections 231.23A, subsection 7A,  
32 231.75, 231.76, 231.77, 231.78, and 231.79.

33 DIVISION IV

34 TRANSITION PROVISIONS

35 Sec. 163. DEPARTMENT OF HEALTH AND HUMAN SERVICES —

1 TRANSITION OF MENTAL HEALTH SERVICES, ADDICTIVE DISORDER  
2 SERVICES, AND DISABILITY SERVICES.

3 1. For purposes of this division:

4 a. "Administrative services organization" means the same  
5 as defined in section 225A.1, as enacted in division I of this  
6 Act.

7 b. "Behavioral health district" means the same as defined in  
8 section 225A.1, as enacted in division I of this Act.

9 c. "Department" means the department of health and human  
10 services.

11 d. "District behavioral health service system plan" means  
12 the same as defined in section 225A.1, as enacted in division  
13 I of this Act.

14 e. "Mental health and disability services region" means the  
15 same as defined in section 225C.2, subsection 9.

16 f. "State behavioral health service system" means the state  
17 behavioral health service system as established in section  
18 225A.3, as enacted in division I of this Act.

19 g. "State behavioral health service system plan" means the  
20 same as defined in section 225A.1, as enacted in division I of  
21 this Act.

22 h. "Transition period" means the period beginning on the  
23 date of enactment of this division of this Act and concluding  
24 on June 30, 2025.

25 2. There is created a behavioral health service system under  
26 the control of the department. For the fiscal year beginning  
27 July 1, 2025, and each succeeding fiscal year, the behavioral  
28 health service system shall be responsible for implementing and  
29 maintaining a statewide system of prevention, education, early  
30 intervention, treatment, recovery support, and crisis services  
31 related to mental health and addictive disorders, including  
32 but not limited to substance use, tobacco use, and problem  
33 gambling. For the fiscal year beginning July 1, 2025, and each  
34 succeeding fiscal year, the department's division of aging  
35 and disability services shall be responsible for disability



1 services.

2 3. During the transition period, the department may  
3 exercise all policymaking functions and regulatory powers  
4 established in division I of this Act, as necessary to  
5 establish the state behavioral health service system.

6 4. To ensure the state behavioral health service system  
7 and the division of aging and disability services are able to  
8 operate as intended at the conclusion of the transition period,  
9 the department shall perform all the following duties:

10 a. Make contracts as necessary to set up services and  
11 administrative functions.

12 b. Adopt rules as necessary to establish and administer the  
13 state's behavioral health service system.

14 c. Establish policies as necessary to ensure efficient  
15 implementation and operation of the behavioral health service  
16 system.

17 d. Prepare forms necessary for the implementation and  
18 administration of behavioral health services.

19 e. Prepare a state behavioral health service system plan for  
20 the state behavioral health service system.

21 f. Designate behavioral health districts on or before  
22 August 1, 2024. The behavioral health district designation  
23 process shall include an opportunity for the public to  
24 review and to comment on proposed behavioral health district  
25 boundaries.

26 g. Designate an administrative services organization for  
27 each behavioral health district on or before December 31, 2024.

28 h. Review and approve district behavioral health service  
29 system plans for services related to the behavioral health  
30 service system.

31 i. Issue all necessary licenses and certifications.

32 j. Establish contractual rights, privileges, and  
33 responsibilities as necessary to establish and implement the  
34 state behavioral health service system.

35 k. Develop and implement a plan to ensure that persons

1 currently receiving disability services or early intervention,  
2 treatment, recovery support, or crisis services related  
3 to mental health or addictive disorders, including but not  
4 limited to alcohol use, substance use, tobacco use, and problem  
5 gambling, have an uninterrupted continuum of care.

6 1. Establish a central data repository as described in  
7 section 225A.6, as enacted in division I of this Act.

8 m. Collaborate with the department of revenue for  
9 enforcement of tobacco laws, regulations, and ordinances and  
10 engage in tobacco control activities.

11 n. Submit a report to the general assembly no later  
12 than January 13, 2025, that details the administrative and  
13 operational costs for the establishment, implementation, and  
14 administration of the state behavioral health service system.

15 5. If the department determines that a federal waiver or  
16 authorization is necessary to administer any provision of this  
17 division of this Act or to effectuate the state behavioral  
18 health service system by the conclusion of the transition  
19 period, the department shall timely request the federal waiver  
20 or authorization. Notwithstanding any other effective date to  
21 the contrary, a provision the department determines requires a  
22 federal waiver or authorization shall be effective only upon  
23 receipt of federal approval for the waiver or authorization.

24 6. a. On or before July 1, 2024, the department shall  
25 publish on the department's internet site an initial transition  
26 plan for establishing the state behavioral health service  
27 system. The transition plan shall describe, at a minimum, all  
28 of the following:

29 (1) All tasks that require completion before July 1, 2025.  
30 The description of tasks shall include a description of how the  
31 department will solicit comments from stakeholders, including  
32 employees of the department, persons served by the department,  
33 partners of the department, members of the public, and members  
34 of the general assembly, and a detailed timeline for the  
35 completion of the tasks described.

1 (2) The proposed organizational structure of the state  
2 behavioral health service system.

3 (3) The transition of service delivery sites from locations  
4 where people currently receive behavioral health services to  
5 where the people will receive behavioral health services under  
6 the state behavioral health service system.

7 (4) Procedures for the transfer and reconciliation of  
8 budgeting and funding between the mental health and disability  
9 services regions and the department.

10 (5) A description of how responsibilities for disability  
11 services programs will be transferred from current program  
12 administrators to the department's division of aging and  
13 disability services by the end of the transition period.

14 (6) Any additional known tasks that may require completion  
15 after the transition on July 1, 2025.

16 b. The transition plan published under paragraph "a" shall:

17 (1) Be updated no less than quarterly during the transition  
18 period with the current status of completing the tasks  
19 identified in paragraph "a", subparagraph (1).

20 (2) Describe how information regarding any changes in  
21 service delivery will be provided to persons receiving services  
22 from the mental health and disability services regions or  
23 current behavioral health care providers contracted with the  
24 department.

25 (3) Describe how the transition is being funded, including  
26 how expenses associated with the transition will be managed.

27 7. a. Before the end of the transition period, the  
28 governing board of each mental health and disability services  
29 region that maintains a combined account pursuant to section  
30 225C.58, subsection 1, shall transfer all unencumbered and  
31 unobligated moneys remaining in the combined account to the  
32 treasurer of state for deposit into the behavioral health fund  
33 as established in section 225A.7 as enacted in division I of  
34 this Act.

35 b. Before the end of the transition period, each county

1 which maintains a county mental health and disability services  
2 fund pursuant to section 225C.58, subsection 1, shall transfer  
3 all unencumbered and unobligated moneys remaining in the mental  
4 health and disability services fund to the treasurer of state  
5 for deposit into the behavioral health fund as established in  
6 section 225A.7 as enacted in division I of this Act.

7 c. Moneys in the behavioral health fund as established  
8 in section 225A.7 as enacted in division I of this Act are  
9 appropriated to the department for the purposes established in  
10 section 225A.7 as enacted in division I of this Act, and as  
11 otherwise necessary to effectuate this division of this Act.

12 8. a. All debts, claims, or other liabilities owed to a  
13 county, a mental health and disability services region, or  
14 the state due to services rendered pursuant to chapter 125,  
15 222, 225, 225C, 226, 227, 229, 230, or 230A, Code 2024, at the  
16 conclusion of the transition period shall remain due and owing  
17 after the transition period concludes.

18 b. After the transition period concludes, each county  
19 auditor shall collect outstanding debts, claims, or other  
20 liabilities owed to the county for services rendered pursuant  
21 to chapter 125, 222, 225, 225C, 226, 227, 229, 230, or 230A,  
22 Code 2024, before the transition period concluded. The county  
23 attorney may bring a judicial action as necessary to collect  
24 the outstanding debts, claims, or other liabilities.

25 9. With input from appropriate stakeholders, the department  
26 shall identify each contract that will be impacted by mental  
27 health and disability services being transferred to the state  
28 behavioral health service system, or by responsibilities  
29 being transferred to the department's division of aging and  
30 disabilities, pursuant to this Act. On or before June 30,  
31 2025, a party to a contract identified by the department  
32 under this subsection shall exercise the option, if available  
33 pursuant to the terms of the contract, to terminate the  
34 contract in accordance with the terms of the contract which  
35 provide for termination. Contracts that do not provide for

1 termination shall not be renewed or extended at the end of the  
2 current contract term.

3 10. A mental health and disability services region, a  
4 regional administrator as defined in section 225C.55, and  
5 any subdivision of the state shall not enter into, renew, or  
6 extend any contract for services related to mental health and  
7 disability services or addictive disorder services beyond June  
8 30, 2025.

9 Sec. 164. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
10 TRANSITION FUNDING.

11 1. Notwithstanding any provision of law to the contrary,  
12 there is appropriated from the region incentive fund of the  
13 mental health and disability services regional service fund  
14 created in section 225C.7A, subsection 8, to the department of  
15 health and human services for the fiscal year beginning July  
16 1, 2024, and ending June 30, 2025, the following amount, or  
17 so much thereof as is necessary, to be used for the purposes  
18 designated:

19 For the establishment of a central data repository as  
20 described in section 225A.6, subsection 1, as enacted in  
21 division I of this Act:

22 ..... \$ 645,179

23 2. There is appropriated from the region incentive fund  
24 of the mental health and disability services regional service  
25 fund created in section 225C.7A, to the department of health  
26 and human services for the fiscal year beginning July 1, 2024,  
27 and ending June 30, 2025, the following amount, or so much  
28 thereof as is necessary, to be used to support the statewide  
29 988 suicide and crisis line:

30 ..... \$ 3,000,000

31 3. There is appropriated from the region incentive fund of  
32 the mental health and disability services regional service fund  
33 created in section 225C.7A, to the department of health and  
34 human services for the fiscal year beginning July 1, 2024, and  
35 ending June 30, 2025, the following amount, or so much thereof

1 as is necessary, to be used to implement the provisions of this  
2 division of this Act:

3 ..... \$ 1,000,000

4 4. Notwithstanding section 8.33, moneys appropriated in  
5 this section that remain unencumbered or unobligated at the  
6 close of the fiscal year shall not revert to the credit of  
7 the region incentive fund of the mental health and disability  
8 services regional service fund, but shall be credited to the  
9 behavioral health fund created in section 225A.7, as enacted in  
10 division I of this Act, and are appropriated to the department  
11 of health and human services for expenditure for the purposes  
12 of the behavioral health fund.

13 Sec. 165. EMERGENCY RULES. The department of health and  
14 human services may adopt emergency rules under section 17A.4,  
15 subsection 3, and section 17A.5, subsection 2, paragraph "b",  
16 to implement the provisions of this division of this Act and  
17 the rules shall be effective immediately upon filing unless  
18 a later date is specified in the rules. Any rules adopted  
19 in accordance with this section shall also be published as a  
20 notice of intended action as provided in section 17A.4.

21 Sec. 166. EFFECTIVE DATE. This division of this Act, being  
22 deemed of immediate importance, takes effect upon enactment.

23 DIVISION V

24 ELIMINATION OF SPECIAL INTELLECTUAL DISABILITY UNITS

25 Sec. 167. Section 222.1, subsection 3, Code 2024, is amended  
26 by striking the subsection.

27 Sec. 168. Section 222.2, subsection 8, Code 2024, is amended  
28 by striking the subsection.

29 Sec. 169. Section 222.5, Code 2024, is amended to read as  
30 follows:

31 **222.5 Preadmission diagnostic evaluation.**

32 A person shall not be eligible for admission to a resource  
33 center ~~or a special unit~~ until a preadmission diagnostic  
34 evaluation has been made by a resource center ~~or a special unit~~  
35 which confirms or establishes the need for admission.

1     Sec. 170. Section 222.7, unnumbered paragraph 1, Code 2024,  
2 is amended to read as follows:

3     The department may transfer patients from one state resource  
4 center to the other and may at any time transfer patients from  
5 the resource centers to the hospitals for persons with mental  
6 illness, ~~or transfer patients in the resource centers to a~~  
7 ~~special unit or vice versa.~~ The department may also transfer  
8 patients from a hospital for persons with mental illness to a  
9 resource center if consent is given or obtained as follows:

10    Sec. 171. Section 222.8, Code 2024, is amended to read as  
11 follows:

12     **222.8 Communications by patients.**

13     Persons admitted to the resource centers ~~or a special~~  
14 ~~unit~~ shall have all reasonable opportunity and facility for  
15 communication with their friends. Such persons shall be  
16 permitted to write and send letters, provided the letters  
17 contain nothing of an offensive character. Letters written by  
18 any patient to the director or to any state or county official  
19 shall be forwarded unopened.

20    Sec. 172. Section 222.9, Code 2024, is amended to read as  
21 follows:

22     **222.9 Unauthorized departures.**

23     If any person with an intellectual disability shall depart  
24 without proper authorization from a resource center ~~or a~~  
25 ~~special unit~~, it shall be the duty of the superintendent  
26 and the superintendent's assistants and all peace officers  
27 of any county in which such patient may be found to take  
28 and detain the patient without a warrant or order and to  
29 immediately report such detention to the superintendent who  
30 shall immediately provide for the return of such patient to the  
31 resource center ~~or special unit~~.

32    Sec. 173. Section 222.12, subsection 1, Code 2024, is  
33 amended to read as follows:

34     1. Upon the death of a patient of a resource center ~~or~~  
35 ~~special unit~~, a preliminary investigation of the death shall be

1 conducted as required by section 218.64 by the county medical  
2 examiner as provided in section 331.802. Such a preliminary  
3 investigation shall also be conducted in the event of a sudden  
4 or mysterious death of a patient in a private institution  
5 for persons with an intellectual disability. The chief  
6 administrative officer of any private institution may request  
7 an investigation of the death of any patient by the county  
8 medical examiner.

9 Sec. 174. Section 222.73, subsections 1, 3, and 5, Code  
10 2024, are amended to read as follows:

11 1. The superintendent of each resource center ~~and special~~  
12 ~~unit~~ shall compute by February 1 the average daily patient  
13 charge and outpatient treatment charges for which each county  
14 will be billed for services provided to patients chargeable to  
15 the county during the fiscal year beginning the following July  
16 1. The department shall certify the amount of the charges and  
17 notify the counties of the billing charges.

18 a. The superintendent shall compute the average daily  
19 patient charge for a resource center ~~or special unit~~ for  
20 services provided in the following fiscal year, in accordance  
21 with generally accepted accounting procedures, by totaling  
22 the expenditures of the resource center ~~or special unit~~ for  
23 the immediately preceding calendar year, by adjusting the  
24 expenditures by a percentage not to exceed the percentage  
25 increase in the consumer price index for all urban consumers  
26 for the immediately preceding calendar year, and by dividing  
27 the adjusted expenditures by the total inpatient days of  
28 service provided during the immediately preceding calendar  
29 year.

30 b. The department shall compute the outpatient treatment  
31 charges, in accordance with generally accepted accounting  
32 procedures, on the basis of the actual cost of the outpatient  
33 treatment provided during the immediately preceding calendar  
34 year.

35 ~~3.~~ 2. The superintendent shall compute in January the



1 actual per-patient-per-day cost for each resource center ~~or~~  
2 ~~special unit~~ for the immediately preceding calendar year, in  
3 accordance with generally accepted accounting procedures, by  
4 totaling the actual expenditures of the resource center ~~or~~  
5 ~~special unit~~ for the calendar year and by dividing the total  
6 actual expenditures by the total inpatient days of service  
7 provided during the calendar year.

8 ~~5.~~ 3. A superintendent of a resource center ~~or special~~  
9 ~~unit~~ may request that the director enter into a contract with  
10 a person for the resource center ~~or special unit~~ to provide  
11 consultation or treatment services or for fulfilling other  
12 purposes which are consistent with the purposes stated in  
13 section 222.1. The contract provisions shall include charges  
14 which reflect the actual cost of providing the services. Any  
15 income from a contract authorized under this subsection may  
16 be retained by the resource center ~~or special unit~~ to defray  
17 the costs of providing the services or fulfilling the other  
18 purposes. Except for a contract voluntarily entered into by a  
19 county under this subsection, the costs or income associated  
20 with a contract authorized under this subsection shall not  
21 be considered in computing charges and per diem costs in  
22 accordance with the provisions of subsections ~~1 through 4~~ and  
23 2.

24 Sec. 175. Section 222.83, Code 2024, is amended to read as  
25 follows:

26 **222.83 Nonresident patients.**

27 The estates of all nonresident patients who are provided  
28 treatment, training, instruction, care, habilitation, and  
29 support in or by a resource center ~~or a special unit~~, and all  
30 persons legally bound for the support of such persons, shall be  
31 liable to the state for the reasonable value of such services.  
32 The certificate of the superintendent of the resource center  
33 ~~or special unit~~ in which any nonresident is or has been a  
34 patient, showing the amounts drawn from the state treasury or  
35 due therefrom as provided by law on account of such nonresident

1 patient, shall be presumptive evidence of the reasonable value  
2 of such services furnished such patient by the resource center  
3 ~~or special unit.~~

4 Sec. 176. Section 222.84, Code 2024, is amended to read as  
5 follows:

6 **222.84 Patients' personal deposit fund.**

7 There is established at each resource center ~~and special~~  
8 ~~unit~~ a patients' personal deposit fund. ~~In the case of a~~  
9 ~~special unit, the director may direct that the patients'~~  
10 ~~personal deposit fund be maintained and administered as a part~~  
11 ~~of the fund established, pursuant to sections 226.43 through~~  
12 ~~226.46, by the state mental health institute where the special~~  
13 ~~unit is located.~~

14 Sec. 177. Section 222.85, subsection 1, Code 2024, is  
15 amended to read as follows:

16 1. Any funds coming into the possession of the  
17 superintendent or any employee of a resource center ~~or special~~  
18 ~~unit~~ belonging to any patient in that institution shall be  
19 deposited in the name of the patient in the patients' personal  
20 deposit fund, except that if a guardian of the property has  
21 been appointed for the person, the guardian shall have the  
22 right to demand and receive such funds. Funds belonging to a  
23 patient deposited in the patients' personal deposit fund may  
24 be used for the purchase of personal incidentals, desires, and  
25 comforts for the patient.

26 Sec. 178. Section 222.87, Code 2024, is amended to read as  
27 follows:

28 **222.87 Deposit in bank.**

29 The department shall deposit the patients' personal deposit  
30 fund in a commercial account of a bank of reputable standing.  
31 When deposits in the commercial account exceed average monthly  
32 withdrawals, the department may deposit the excess at interest.  
33 The savings account shall be in the name of the patients'  
34 personal deposit fund and interest paid on the account may be  
35 used for recreational purposes for the patients at the resource

1 center ~~or special unit~~.

2 Sec. 179. REPEAL. Sections 222.88, 222.89, 222.90, and  
3 222.91, Code 2024, are repealed.

4 Sec. 180. EFFECTIVE DATE. This division of this Act, being  
5 deemed of immediate importance, takes effect upon enactment.

6 DIVISION VI

7 COUNTY OF RESIDENCE DETERMINATIONS

8 Sec. 181. NEW SECTION. 331.190 County of residence —  
9 dispute resolution.

10 1. "*County of residence*" means the county in this state  
11 in which, at the time a person applies for or receives  
12 services, the person is living and has established an ongoing  
13 presence with the declared, good faith intention of living  
14 for a permanent or indefinite period of time. The county  
15 of residence of a homeless person is the county in which  
16 the homeless person usually sleeps. A person maintains  
17 residency in the county or state in which the person last  
18 resided during the time period that the person is present in  
19 a different county or state receiving services in a hospital,  
20 a correctional facility, a halfway house for community-based  
21 corrections or substance use disorder treatment, a nursing  
22 facility, an intermediate care facility for persons with an  
23 intellectual disability, a residential care facility, or for  
24 the purpose of attending a college or university.

25 2. a. The dispute resolution process in this subsection  
26 shall apply to county of residence disputes. The dispute  
27 resolution process shall not be applicable to any of the  
28 following:

29 (1) Disputes involving persons committed to a state  
30 facility pursuant to chapter 812.

31 (2) Disputes involving Iowa rule of criminal procedure  
32 2.22(8)(b), commitment for evaluation.

33 (3) Disputes involving chapter 12 of Iowa court rules, rules  
34 for involuntary hospitalization of mentally ill persons.

35 b. If a county objects to a billing for services or a

1 residency determination and asserts that either the person  
2 has residency in a different county or the person is not a  
3 resident of this state, the person's county of residence  
4 shall be determined as provided in this subsection. If the  
5 county asserts that the person has residency in a different  
6 county in this state, the county shall notify that county in  
7 writing within one hundred twenty calendar days of receiving  
8 the billing for services or of the county of residence  
9 determination.

10 c. The county that receives the notification under paragraph  
11 "b" shall respond in writing to the county that provided the  
12 notification within forty-five calendar days of receiving the  
13 notification. If the parties cannot agree as to the person's  
14 county of residence within ninety calendar days of the date of  
15 notification, on motion of either of the parties, the matter  
16 shall be referred to the administrative hearings division of  
17 the department of inspections, appeals, and licensing for  
18 a contested case proceeding under chapter 17A, before an  
19 administrative law judge assigned in accordance with section  
20 10A.801, to determine the person's county of residence.

21 d. (1) Notwithstanding section 17A.15, the administrative  
22 law judge's determination of a person's county of residence  
23 shall be considered final agency action. Judicial review of  
24 the determination may be sought in accordance with section  
25 17A.19.

26 (2) If following the determination of a person's county of  
27 residence under this subsection additional evidence becomes  
28 available that merits a change in the determination of the  
29 person's county of residence, the affected parties may change  
30 the determination of county of residence by mutual agreement.  
31 Otherwise, a party may move that the matter be reconsidered  
32 by the county, or by an administrative law judge assigned in  
33 accordance with section 10A.801.

34 e. Unless a petition is filed for judicial review, the  
35 administrative law judge's determination of the person's county

1 of residence shall result in one of the following:

2 (1) If a county is determined to be the person's county  
3 of residence, that county shall pay any amounts due and shall  
4 reimburse the other county for any amounts paid for services  
5 provided to the person by the other county prior to the county  
6 of residence determination.

7 (2) If it is determined that the person is not a resident of  
8 this state, neither the state nor either county shall be liable  
9 for payment of amounts due for services provided to the person  
10 prior to the determination of the person's county of residence.

11 *f.* (1) The party that does not prevail in a contested  
12 case proceeding or a subsequent judicial review pursuant to  
13 this subsection shall be liable for costs associated with  
14 the proceeding or judicial review, including reimbursement  
15 of the administrative hearings division of the department of  
16 inspections, appeals, and licensing's actual costs associated  
17 with the administrative proceeding, court costs, and reasonable  
18 attorney fees.

19 (2) A payment or reimbursement pursuant to this subsection  
20 shall be remitted within forty-five calendar days of the  
21 date the county of residence determination is issued by the  
22 administrative law judge or the date the court files an order  
23 determining the person's county of residence, whichever is  
24 later. After forty-five calendar days, the prevailing party  
25 may add a penalty of up to one percent per month to any amounts  
26 due.

27 Sec. 182. Section 35D.9, Code 2024, is amended to read as  
28 follows:

29 **35D.9 County of residence upon discharge.**

30 A member of the home does not acquire residency in the county  
31 in which the home is located unless the member is voluntarily  
32 or involuntarily discharged from the home and the member  
33 meets county of residence requirements. For purposes of this  
34 section, "*county of residence*" means the same as defined in  
35 section ~~225C.6~~ 331.190.

1     Sec. 183. Section 232.141, subsections 7 and 8, Code 2024,  
2 are amended to read as follows:

3     7. A county charged with the costs and expenses under  
4 subsections 2 and 3 may recover the costs and expenses from the  
5 child's custodial parent's county of residence, as defined in  
6 section ~~225C.61~~ 331.190, by filing verified claims which are  
7 payable as are other claims against the county. A detailed  
8 statement of the facts upon which a claim is based shall  
9 accompany the claim.

10    8. This subsection applies only to placements in a juvenile  
11 shelter care home which is publicly owned, operated as a county  
12 or multicounty shelter care home, organized under a chapter  
13 28E agreement, or operated by a private juvenile shelter care  
14 home. If the actual and allowable costs of a child's shelter  
15 care placement exceed the amount the department is authorized  
16 to pay, the unpaid costs may be recovered from the child's  
17 custodial parent's county of residence. However, the maximum  
18 amount of the unpaid costs which may be recovered under this  
19 subsection is limited to the difference between the amount  
20 the department is authorized to pay and the statewide average  
21 of the actual and allowable rates as reasonably determined  
22 by the department annually. A home may only be reimbursed  
23 for the lesser of the home's actual and allowable costs or  
24 the statewide average of the actual and allowable rates as  
25 determined by the department in effect on the date the costs  
26 were paid. The unpaid costs are payable pursuant to filing of  
27 verified claims against the child's custodial parent's county  
28 of residence. A detailed statement of the facts upon which a  
29 claim is based shall accompany the claim. Any dispute between  
30 counties arising from ~~filings of claims~~ filed pursuant to this  
31 subsection shall be settled in the manner provided to determine  
32 residency county of residence in section ~~225C.61~~ 331.190.

33     Sec. 184. EFFECTIVE DATE. This division of this Act takes  
34 effect July 1, 2025.

1 SUBSTANCE USE DISORDER — BEER AND LIQUOR CONTROL FUND

2 Sec. 185. Section 123.17, subsection 5, Code 2024, is  
3 amended to read as follows:

4 5. After any transfer provided for in subsection 3 is  
5 made, the department shall transfer into a special revenue  
6 account in the general fund of the state, a sum of money at  
7 least equal to seven percent of the gross amount of sales made  
8 by the department from the beer and liquor control fund on a  
9 monthly basis but not less than nine million dollars annually.  
10 Of the amounts transferred, two million dollars, ~~plus an~~  
11 ~~additional amount determined by the general assembly,~~ shall be  
12 appropriated to the department of health and human services for  
13 use by the staff who administer the comprehensive substance use  
14 disorder program under chapter 125 for substance use disorder  
15 treatment and prevention programs. Any amounts received in  
16 excess of the amounts appropriated to the department of health  
17 and human services for use by the staff who administer the  
18 comprehensive substance use disorder program under chapter 125  
19 shall be considered part of the general fund balance.

20 Sec. 186. EFFECTIVE DATE. This division of this Act, being  
21 deemed of immediate importance, takes effect upon enactment.

22 DIVISION VIII

23 SUPPORTED COMMUNITY LIVING SERVICES

24 Sec. 187. Section 225C.21, subsection 1, Code 2024, is  
25 amended to read as follows:

26 1. As used in this section, "*supported community living*  
27 *services*" means services provided in a noninstitutional  
28 setting to ~~adult~~ persons sixteen years of age and older with  
29 mental illness, an intellectual disability, brain injury, or  
30 developmental disabilities to meet the persons' daily living  
31 needs.

32 Sec. 188. EFFECTIVE DATE. This division of this Act, being  
33 deemed of immediate importance, takes effect upon enactment.>

By JEFF EDLER

S-5160 (Continued)

[S-5160](#) FILED APRIL 16, 2024

ADOPTED



HOUSE FILE 2673

S-5162

1 Amend the amendment, S-5160, to House File 2673, as amended,  
2 passed, and reprinted by the House, as follows:

3 1. Page 15, by striking lines 21 through 29.

4 2. Page 79, after line 20 by inserting:

5 <n. Submit a report to the general assembly no later  
6 than January 13, 2025, that details the administrative and  
7 operational costs for the establishment, implementation, and  
8 administration of the state behavioral health service system.>

9 3. Page 82, line 16, by striking <FUNDING — 988 SERVICE>

10 4. Page 83, after line 1 by inserting:

11 <3. There is appropriated from the region incentive fund of  
12 the mental health and disability services regional service fund  
13 created in section 225C.7A, to the department of health and  
14 human services for the fiscal year beginning July 1, 2024, and  
15 ending June 30, 2025, the following amount, or so much thereof  
16 as is necessary, to be used to implement the provisions of this  
17 division of this Act:

18 ..... \$ 1,000,000>

19 5. Page 83, line 2, by striking <3.> and inserting <4.>

By JEFF EDLER

S-5162 FILED APRIL 16, 2024

ADOPTED

HOUSE FILE 2673

S-5167

1 Amend the amendment, S-5160, to House File 2673, as amended,  
2 passed, and reprinted by the House, as follows:

3 1. By striking page 16, line 23, through page 17, line 16.

4 2. Page 17, line 19, by striking <225A.9> and inserting  
5 <225A.7>

6 3. By striking page 19, line 35, through page 20, line 3.

7 4. Page 61, line 7, by striking <142A,>

8 5. By renumbering as necessary.

By HERMAN C. QUIRMBACH

S-5167 FILED APRIL 16, 2024

LOST



---

[SF 2439](#) – County Supervisor Districts (LSB6387SV)  
Staff Contact: Joey Lovan (515.242.5925) [joey.lovan@legis.iowa.gov](mailto:joey.lovan@legis.iowa.gov)  
Fiscal Note Version – New

---

## **Description**

[Senate File 2439](#) relates to county redistricting plans. The Bill is organized into three divisions.

### **Division I**

This Division requires counties with a population of 125,000 or more based on the most recent federal decennial census to use plan “three” for the election of supervisors. The Bill provides that a county with a population of 125,000 or more as of the effective date of this Bill that does not use plan “three” as of the effective date for the election of supervisors is not required to elect supervisors under plan “three” until the election of supervisors in 2026.

This Division also requires counties to establish a temporary county redistricting commission to adopt a representation plan by the later of 30 days after the effective date of this Bill or May 15, 2024. The plan is required to be submitted to the Office of the Secretary of State (SOS) no later than November 1, 2024, and will become effective January 1, 2025.

### **Division II**

This Division defines how a vacancy on a board of supervisors is to be filled. A county with a population of less than 125,000 based on the most recent federal decennial census is required to fill the vacancy by appointment by the committee of county officers. A county with a population of 125,000 or more based on the most recent federal decennial census is required to fill the vacancy with a special election.

### **Division III**

This Division makes the Bill effective upon enactment.

## **Background**

Currently, Iowa Code section [331.206](#) requires county redistricting plans to be selected by the county board of supervisors or by special election as provided in Iowa Code section [331.207](#). The three plans used for the election of supervisors are as follows:

- Plan “one” — election at large without district residence requirements for the members.
- Plan “two” — election at large but with equal-population district residence requirements for the members.
- Plan “three” — election from single-member equal-population districts, in which the electors of each district shall elect one member who must reside in that district.

Currently, there are five counties with a population of 125,000 or more that would be required to use plan “three.” Three of the five counties, Black Hawk, Johnson, and Scott, will be changing from plan “one” to plan “three,” and two of the five counties, Linn and Polk, already use plan “three.”

Iowa Code section [69.14A](#) allows for the vacancies to be filled by appointment under certain circumstances.

**Assumptions**

**Division I**

- The three counties changing from plan “one” to plan “three” will experience an estimated cost between \$40,000 and \$80,000 per county to conform their district to plan “three.” The estimated cost will cover training, additional precincts, conforming ballots, and the mailing of new voter registration cards to all eligible voters within the county.
- There will be no additional costs to the two counties currently using plan “three.”

**Division II**

Counties that are required to hold special elections as a result of vacancies for their boards of supervisors are estimated to cost between \$15,000 and \$90,000 per county per election. The frequency of elections per county cannot be estimated.

**Fiscal Impact**

**Division I**

For the three counties required to change from plan “one” to plan “three” under Division I, the one-time cost per county is estimated to be between \$40,000 and \$80,000 for a total one-time cost of between \$120,000 and \$240,000 for FY 2025.

**Division II**

Counties that hold special elections for their boards of supervisors under Division II may incur a cost of between \$15,000 and \$90,000 for each special election held in each county.

**Source**

Iowa State Associations of Counties

/s/ Jennifer Acton

---

April 16, 2024

Doc ID 1449085

---

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.

---

www.legis.iowa.gov