

State of Iowa

JOURNAL OF THE SENATE

EIGHTY-NINTH GENERAL ASSEMBLY

2022 REGULAR SESSION

**JAKE CHAPMAN, President of the Senate
W. CHARLES SMITHSON, Secretary of the Senate**

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Des Moines

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EIGHTY-NINTH GENERAL ASSEMBLY
2022 Regular Session

OFFICERS OF THE SENATE

JAKE CHAPMAN	<i>President of the Senate</i>
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JACK WHITVER	<i>Majority Leader</i>
AMY SINCLAIR	<i>Majority Whip</i>
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CHRIS COURNOYER	<i>Assistant Majority Leader</i>
CARRIE KOELKER	<i>Assistant Majority Leader</i>
MARK S. LOFGREN	<i>Assistant Majority Leader</i>
ZACH WAHLS	<i>Minority Leader</i>
AMANDA RAGAN	<i>Minority Whip</i>
NATE BOULTON	<i>Assistant Minority Leader</i>
WILLIAM A. DOTZLER, JR.	<i>Assistant Minority Leader</i>
PAM JOCHUM	<i>Assistant Minority Leader</i>
HERMAN C. QUIRMBACH.....	<i>Assistant Minority Leader</i>
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JENNIFER BEMINIO	<i>Administrative Services Officer II</i>
BOB BIRD	<i>Majority Caucus Research Analyst II</i>

CASSIE BOND	<i>Executive Secretary to Majority Leader</i>
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JOSHUA BRONSINK	<i>Majority Caucus Senior Research Analyst</i>
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ANGIE COX	<i>Administrative Services Officer III</i>
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SAMANTHA DICKSON	<i>Administrative Services Officer I</i>
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MARY EARNHARDT	<i>Senior Administrative Assistant to Majority Leader II</i>
JOEL EHLER	<i>Sergeant-at-Arms</i>
ZACH ENGSTROM	<i>Minority Caucus Research Analyst I</i>
SUE FOECKE	<i>Minority Caucus Senior Research Analyst</i>
KIMBERLY GLEASON	<i>Administrative Assistant to Senate President II</i>
BRIDGET GODES	<i>Minority Caucus Senior Research Analyst</i>
JAKE HEARD	<i>Senior Administrative Assistant to Senate President I</i>
GANNON HENDRICK	<i>Majority Caucus Senior Staff Director</i>
CALEB HUNTER	<i>Senior Administrative Assistant to Majority Leader II</i>
DEBBIE KATTENHORN	<i>Senior Administrative Assistant to Minority Leader II</i>
DYLAN KELLER	<i>Majority Caucus Research Analyst I</i>
RUSTY MARTIN	<i>Minority Caucus Communications Director</i>
JACE MIKELS	<i>Minority Caucus Senior Research Analyst</i>
KATHY OLAH	<i>Senior Administrative Services Officer</i>
RON PARKER	<i>Minority Caucus Senior Staff Director</i>
TYE REIMAN	<i>Bill Clerk</i>
SAMUEL SAMPSON	<i>Administrative Services Assistant</i>

MEGAN SCHLESKY	<i>Majority Caucus Research Analyst I</i>
KERRY SCOTT.....	<i>Minority Caucus Senior Research Analyst</i>
ERICA SHORKEY.....	<i>Minority Caucus Senior Research Analyst</i>
JULIE SIMON	<i>Minority Caucus Senior Research Analyst</i>
MAUREEN TAYLOR	<i>Administrative Services Officer III</i>
RUSS TRIMBLE.....	<i>Majority Caucus Senior Research Analyst</i>
LARISSA WURM SKIPWORTH	<i>Majority Caucus Communications Director</i>
CAROLINE WARMUTH.....	<i>Administrative Services Officer</i>

JOINT EMPLOYEES OF THE SENATE AND HOUSE

KATHLEEN BACUS	<i>Security Officer I</i>
ZACHARY L. BUNKERS	<i>Facilities Manager I</i>
JODY ELLIOTT.....	<i>Security Officer I</i>
JAMES EYBERG.....	<i>Security Officer I</i>
KEVIN FARVER	<i>Security Officer I</i>
DAVID W. GARRISON	<i>Security Officer II</i>
CURTIS HENDERSON	<i>Security Officer I</i>
TIMOTHY KNAPP	<i>Security Officer I</i>
MAC McBRIDE.....	<i>Conservation/Restoration Specialist II</i>
JEFF QUIGLE	<i>Security Officer I</i>
KERT SCHNELL.....	<i>Security Officer I</i>
SCOTT SJOBAKKEN	<i>Conservation/Restoration Specialist</i>
RICHARD TAYLOR	<i>Security Officer I</i>
PHYLLIS TOY	<i>Postmaster</i>
MARK L. WILLEMSSEN.....	<i>Senior Facilities Manager</i>
MARLAND WINTER	<i>Security Officer I</i>
MICHAEL H. WINTER.....	<i>Security Officer I</i>

MEMBERS OF THE SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
2022 Regular Session

(Underlined county indicates the county of residence.)

TONY BISIGNANO

Address	Des Moines
Age	69
Occupation	Retired
Political Party	Democratic
Previous Legislative Service	House: 1987–1992; Senate: 1993–1996, 2015–2021
Senatorial District	17– <u>Polk</u>

JOE BOLKCOM

Address	Iowa City
Age	65
Occupation	Outreach Dir., UI Ctr. for Global and Regional Environmental Research and Iowa Flood Center
Political Party	Democratic
Previous Legislative Service	Senate: 1999–2021
Senatorial District	43– <u>Johnson</u>

NATE BOULTON

Address	Des Moines
Age	41
Occupation	Attorney
Political Party	Democratic
Previous Legislative Service	Senate: 2017–2021
Senatorial District	16– <u>Polk</u>

WAYLON BROWN

Address	Osage
Age	42
Occupation	Small Business Owner/ Farmer
Political Party	Republican
Previous Legislative Service	Senate: 2017–2021
Senatorial District	26–Cerro Gordo, Chickasaw, Floyd, Howard, <u>Mitchell</u> , Winneshiek, Worth

MEMBERS OF THE SENATE

JIM CARLIN

Address	Sioux City
Age	59
Occupation	Attorney
Political Party	Republican
Previous Legislative Service	House: 2017; Senate: 2018*-2021
Senatorial District	3-Plymouth, <u>Woodbury</u>

*Elected in special election held on December 12, 2017.

CLAIRE A. CELSI

Address	West Des Moines
Age	55
Political Party	Democratic
Previous Legislative Service	2019–2021
Senatorial District	21– <u>Polk</u> , Warren

JAKE CHAPMAN

Address	Adel
Age	37
Occupation	Businessman/EMT
Political Party	Republican
Previous Legislative Service	Senate: 2013–2021
Senatorial District	10–Adair, Cass, <u>Dallas</u> , Guthrie, Polk

MARK COSTELLO

Address	Imogene
Age	60
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	Senate: 2015–2021
Senatorial District	12–Fremont, <u>Mills</u> , Montgomery, Page, Ringgold, Taylor

CHRIS COURNOYER

Address	LeClaire
Age	51
Occupation	Website Designer/Substitute Teacher
Political Party	Republican
Previous Legislative Service	Senate: 2019–2021
Senatorial District	49–Clinton, <u>Scott</u>

DAN DAWSON

Address	Council Bluffs
Age	43
Occupation	Peace Officer
Political Party	Republican
Previous Legislative Service	Senate: 2017–2021
Senatorial District	8— <u>Pottawattamie</u>

ADRIAN DICKEY

Address	Packwood
Age	48
Occupation	President of Dickey Transport/Volunteer Fire Fighter
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	41—Davis, <u>Jefferson</u> , Van Buren, Wapello

*Elected in special election held on January 26, 2021.

WILLIAM A. DOTZLER, JR.

Address	Waterloo
Age	74
Occupation	Retired—John Deere
Political Party	Democratic
Previous Legislative Service	House: 1997–2002; Senate: 2003–2021
Senatorial District	31— <u>Black Hawk</u>

DAWN DRISCOLL

Address	Williamsburg
Age	43
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	38—Benton, <u>Iowa</u> Poweshiek

JEFF EDLER

Address	State Center
Age	45
Political Party	Republican
Previous Legislative Service	Senate: 2017–2021
Senatorial District	36—Black Hawk, <u>Marshall</u> , Tama

JULIAN B. GARRETT

Address	Indianola
Age	81
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	House: 2011–2013; Senate: 2013*–2021
Senatorial District	13—Madison, <u>Warren</u>

*Elected in special election held on November 19, 2013.

ERIC GIDDENS

Address	Cedar Falls
Age	48
Occupation	Small Business Owner
Political Party	Democratic
Previous Legislative Service	Senate: 2019*–2021
Senatorial District	30— <u>Blackhawk</u>

*Elected in special election held on March 18, 2019.

TIM GOODWIN

Address	Burlington
Age	50
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	44— <u>Des Moines</u> , Louisa, Muscatine

JESSE GREEN

Address	Boone
Age	37
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	24— <u>Boone</u> , Greene, Hamilton, Story, Webster

DENNIS GUTH

Address	Klemme
Age	66
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	Senate: 2013–2021
Senatorial District	4—Emmet, <u>Hancock</u> , Kossuth, Winnebago, Wright

ROBERT M. HOGG

Address.....	Cedar Rapids
Age	55
Occupation	Legislator
Political Party	Democratic
Previous Legislative Service	House: 2003–2006; Senate: 2007–2021
Senatorial District	33— <u>Linn</u>

PAM JOCHUM

Address.....	Dubuque
Age	67
Occupation	Legislator
Political Party	Democratic
Previous Legislative Service	House: 1993–2008; Senate: 2009–2021
Senatorial District	50— <u>Dubuque</u>

CRAIG JOHNSON

Address.....	Independence
Age	58
Occupation	Business Development/State Legislator
Political Party	Republican
Previous Legislative Service	Senate: 2017–2021
Senatorial District	32—Black Hawk, Bremer, <u>Buchanan</u> , Fayette

KEVIN KINNEY

Address.....	Oxford
Age	58
Occupation	Farmer/Retired Deputy Sheriff
Political Party	Democratic
Previous Legislative Service	Senate: 2015–2021
Senatorial District	39— <u>Johnson</u> , Keokuk, Washington

MIKE KLIMESH

Address.....	Spillville
Age	52
Occupation	Management/Small Business Owner
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	28—Allamakee, Clayton, Fayette, <u>Winnesheik</u>

CARRIE KOELKER

Address.....	Dyersville
Age	51
Occupation	Executive Director-Tourism and Economic Development
Political Party	Republican
Previous Legislative Service	Senate: 2019–2021
Senatorial District	29— <u>Dubuque</u> , Jackson, Jones

TIM KRAAYENBRINK

Address.....	Fort Dodge
Age	62
Occupation	Investment Advisor
Political Party	Republican
Previous Legislative Service	Senate: 2015–2021
Senatorial District	5—Calhoun, Humboldt, Pocahontas, <u>Webster</u>

MARK S. LOFGREN

Address.....	Muscatine
Age	60
Occupation	Real Estate Sales Associate
Political Party	Republican
Previous Legislative Service	Senate: 2017–2021
Senatorial District	46— <u>Muscatine</u> , Scott

JIM LYKAM

Address.....	Davenport
Age	72
Occupation	Legislator
Political Party	Democratic
Previous Legislative Service	House: 1989–1990, 2003–2016; Senate: 2017–2021
Senatorial District	45— <u>Scott</u>

LIZ MATHIS

Address.....	Hiawatha
Age	64
Political Party	Democratic
Previous Legislative Service	Senate: 2012*–2021
Senatorial District	34— <u>Linn</u>

*Elected in special election held on November 8, 2011.

ZACH NUNN

Address	Altoona
Age	42
Occupation	US Air Force, Squadron Commander
Political Party	Republican
Previous Legislative Service	House: 2015–2017; Senate: 2019–2021
Senatorial District	15—Jasper, <u>Polk</u>

JANET PETERSEN

Address	Des Moines
Age	51
Occupation	Marketing Communications
Political Party	Democratic
Previous Legislative Service	House: 2001–2012; Senate: 2013–2021
Senatorial District	18— <u>Polk</u>

HERMAN C. QUIRBACH

Address	Ames
Age	71
Occupation	Associate Professor of Economics, retired—Iowa State University
Political Party	Democratic
Previous Legislative Service	Senate: 2003–2021
Senatorial District	23— <u>Story</u>

AMANDA RAGAN

Address	Mason City
Age	67
Occupation	Retired non-profit director
Political Party	Democratic
Previous Legislative Service	Senate: 2002*–2021
Senatorial District	27—Butler, <u>Cerro Gordo</u> , Franklin

*Elected in special election held on March 12, 2002.

JEFF REICHMAN

Address	Montrose
Age	55
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	42—Henry, Jefferson, <u>Lee</u> , Washington

DAVID D. ROWLEY

Address	Spirit Lake
Age	67
Occupation	Insurance Agent
Political Party	Republican
Previous Legislative Service	None*
Senatorial District	1–Clay, <u>Dickinson</u> , Lyon, Osceola, Palo Alto

*Elected in special election held on December 14, 2021.

KEN ROZENBOOM

Address	Oskaloosa
Age	70
Occupation	Farming/Ag Business
Political Party	Republican
Previous Legislative Service	Senate: 2013–2021
Senatorial District	40–Appanoose, <u>Mahaska</u> , Marion, Monroe, Wapello

JASON SCHULTZ

Address	Schleswig
Age	49
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	House: 2009–2013; Senate: 2015–2021
Senatorial District	9– <u>Crawford</u> , Harrison, Ida, Monona, Shelby, Woodbury

TOM SHIPLEY

Address	Nodaway
Age	68
Occupation	Farmer/Legislator
Political Party	Republican
Previous Legislative Service	Senate: 2015–2021
Senatorial District	11– <u>Adams</u> , Cass, Pottawattamie, Union

AMY SINCLAIR

Address	Allerton
Age	46
Political Party	Republican
Previous Legislative Service	Senate: 2013–2021
Senatorial District	14–Clarke, Decatur, Jasper, Lucas Marion, <u>Wayne</u>

JACKIE SMITH

Address	Sioux City
Age	66
Political Party	Democratic
Previous Legislative Service	Senate: 2019–2021
Senatorial District	7– <u>Woodbury</u>

ROBY SMITH

Address	Davenport
Age	44
Occupation	Small Business Owner
Political Party	Republican
Previous Legislative Service	Senate: 2011–2021
Senatorial District	47– <u>Scott</u>

ANNETTE SWEENEY

Address	Alden
Age	64
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	House: 2009–2011; Senate: 2018*–2021
Senatorial District	25–Butler, Grundy, <u>Harden</u> , Story

*Elected to the Senate in special election held on April 10, 2018.

JEFF TAYLOR

Address	Sioux Center
Age	60
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	2–Cherokee, O'Brien, Plymouth, <u>Sioux</u>

TODD E. TAYLOR

Address	Cedar Rapids
Age	55
Occupation	AFSCME Representative-retired
Political Party	Democratic
Previous Legislative Service	House: 1995–2018, Senate: 2019–2021
Senatorial District	35– <u>Linn</u>

SARAH TRONE GARRIOTT

Address	West Des Moines
Age	43
Occupation	Minister
Political Party	Democratic
Previous Legislative Service	2021
Senatorial District	22– <u>Dallas</u> , Polk

ZACH WAHLS

Address	Coralville
Age	30
Occupation	Small Business Owner/Credit Union Executive
Political Party	Democratic
Previous Legislative Service	Senate: 2019–2021
Senatorial District	37–Cedar, <u>Johnson</u> , Muscatine

JACK WHITVER

Address	Ankeny
Age	41
Occupation	Business Owner/Attorney
Political Party	Republican
Previous Legislative Service	Senate: 2011*–2021
Senatorial District	19– <u>Polk</u>

*Elected in special election held on January 18, 2011.

CRAIG WILLIAMS

Address	Manning
Age	58
Political Party	Republican
Previous Legislative Service	2021
Senatorial District	6–Audubon, Buena Vista, <u>Carroll</u> , Crawford, Sac

BRAD ZAUN

Address	Urbandale
Age	60
Occupation	Director–Master Dowel
Political Party	Republican
Previous Legislative Service	Senate: 2005–2021
Senatorial District	20– <u>Polk</u>

DAN ZUMBACH

Address	Ryan
Age	61
Occupation	Farmer
Political Party	Republican
Previous Legislative Service	Senate: 2013–2021
Senatorial District	48–Buchanan, <u>Delaware</u> , Jones, Linn

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 10, 2022

The Senate met in regular session at 10:07 a.m., President Chapman presiding.

Prayer was offered by Reverend Jeremy Carr, Lead Pastor of NorthPoint Church in Johnston, Iowa. He was the guest of President Chapman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

COMMITTEE ON CREDENTIALS

Senator Whitver moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Kraayenbrink, Chair; Dickey, Jochum, Quirmbach, and J. Taylor.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copies of certification of the Secretary of State duly elected to and entitled to seats in the Senate for the Eighty-ninth General Assembly.

TIM KRAAYENBRINK, Chair
ADRIAN DICKEY
PAM JOCHUM
HERMAN C. QUIRMBACH
JEFF TAYLOR

STATE OF IOWA

*Office of the
Secretary of State*
CERTIFICATION

To the Honorable Secretary of the Senate:

I, PAUL D. PATE, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the Special Election held on December 14, 2021, the following named person was duly elected to the office of State Senate for the residue of the term ending January 2, 2023:

First Dave Rowley

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines, this twenty-seventh day of December, 2021.

PAUL D. PATE
Secretary of State

I hereby acknowledge receipt of the original copy of this document on this twenty-seventh day of December, 2021.

W. CHARLES SMITHSON
Secretary of Senate

OATH OF OFFICE

On motion of Senator Kraayenbrink, the reports were duly adopted by a voice vote, and the duly elected senator appeared before the bar of the Senate, was duly sworn, and subscribed his name to the oath of office.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Chapman addressed the Senate with the following remarks:

Friends, family, colleagues, and to our newly-elected Senator, it is my honor to welcome you to the 2022 legislative session. I have always enjoyed the first day of session. It's a time in which friends and colleagues are reunited, hope and excitement flourishes, and optimism for the future resonates.

Colleagues, the time has come for us to take a stand. It has become increasingly evident that we live in a world in which many, including our media, wish to confuse, misguide, and deceive us, calling good evil and evil good. One doesn't have to look far to see the sinister agenda occurring right before our eyes. The attack on our children is no longer hidden. Those who wish to normalize sexually deviant behavior against our children, including pedophilia and incest, are pushing this movement more than ever before. Our children should be safe and free from this atrocious assault. Our students should be learning about science, and mathematics; they should be learning about engineering and innovation. Instead, some teachers are disguising sexually obscene material as desired subject matter and profess it has artistic and literary value. The literature being pushed on our students should disturb all of us and if you aren't disturbed, I can only hope it is because you have not actually heard or seen the content. Nobody, regardless of their race, religion, ethnicity, gender, sexual orientation, or occupation has the right to expose children to obscene material. It is for that reason that this body should use this session to address this very issue.

When students are subjected to this violating content, we need to ensure parents have the ability to protect their children by removing them from the district. We can and must tear down the financial barriers that prevent parents from making this decision. We must hold those who distribute this repulsive and criminal content to minors accountable. Let us not forget the quote on the first floor of this capitol which reads "nothing is politically right that is morally wrong." In other words, we can't be right by doing the wrong thing, and doing the right thing can never be wrong. Since 1973 nearly 70 million Americans have had their voices silenced. Their lives were taken in the so-called name of "choice." We have courageously stood for and defended those who could not defend themselves. I am proud of the work done by this body to give a voice to the voiceless. As the United States Supreme Court takes up this important issue, we will stand ready to take whatever steps necessary to defend the dignity of life.

Colleagues, because of your dedication to being fiscally responsible, we come into this legislative session with our economic reserves totally full. Our revenues are at a historic all time high, and our ending fund balances are flourishing. This economic prosperity has come from sound fiscal policies and reducing taxes on Iowans. When individual economic freedoms abound, economic prosperity follows. Yet, let's not forget that there will be some who wish to spend this money on expanding government; our focus must be to return these dollars to the rightful owners – the taxpayers. Now is the time to take a bold stand. We have come a long way in reducing taxes on Iowans but it's not enough. Let's keep our eyes set on the total elimination of income taxes. Now is the time for action, now is the time to be bold! We cannot allow another year to go by sitting on the sidelines, while other states are aggressively reducing taxes. This is the year to take action!

Lastly, may we always remember that the work we do here in this building will impact the lives of millions of Iowans and future generations to come. Let's make 2022 a year to look back on with humility and thanksgiving for the bold stand we took to give greater freedom and liberty to Iowans, where we stood for parental choice in education, where we lifted the crushing weight of tax burdens on Iowans, and where we stood for what is right, even among those who call it wrong. Right is right, all of the time, and wrong is wrong, all of the time. May this body choose to do what is right. God has so richly blessed and prospered our state, may we recognize Him and His hand in all we do! May He continue to bless our great state and may He bless each of you throughout this session!

REMARKS BY THE MINORITY LEADER

Senator Wahls addressed the Senate with the following remarks:

Mr. President, ladies and gentlemen of the Senate, staff, members of the press, members of the public, and everyone watching at home, welcome to the 2022 legislative session.

Our session should be laser-focused on the Reynolds Workforce Crisis. All of us see and are overwhelmed by the 'Help Wanted' signs we see in our districts — the reduced hours, the limited service, and even shuttered businesses. In my district, businesses in towns like Tipton, suburban communities like Coralville, and big cities like Iowa City, are all struggling because of the Reynolds Workforce Crisis. In countless meetings, business and community leaders bring up workforce as not just their top priority, but as priorities one, two, three, four, and five. The good news is that we all agree — Democrats and Republicans alike — that workforce is the most important issue facing our state.

Let's start with the facts: Today, on January 10, 2022, there are fewer Iowans in the workforce than there were a decade ago. At the same time, nationally, there are nearly ten million more Americans who have entered the workforce nationwide. We all know there is a labor shortage in America — but the problem is significantly worse in Iowa. Why is that? As Republican leaders gladly tell us, they have been in full control of our state government since 2017. And Republicans are now promising us more of the same — that hasn't worked. We've been told it will be more of the GOP Greatest Hits this session: more attacks on LGBTQ Iowans, more gasoline on the culture war fire, and more attacks on the first amendment. Just last week, Senate Republicans announced they are banning members of the media from the floor of the Senate chamber — continuing Republican attacks on the First Amendment from last year.

If Republican proposals worked, talented, younger Americans would be flocking to live and work in Iowa, and our population would be growing across the state. Is this happening? We all know the answer. Governor Reynolds and Iowa Republicans have not made Iowa a place where more people want to live, work, raise a family, or start a business. And now — Republicans want to double down on the same policies that have already brought devastating consequences to Iowa. The facts are clear: Iowa is on the wrong track. And we're seeing these impacts in our schools, in our health care system, and especially in our rural communities.

In our schools, just last week, students in Davenport couldn't get to school because there weren't enough bus drivers. In Mason City — and in other districts across the state — schools are increasing class sizes because they don't have enough teachers and substitutes to cover their classes. Every week there is a new story about a school that unexpectedly closed because they didn't have enough staff.

The Reynolds Workforce Crisis is contributing directly to the crisis we're seeing in our public education, which is creating massive uncertainty for Iowa students and parents. Across Iowa, the coronavirus has disrupted learning – both in-person learning and virtual learning – and we know both students and parents have experienced unprecedented, untold stress. Iowa's education crisis isn't happening because of critical race theory or books Republicans are trying to ban — it's happening because of the extreme, anti-public education policies enacted by Governor Reynolds and this Republican legislature that are driving teachers out of Iowa. It's happening because Iowa Republicans do not value the work of our hardworking public educators. Iowa's public-school teachers are underpaid, underappreciated, forced to work in unsafe conditions and because of Republican attacks on collective bargaining, they are unable to negotiate over workplace safety. Governor Reynolds turned down \$95 million in federal funds to make our schools safer for teachers, staff, and students. Why? This decision is inexplicable. It shouldn't be a surprise that we are struggling to find enough teachers to teach our kids – Republican policies are driving teachers out of Iowa.

The Reynolds Workforce Crisis is also severely impacting Iowa's health care system. Our hospitals and ICUs are filled to the brink with COVID patients, over 80% of whom are unvaccinated. Iowans are still getting sick, and Iowans are still dying from COVID. To keep our schools and economy open, and to protect our health care system, we need every Iowan to get fully vaccinated. That's how we'll defeat COVID once and for all and finally get back to normal. Until then, we will continue to see too many stories like that of Dale Weeks, a retired superintendent from Seymour, who died of a non-COVID disease that would have been treatable if there had been an open bed for him at a major medical center — but there wasn't. As his daughter told the Des Moines Register quote "It's infuriating that people who are not vaccinated are clogging it up," end-quote. Our state failed Dale Weeks, after Dale spent his life serving our state. But COVID is just the tip of the iceberg when it comes to the crisis in our health care system.

Because of the Reynolds Workforce Crisis, Iowans are paying more for lower quality health care. The Reynolds Workforce Crisis — and as a recent report demonstrated, the privatization of Medicaid — are both driving up health care costs for all Iowans. And yet, Republicans have no plan to reverse course on Managed Care. Hopefully, Governor Reynolds will include health care workers in her forthcoming workforce plan.

And as challenging as these struggles are in urban Iowa, we all know that our small town and rural communities are bearing the brunt of this crisis. The numbers speak for themselves. 2020 census data showed that two-thirds of Iowa counties lost population from 2010 to 2020. Rural Iowans are currently dying at a rate twice as fast as Iowans living in urban areas. Too few rural Iowans don't have access to basic necessities like clean drinking water and reliable Internet access. Thankfully, President Biden and Representative Axne passed the American Rescue Plan and the historic Bipartisan Infrastructure Deal, which have allowed our state to invest over \$500 million in rural broadband. But President Biden's leadership may not be enough to overcome the Reynolds Workforce Crisis and the Republican policies that are hollowing out rural Iowa.

Senate Democrats are focused on recruiting more Iowans, younger Iowans, and better-paid Iowans to our state.

We believe Iowa needs to end the divisive culture wars that pit Iowans against Iowans and instead bring our state together.

We need to make Iowa an inclusive and welcoming place to get our state growing again.

We need comprehensive tax reform that closes loopholes and attracts new investment instead of alienating new employers.

We need to expand apprenticeships, career training, and technical education by investing in our higher education system.

Fully fund our public schools so our students attend the best public schools in the country instead of trying to privatize and consolidate Iowa schools with a vouchers program that uses public dollars for private schools.

Stop talking about making childcare more affordable throughout Iowa and pass overdue legislation to fix Iowa's broken childcare system and guarantee access to free, universal Pre-K programs.

Invest in more affordable housing and help more Iowans become homeowners and finally fix Iowa's broken laws affecting Iowans who own and live in manufactured homes.

Senate Democrats are guided by Iowa values. We believe hard work deserves fair pay, every Iowan deserves to be treated fairly, and we all do better when we all do better. We believe every Iowan wants their family to be happy, safe, healthy, and nearby. That's what Democrats are fighting for. We need to bring economic opportunity back to every corner of the state – from our big cities to small towns, our suburban communities to our rural farms.

Democrats are ready and eager to find bipartisan solutions to the problems Iowans face. Let's stop pouring gasoline on the divisive culture war and focus on getting our state back to work. Let's work together for our neighbors, our communities, and the future of our great state. Let's improve the lives of Iowans and get Iowa back on the right track.

REMARKS BY THE MAJORITY LEADER

Senator Whitver addressed the Senate with the following remarks:

Mister President and colleagues of the Senate,

The 2022 legislative session provides exciting opportunities for us as we continue our work to make Iowa the best state in the country - the best state to live, the best state to work, and the best state to raise your family. Recently, Iowa was rated as one of the best states for opportunity. We were named the state in the strongest position to withstand the Covid pandemic and we were also named the fastest state to recover from it. After 5 years of a Republican trifecta, Iowa's success is no longer subjective - it's objective.

In the five years since Republicans have had the majority in the Iowa Senate, we have enacted legislation to help Iowa grow and make the state better for those who call it home. The priority being tax relief for those hard-working people who make our state the great place it is. After implementing conservative, responsible budgeting practices, we passed truly historic income tax relief and we have continued to pass tax relief measures every year. We started as one of the states with the highest, most complicated income taxes in the country. Even after the measures we have taken, we have more work to do.

In a post pandemic economy, the competition is fierce for jobs and citizens. If policy makers want this state to grow, then we must be on the list of states with the lowest income tax in America.

Census data from 2021 was released recently and it showed a dark picture for states with high tax rates, punitive regulations, and regular lockdowns. Look no farther than east of the Mississippi river to see a state lose more than 140,000 residents last year. High taxes, closed schools, and an oppressive government chase residents to other states. Just like Illinois, California and New York have all had a net loss of hundreds of thousands of residents. People are voting with their feet and with their wallets. They are moving to low tax, pro freedom states.

In an increasingly competitive and fluid economy, we must improve Iowa's competitive advantage to attract new residents and create new career opportunities. We started down that path in 2017 by implementing sound, reliable, and sustainable budgets and maintained that discipline each year. We continued in 2018 by passing the largest income tax cut in Iowa history. In 2019 we approved property tax transparency and in 2021 we accelerated the 2018 tax cuts and eliminated a property tax levy. All of that work has set the stage for another significant reduction in the income tax rates.

We have almost a billion dollars in the rainy day funds. Another billion in the taxpayer trust fund. Another billion dollar projected surplus in this current budget year, and a huge structural surplus as we brought in almost a billion dollars more than we spent this year.

In short, our policies are working and that success has led to an overcollection of taxes on hard working Iowans. When Republicans collect too much of your hard earned dollars, we will keep our promise to give it back. We must return that money to taxpayers in the form of major, permanent pro-growth tax reform. Iowans deserve a simpler, more transparent, and more competitive tax code.

It is more important now than ever for Iowans to keep what they earn and be motivated to join the workforce so our economy can continue to grow. Cutting taxes is not only good for the hard-working Iowans who earned it, but also for small businesses paying that same rate. They have more money to invest and build their business. More money to reward employees with higher wages, attract new customers, and expand their opportunities. It makes Iowa more competitive with the states around us, and a more attractive place to live.

One of my colleagues has already been quoted as saying we are looking at building a 21st century model for our tax code, and that there is no reason we should settle for mediocrity. The tax code should not punish Iowans for wanting more in life, trying to provide more for your family, or getting a promotion at work.

In addition to tax relief, Iowans from nearly every sector of the economy are looking for solutions to the demand for workforce. I would propose instead of creating another government program to fix a government-created problem, we get government out of the way and empower Iowans to solve the problem. Let's make it easier to open and operate a child care facility in Iowa so Iowa parents who want to return to the workforce, can. Let's eliminate outdated licensing requirements and make sure someone with the necessary training and skills can get to work sooner, without government-imposed delays. Let's ensure Iowa's public assistance programs are there for the truly needy and not a lifestyle option for healthy, capable Iowans. Let's improve the tangible incentive to work by reducing income taxes on all Iowans.

I am proud to be the leader of this caucus and proud of the accomplishments we have made so far. I am most proud because we deliver on the promises we make to Iowans. Promises like sustainable budgets, reliable funding for education, empowering parents in their children's education and supporting law enforcement.

We will not stop now. The Senate Republican agenda for this session is tax relief for Iowans, and we do not intend to waste the opportunity we have here with one-time checks. We are here to deliver real, permanent tax reform to give employers and families the confidence to know their work and investments will be worth the risk.

You have all heard me say we shouldn't be just thinking and working for next year, but for the next generation of Iowans, and the next generation after that. Nothing we do here is just for today.

Colleagues, we begin the 2022 session with Iowa in the strongest position we have ever been. The 5 years of hard work, leadership by many of you in this room, and the patience for our policies to work, has given us a tremendous opportunity.

When given an opportunity, we must deliver. We must keep our promises to the voters who send us to the capitol. Promises that ensure that the next generation of Iowans is better off than we are.

Few policies have shown more long-term growth impact than significant, permanent income tax cuts. Implementing pro-growth tax policy to make Iowa one of the fastest growing states in the country is policy that makes a generational difference.

It is great to see everyone back at the Capitol. Let's get to work.

COMMITTEE TO NOTIFY THE HOUSE

Senator Whitver moved that a committee of three be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Johnson, Chair; Celsi and Guth.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Whitver moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Carlin, Chair; Driscoll and T. Taylor.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:37 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:39 a.m., President Chapman presiding.

APPOINTMENT OF PERMANENT AND PART-TIME OFFICERS AND EMPLOYEES

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following individuals as permanent and part-time officers and employees of the Senate for the 2022 Session of the Eighty-ninth General Assembly:

Secretary of the Senate W. Charles Smithson
Sr. Administrative Services Officer Kay Dearie
Administrative Services Officer Caroline Warmuth

Administrative Services Assistant	Sam Sampson
Administrative Services Officer I	Samantha Dickson
Sr. Administrative Services Officer	Kathy Olah
Administrative Services Officer III	Angela Cox
Administrative Services Officer II	Jennifer Beminio
Assistant Secretary of the Senate I	Michelle Bauer
Administrative Services Officer III	Maureen Taylor

President of the Senate's Office

Sr. Administrative Assistant to President I.....	Jake Heard
Administrative Assistant to President.....	Kimberly Gleason

Republican Caucus

Sr. Administrative Assistant to Leader II.....	Mary Earnhardt
Sr. Administrative Assistant to Leader II.....	Caleb Hunter
Sr. Caucus Staff Director	Gannon Hendrick
Sr. Legislative Research Analyst.....	Thomas Ashworth
Sr. Legislative Research Analyst.....	Laura Book
Sr. Legislative Research Analyst.....	Josh Bronsink
Sr. Legislative Research Analyst.....	Pamela Dugdale
Sr. Legislative Research Analyst	Russ Trimble
Legislative Research Analyst II.....	Bob Bird
Legislative Research Analyst II.....	Jillian Carlson
Legislative Research Analyst II.....	Larissa Wurm-Skipworth
Legislative Research Analyst I	Megan Schlesky
Legislative Research Analyst I	Dylan Keller
Executive Secretary to Leader	Cassie Bond

Democratic Caucus

Sr. Administrative Assistant to Leader II.....	Eric Bakker
Sr. Administrative Assistant to Leader II.....	Debbie Kattenhorn
Sr. Caucus Staff Director	Ron Parker
Sr. Legislative Research Analyst.....	Kris Bell
Legislative Research Analyst I	Zach Engstrom
Sr. Legislative Research Analyst.....	Sue Foecke
Sr. Legislative Research Analyst.....	Bridget Godes
Sr. Legislative Research Analyst.....	Rusty Martin
Sr. Legislative Research Analyst.....	Jace Mikels
Sr. Legislative Research Analyst.....	Kerry Scott
Sr. Legislative Research Analyst.....	Erica Shorkey
Sr. Legislative Research Analyst.....	Julie Simon

Sergeant-at-Arms

Sergeant-at-Arms.....	Joel Ehler
Bill Clerk.....	Tye Reiman

JACK WHITVER, Chair

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as Pages for the Senate for the 2022 Session of the Eighty-ninth General Assembly:

Ian Critelli, West Des Moines
Kennedy Haag, Waukee
Elizabeth Hunter, Jesup
Thomas Knudsen, West Des Moines
Jackson Maddox, Ankeny
Maren Rasmussen, Johnston
Cecilia Redman, Gowrie
Grace Tollefson, State Center

JACK WHITVER, Chair

Senator Whitver moved the adoption of the reports and appointments of the permanent officers and employees of the Senate.

The motion prevailed by a voice vote, and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Iowa Code section 2.10, the following has been determined to be the mileage to which Senators are entitled for the Eighty-ninth General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
BISIGNANO, Anthony	0
BOLKCOM, Joe	234
BOULTON, Nate	0
BROWN, Waylon	302
CARLIN, Jim	400
CELSI, Claire	22
CHAPMAN, Jake	53
COSTELLO, Mark	276
COURNOYER, Chris	350
DAWSON, Dan	254
DOTZLER, William	260
DRISCOLL, Dawn	170
EDLER, Jeff	94
GARRETT, Julian	54
GIDDENS, Eric	220
GOODWIN, Tim	332
GREEN, Jesse	152
GUTH, Dennis	204

HOGG, Robert M.	260
JOCHUM, Pam	400
JOHNSON, Craig	304
KINNEY, Kevin	200
KLIMESH, Michael	386
KOELKER, Carrie	380
KRAAYENBRINK, Tim	200
LOFGREN, Mark	298
LYKAM, Jim	330
MATHIS, Liz	264
NUNN, Zach	0
PETERSEN, Janet	0
QUIRMBACH, Herman	75
RAGAN, Amanda	240
REICHMAN, Jeffrey	348
ROWLEY, David	400
ROZENBOOM, Ken	134
SCHULTZ, Jason	282
SHIPLEY, Tom	216
SINCLAIR, Amy	137
SMITH, Jackie	402
SMITH, Roby	334
SWEENEY, Annette	146
TAYLOR, Jeffrey	470
TAYLOR, Tod	248
TRONE-GARRIOTT, Sarah	0
WAHLS, Zach	218
WHITVER, Jack	0
WILLIAMS, Craig	212
ZAUN, Brad	0
ZUMBACH, Dan	344

WAYLON BROWN, Chair
TONY BISIGNANO
JESSE GREEN
LIZ MATHIS

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Johnson reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Carlin reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 10, 2022, **adopted** the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 101, a concurrent resolution providing for a joint convention for the Condition of the State Address.

Read first time and **placed on calendar**.

House Concurrent Resolution 102, a concurrent resolution providing for a joint convention for the Condition of the Judiciary Address.

Read first time and **placed on calendar**.

House Concurrent Resolution 103, a concurrent resolution to provide for a joint convention for the Condition of the Iowa National Guard Address.

Read first time and **placed on calendar**.

**CONSIDERATION OF RESOLUTIONS
(Regular Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolutions 101, 102, and 103.

House Concurrent Resolution 101

On motion of Senator Whitver, **House Concurrent Resolution 101**, a concurrent resolution providing for a joint convention for the Condition of the State Address, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote.

House Concurrent Resolution 102

On motion of Senator Whitver, **House Concurrent Resolution 102**, a concurrent resolution providing for a joint convention for the Condition of the Judiciary Address, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 102, which motion prevailed by a voice vote.

House Concurrent Resolution 103

On motion of Senator Whitver, **House Concurrent Resolution 103**, a concurrent resolution to provide for a joint convention for the Condition of the Iowa National Guard Address, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 103, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Concurrent Resolutions 101, 102, and 103** be **immediately messaged** to the House.

Senator Whitver asked and received unanimous consent for the committees on Human Resources, Local Government, and Veterans Affairs to meet beginning at 2:00 p.m.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:50 a.m. until 9:00 a.m., Tuesday, January 11, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 6, 2021.

Comprehensive Annual Financial Report (CAFR), pursuant to Iowa Code section 8A.502. Report received on October 5, 2021.

Condition of Affirmative Action, Diversity, and Multicultural Programs Report, pursuant to Iowa Code 19B.5(2). Report received on September 30, 2021.

Experimental Research Report, pursuant to Iowa Code section 8A.414. Report received on September 8, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on August 31, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 29, 2021.

Solicitations for Capitol Complex Report, pursuant to Iowa Code section 8A.108. Report received on August 30, 2021.

State-Owned Real Property by County Report, pursuant to Iowa Code section 8A.111. Report received on December 21, 2021.

DEPARTMENT ON AGING

Guardianship and Conservatorship Monitoring Pilot Project, pursuant to 2013 Iowa Acts, Chapter 138, section 52. Report received on August 4, 2021.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on August 4, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on August 4, 2021.

Long-Term Care Options Counseling Pilot Initiative Report, pursuant 2021 Iowa Acts, HF 891, section 1. Report received on December 15, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on August 4, 2021.

State Public Guardian's Report, pursuant to 231E.4. Report received on December 28, 2021.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 30, 2021.

Artisanal Butchery Program Task Force Report, pursuant to 2021 Iowa Acts, HF 857, section 2. Report received on December 30, 2021.

Control of Pathogenic Viruses in Poultry Report, pursuant to Iowa Code section 165B.2. Report received on January 4, 2022.

Department of Agriculture and Land Stewardship Expenditures SFY21 as of June 30, 2021, pursuant to 2021 Iowa Acts, HF 860, section 1. Report received on July 1, 2021.

Department of Agriculture and Land Stewardship Expenditures SFY22 as of September 30, 2021, pursuant to 2021 Iowa Acts, HF 860, section 1. Report received on October 1, 2021.

Department of Agriculture and Land Stewardship Expenditures SFY22 as of December 31, 2021, pursuant to 2021 Iowa Acts, HF 860, section 1. Report received on January 4, 2022.

Farm-To-Table Task Force Report, pursuant to 2021 Iowa Acts, SF 578, section 22. Report received on December 10, 2021.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 14, 2021.

Water Quality Agriculture Infrastructure Programs Itemized Expenditures, pursuant to Iowa Code section 466B.43. Report received on October 1, 2021.

Watershed Planning Advisory Council Report, pursuant to Iowa Code section 466B.31. Report received on November 15, 2021.

ALCOHOLIC BEVERAGES DIVISION

Annual Report FY 2021, pursuant to Iowa Code section 7E.3. Report received on December 14, 2021.

AUDITOR OF STATE

Single Audit Report for FY Ended June 30, 2020. Report received on November 15, 2021.

COMMISSION FOR THE BLIND

Blind Recycling Report, pursuant to Iowa Code section 216B.3. Report received on July 28, 2021.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on July 28, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on July 28, 2021.

CHIEF INFORMATION OFFICER

Annual Report, pursuant to Iowa Code section 8B.6. Report received on June 29, 2021.

Donations, Grants, Gifts, and Contributions Report, pursuant to Iowa Code section 8B.6. Report received on December 20, 2021.

Internal Service Fund Report, pursuant to Iowa Code section 8B.13. Report received on November 8, 2021.

Status of Technology Upgrades or Enhancements for State Agencies Quarterly Report 7/1/21, pursuant to Iowa Code section 8B.9. Report received on July 1, 2021.

Status of Technology Upgrades or Enhancements for State Agencies Quarterly Report 10/1/21, pursuant to Iowa Code section 8B.9. Report received on December 1, 2021.

Status of Technology Upgrades or Enhancements for State Agencies Quarterly Report 1/1/22, pursuant to Iowa Code section 8B.9. Report received on December 30, 2021.

COLLEGE STUDENT AID COMMISSION

College Student Aid Commission Tuition Grant Report, pursuant to Iowa Code section 261.15. Report received on November 30, 2021.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 261.9. Report received on December 14, 2021.

Health Care Loan Repayment Program Report, pursuant to Iowa Code section 261.116. Report received on November 30, 2021.

Iowa Minority Academic Grants for Economic Success Program Report, pursuant to Iowa Code section 261.104. Report received on July 13, 2021.

Iowa Vocational–Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17. Report received on November 30, 2021.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on July 13, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on July 13, 2021.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62. Report received on July 13, 2021.

Scholarship and Tuition Grant Reserve Fund Report, pursuant to Iowa Code section 261.20. Report received on November 30, 2021.

Skilled Workforce Shortage Tuition Grant Program Report, pursuant to Iowa Code section 261.130. Report received on November 30, 2021.

Teacher Shortage Loan Forgiveness Program Report, pursuant to Iowa Code section 261.112. Report received on November 30, 2021.

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 18, 2021.

Annual Report of Superintendent of Banking, pursuant to Iowa Code section 524.216. Report received on December 22, 2021.

Bank Required Collateral 9/1/21 Report, pursuant to Iowa Code section 12C.20. Report received on September 1, 2021.

Bank Required Collateral 11/18/21 Report, pursuant to Iowa Code section 12C.20. Report received on November 18, 2021.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 14, 2021.

DEPARTMENT OF COMMERCE (CREDIT UNION DIVISION)

Annual Report, pursuant to Iowa Code section 533.114. Report received on July 19, 2021.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 16, 2021.

Health Spending Costs Report, pursuant to Iowa Code section 505.18. Report received on November 15, 2021.

Interstate Insurance Product Regulation Compact 2016 Annual Report, pursuant to Iowa Code section 505A.1. Report received on October 19, 2021.

Interstate Insurance Product Regulation Compact 2017 Annual Report, pursuant to Iowa Code section 505A.1. Report received on October 19, 2021.

Interstate Insurance Product Regulation Compact 2018 Annual Report, pursuant to Iowa Code section 505A.1. Report received on October 19, 2021.

Interstate Insurance Product Regulation Compact 2019 Annual Report, pursuant to Iowa Code section 505A.1. Report received on October 19, 2021.

Interstate Insurance Product Regulation Compact 2020 Annual Report, pursuant to Iowa Code section 505A.1. Report received on October 19, 2021.

Medical Malpractice Insurance Annual, pursuant to Iowa Code section 505.27. Report received on October 19, 2021.

DEPARTMENT OF CORRECTIONS

Annual Report, pursuant to Iowa Code section 904.115. Report received on December 2, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on June 30, 2021.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 30, 2021.

BOARD OF DENTISTRY

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 13, 2021.

Iowa Dental Board Veteran's Report, pursuant to Iowa Code section 272.C4(11)(12). Report received on December 13, 2021.

OFFICE OF DRUG CONTROL POLICY

2022 Drug Control Strategy Report, pursuant to Iowa Code section 80E.1(2)(b). Report received on November 1, 2021.

ECONOMIC DEVELOPMENT AUTHORITY

Building Energy Management Report, pursuant to Iowa Code section 473.19. Report received on January 6, 2022.

Financial Assistance Report, pursuant to 2021 Iowa Acts, Chapter 171, section 5. Report received on October 21, 2021.

Iowa Commission on Volunteer Services Quarterly Report #4 FY 2021, pursuant to Iowa Code section 15H.2(2)(h). Report received on August 17, 2021.

Iowa Commission on Volunteer Services Quarterly Report #1 FY 2022, pursuant to Iowa Code section 15H.2(2)(h). Report received on November 2, 2021.

Iowa Energy Strategic Plan, pursuant to Iowa Code section 15.107B. Report received on January 6, 2022.

RefugeeRise AmeriCorps Program Annual Report, pursuant to Iowa Code section 15H.8. Report received on June 29, 2021.

DEPARTMENT OF EDUCATION

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10. Report received on November 18, 2021.

Charter School Program Findings and Recommendations Report, pursuant to 2021 Iowa Acts, Chapter 112, section 12. Report received on November 18, 2021.

Child Development Coordinating Council Annual Report, pursuant to Iowa Code section 256A.3. Report received on December 27, 2021.

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on December 16, 2021.

Computer Science Work Group Report, pursuant to 2020 Iowa Acts, Chapter 1117, section 12. Report received on June 24, 2021.

Growing a Diverse PreK-12 Teacher Base in Iowa Task Force Report, pursuant to 2021 Iowa Acts, Chapter 170, section 22. Report received on December 15, 2021.

Home Base Iowa Postsecondary Education Report, pursuant to Iowa Code sections 260C.14, 261.9, and 262.9. Report received on December 16, 2021.

Incidents of Violence That Result in Injury or Property Damage Report, pursuant to Iowa Code section 279.51A. Report received on November 2, 2021.

Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256.H.1(10)(o). Report received on July 13, 2021.

Iowa Autism Council Report, pursuant to Iowa Code section 256.35A. Report received on December 15, 2021.

Iowa Dyslexia Board Findings and Recommendations Report, pursuant to Iowa Code section 256.32A. Report received on November 5, 2021.

Special Education Federal Reports, pursuant to Iowa Code section 256B.3. Report received on June 24, 2021.

BOARD OF EDUCATIONAL EXAMINERS

Administrative Rules Review—Triennial Report, pursuant to Iowa Code section 272.29. Report received on December 21, 2021.

Detailed Financial Report—Licensing Fees, pursuant to Iowa Code section 272.10. Report received on January 3, 2022.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 3, 2021.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on November 30, 2021.

Reversion Report—Training and Technology Expenditures, pursuant to Iowa Code section 8.62(3). Report received on June 22, 2021.

IOWA FINANCE AUTHORITY

Wastewater and Drinking Water Treatment Financial Assistance Program Itemized Expenditures, pursuant to Iowa Code section 16.134. Report received on August 19, 2021.

Water Quality Financing Program Fund Itemized Expenditures, pursuant to Iowa Code section 16.153. Report received on September 27, 2021.

HOMELAND SECURITY AND EMERGENCY MANAGEMENT

911 Status Report, pursuant to Iowa Code section 34A.7A. Report received on January 5, 2022.

SFY 2021 Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 3, 2022.

DEPARTMENT OF HUMAN RIGHTS

Annual Report FY 2021, pursuant to Iowa Code section 216A.2. Report received on November 1, 2021.

Correctional Policy Project Plans and Findings, pursuant to Iowa Code section 216A.137. Report received on December 2, 2021.

Criminal and Juvenile Justice Planning Advisory Council—Legislation Monitoring Report, pursuant to Iowa Code section 476.66. Report received on September 10, 2021.

Family Development and Self-Sufficiency Grant Program Report, pursuant to Iowa Code section 216A.107(4)(e). Report received on November 30, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on July 15, 2021.

Three-Year Criminal and Juvenile Justice Plan, pursuant to Iowa Code section 216A.135. Report received on December 1, 2021.

DEPARTMENT OF HUMAN SERVICES

Analysis of Medicaid Member Appeals 1/1/20–6/30/20 Report, pursuant to 2018 Iowa Acts, Chapter 1165, section 128. Report received on August 9, 2021.

Analysis of Medicaid Member Appeals 7/1/20–12/31/20 Report, pursuant to 2018 Iowa Acts, Chapter 1165, section 128. Report received on November 10, 2021.

Analysis of Medicaid Member Appeals 1/1/21–6/30/21 Report, pursuant to 2018 Iowa Acts, Chapter 1165, section 128. Report received on September 29, 2021.

Annual Report, pursuant to Iowa Code section 217.21. Report received on July 2, 2021.

Autism Support Program Fund Report, pursuant to Iowa Code section 225D.2. Report received on December 20, 2021.

Child Abuse Registry Report, pursuant to Iowa Code section 235A.23. Report received on July 15, 2021.

Children's Behavioral Health System State Board Activities Report, pursuant to Iowa Code section 225C.52. Report received on November 22, 2021.

Department of Human Services Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on July 20, 2021.

Direct Care Worker in Nursing Facilities Turnover Report, pursuant to 2008 Iowa Acts, Chapter 1188, section 71. Report received on December 1, 2021.

Disaster Case Management Fund and Program, pursuant to Iowa Code section 29C.20B. Report received on December 20, 2021.

Drug Utilization Report, pursuant to Iowa Code section 249A.24. Report received on September 13, 2021.

Emergency Rule Expenditure Report, pursuant to 2021 Iowa Acts, Chapter 182, section 32. Report received on July 15, 2021.

Family Investment Program Transfer, pursuant to 2021 Iowa Acts, Chapter 182, section 9. Report received on September 21, 2021.

Family Support Subsidy and Children at Home Program Report, pursuant to Iowa Code section 225C.42. Report received on September 10, 2021.

Financial Condition of the Mental Health and Disability Services Regional Service Fund Report, pursuant to 2021 Iowa Acts, SF 619, section 83. Report received on August 2, 2021.

Hawk-I Board Report, pursuant to Iowa Code section 514I.5. Report received on December 22, 2021.

Independent Living Services Report, pursuant to Iowa Code section 234.35. Report received on December 7, 2021.

Inpatient Psychiatric Bed Tracking System Study Committee, pursuant to 2021 Iowa Acts, SF 524, section 1. Report received on November 30, 2021.

Iowa Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A. Report received on December 20, 2021.

Joint Investment Trust Report—Department of Human Services, pursuant to Iowa Code section 12B.10A. Report received on November 30, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on July 8, 2021.

Medicaid-Eligible Children—Provision of Pediatric Health Care Services Review and Report, pursuant to 2021 Iowa Acts, Chapter 182, section 41. Report received on October 1, 2021.

Medicaid Home and Community-Based Services Brain Injury Waiver Report, pursuant to 2019 Iowa Acts, Chapter 82, section 1. Report received on October 29, 2021.

Medicaid Home and Community-Based Services Elderly Waiver Report, pursuant to 2020 Iowa Acts, Chapter 1053, section 1. Report received on October 29, 2021.

Medicaid Managed Care Contracts Notification Report, pursuant to 2020 Iowa Acts, HF 2643, section 1. Report received on August 9, 2021.

Medicaid Managed Care Oversight Annual Report July 2020–June 2021, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on November 30, 2021.

Medicaid Managed Care Oversight Quarterly Meeting Minutes SFY 2021 Qtr 4, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on July 2, 2021.

Medicaid Managed Care Oversight Quarterly Meeting Minutes SFY 2022 Qtr 1, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on September 23, 2021.

Medicaid Managed Care Oversight Quarterly Meeting Minutes SFY 2022 Qtr 2, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on November 22, 2021.

Medicaid Managed Care Oversight Quarterly Report SFY 2021 Qtr 3, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on July 2, 2021.

Medicaid Managed Care Oversight Quarterly Report SFY 2021 Qtr 4, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on September 23, 2021.

Medicaid Managed Care Oversight Quarterly Report SFY 2022 Qtr 1, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on December 7, 2021.

Medical Assistance Act Report, pursuant to Iowa Code section 249A.4. Report received on July 2, 2021.

Medical Assistance Program Transfer, pursuant to 2021 Iowa Acts, Chapter 182, section 13. Report received on September 23, 2021.

Mental Health and Disabilities Services Annual Report, pursuant to Iowa Code section 225C.6. Report received on December 7, 2021.

Mental Health Services Annual Report, pursuant to Iowa Code section 249N.8. Report received on November 30, 2021.

Nonreversion of Funds Quarterly Report June 2021, pursuant to 2021 Iowa Acts, Chapter 182, section 65. Report received on July 2, 2021.

Nonreversion of Funds Quarterly Report September 2021, pursuant to 2021 Iowa Acts, Chapter 182, section 65. Report received on October 8, 2021.

Nonreversion of Funds Quarterly Report December 2021, pursuant to 2021 Iowa Acts, Chapter 182, section 65. Report received on December 28, 2021.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4. Report received on July 7, 2021.

Nursing Facility Reimbursement Study Report, pursuant to 2021 Iowa Acts, Chapter 182, section 40. Report received on November 30, 2021.

Preferred Drug List Program Report September 2021, pursuant to Iowa Code section 249A.20A. Report received on September 29, 2021.

Preferred Drug List (PDL) Quarterly Statement, pursuant to Iowa Code section 249A.20A. Report received on December 7, 2021.

Requests for Mental Health and Disability Services Region Incentive Fund Report, pursuant to 2021 Iowa Acts, Chapter 177, section 83. Report received on December 21, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on July 2, 2021.

Temporary Assistance for Needy Families Block Grant Expenditures, pursuant to 2021 Iowa Acts, Chapter 182, section 7. Report received on July 2, 2021.

DEPARTMENT OF INSPECTIONS AND APPEALS

Annual Report, pursuant to Iowa Code section 7E.3. Report received on October 21, 2021.

Fraud in Public Assistance Programs Report, pursuant to 2020 Iowa Acts, HF 2643, section 1. Report received on October 20, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 30, 2021.

IOWA ASSOCIATION OF SCHOOL BOARDS

Annual Financial Report, pursuant to Iowa Code section 12B.10A(7). Report received on October 13, 2021.

IOWA COMMUNICATIONS NETWORK

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 19, 2021.

Iowa Telecommunications and Technology Commission, pursuant to Iowa Code section 8D.3. Report received on November 22, 2021.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Comprehensive Annual Financial Report (CAFR), pursuant to Iowa Code section 97B.4. Report received on December 15, 2021.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 30, 2021.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 30, 2021.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 30, 2021.

LAW ENFORCEMENT ACADEMY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 1, 2021.

LOESS HILLS DEVELOPMENT AND CONSERVATION AUTHORITY

Loess Hills Alliance Board of Directors Report, pursuant to Iowa Code section 161D.6. Report received on December 29, 2021.

IOWA LOTTERY AUTHORITY

2021 Annual Report, pursuant to Iowa Code section 99G.7. Report received on December 15, 2021.

Iowa Lottery Authority Government Oversight Report June 2021, pursuant to Iowa Code section 99G.7. Report received on June 30, 2021.

Iowa Lottery Authority Government Oversight Report December 2021, pursuant to Iowa Code section 99G.7. Report received on December 30, 2021.

Iowa Lottery Authority Quarterly Report Qtr Ending June 30, 2021, pursuant to Iowa Code section 99G.7. Report received on December 22, 2021.

Iowa Lottery Authority Quarterly Report Qtr Ending September 30, 2021, pursuant to Iowa Code section 99G.7. Report received on October 26, 2021.

DEPARTMENT OF MANAGEMENT

Block Grants Report, pursuant to Iowa Code section 8.22. Report received on October 21, 2021.

Grants Enterprise Management Compliance July 2021 Report, pursuant to Iowa Code section 8.9. Report received on October 21, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on October 22, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on October 21, 2021.

Standing Appropriations Report, pursuant to Iowa Code section 8.6. Report received on October 26, 2021.

State Tort Claims Report, pursuant to Iowa Code section 669.12. Report received on October 21, 2021.

Transfer of Appropriations Report, pursuant to Iowa Code section 8.39. Report received on December 13, 2021.

Utility Replacement Task Force Report, pursuant to Iowa Code section 437A.15(7)(b). Report received on October 21, 2021.

BOARD OF MEDICINE

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on December 21, 2021.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on January 4, 2022.

Interstate Medical Licensure Compact Report, pursuant to Iowa Code section 147B.1. Report received on January 4, 2022.

DEPARTMENT OF NATURAL RESOURCES

Annual Report on Hazardous Waste/Substance Disposal, pursuant to Iowa Code section 455B.427. Report received on December 16, 2021.

Aquatic Invasive Species Report, pursuant to Iowa Code section 462A.52. Report received on December 30, 2021.

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134. Report received on December 8, 2021.

Department of Natural Resources Quarterly Expenditure Report FY 21 Qtr Ending 6/30/21, pursuant to 2021 Iowa Acts, Chapter 143, section 14. Report received on September 14, 2021.

Department of Natural Resources Quarterly Expenditure Report FY 22 Qtr Ending 9/30/21, pursuant to 2021 Iowa Acts, Chapter 143, section 14. Report received on October 7, 2021.

Department of Natural Resources Quarterly Expenditure Report FY 22 Qtr Ending 12/31/21, pursuant to 2021 Iowa Acts, Chapter 143, section 14. Report received on January 6, 2022.

Evaluation of License Fees Report, pursuant to Iowa Code section 483A.1. Report received on December 15, 2021.

Fees and Occupancy Rates for State Camping and Rental Facilities Report, pursuant to Iowa Code section 455A.14. Report received on December 28, 2021.

Greenhouse Gas Emissions Report, pursuant to Iowa Code 455B.104. Report received on December 30, 2021.

Hazardous Substance Remedial Fund, pursuant to Iowa Code section 455B.425. Report received on December 30, 2021.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 7, 2021.

Household Hazardous Waste Account Report, pursuant to Iowa Code section 455E.11. Report received on December 21, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 27, 2021.

Lake Restoration Report, pursuant to Iowa Code section 456A.33B. Report received on December 27, 2021.

Low-Level Radioactive Waste Compact Report, pursuant to Iowa Code section 457B.1. Report received on June 30, 2021.

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on December 17, 2021.

Proceeds Deposited to the State Fish and Game Protection Fund, pursuant to Iowa Code section 483A.33(5). Report received on December 30, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on September 14, 2021.

Turtle Population in the State by Region, pursuant to Iowa Code section 481A.67. Report received on June 30, 2021.

Visitor Parking at State Parks Report, pursuant to 2021 Iowa Acts, Chapter 143, section 22. Report received on December 14, 2021.

BOARD OF NURSING

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 16, 2021.

OFFICE OF OMBUDSMAN

FY 2020 Annual Report, pursuant to Iowa Code section 2C.18. Report received on June 30, 2021.

FY 2021 Annual Report, pursuant to Iowa Code section 2C.18. Report received on December 29, 2021.

**IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE
TANK FUND BOARD**

FY 2021 Qtr 4 Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on August 3, 2021.

FY 2022 Qtr 1 Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on October 27, 2021.

BOARD OF PHARMACY

Home Base Iowa–Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 14, 2021.

POLK COUNTY BOARD OF SUPERVISORS

Mental Health and Disability Services Transfer of Funds Report, pursuant to 2018 Iowa Acts, chapter 1165, section 109. Report received on September 23, 2021.

IOWA PROPANE EDUCATION AND RESEARCH COUNCIL

Auditor's Report, pursuant to Iowa Code section 101C.3. Report received on August 5, 2021.

IOWA PUBLIC AGENCY INVESTMENT TRUST

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on September 17, 2021.

IOWA PBS

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 3, 2022.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 3, 2022.

Reversion Report–Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on January 3, 2022.

STATE PUBLIC DEFENDER

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on July 1, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on July 1, 2021.

DEPARTMENT OF PUBLIC DEFENSE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 5, 2021.

Projects Funded by the Iowa Department of Public Defense Report, pursuant to 2021 Iowa Acts, Chapter 167, section 1. Report received on December 16, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 22, 2021.

STEM Educational Incentives Report, pursuant to Iowa Code section 261.86(6). Report received on December 29, 2021.

PUBLIC EMPLOYMENT RELATIONS BOARD

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 24, 2021.

DEPARTMENT OF PUBLIC HEALTH

Activities of the Medical Cannabidiol Report, pursuant to Iowa Code section 124E.5. Report received on January 4, 2022.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17. Report received on December 30, 2021.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 17, 2021.

Distribution of Federal Public Health Services Act Funds for Family Planning Report, pursuant to 2019 Iowa Acts, Chapter 85, section 98. Report received on January 5, 2022.

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2). Report received on June 30, 2021.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 15, 2021.

Tobacco use Prevention and Control Report, pursuant to Iowa Code section 142A.4. Report received on December 15, 2021.

IOWA PUBLIC INFORMATION BOARD

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 29, 2021.

DEPARTMENT OF PUBLIC SAFETY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 3, 2021.

DCI Report of Activities at Racetrack Enclosures, pursuant to Iowa Code section 99D.14. Report received on December 28, 2021.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code section 272C.4. Report received on December 2, 2021.

Human Trafficking Report, pursuant to Iowa Code section 80.45. Report received on November 1, 2021.

Public Safety Equipment Fund Report, pursuant to 2021 Iowa Acts, HF 708, section 1. Report received on December 30, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 30, 2021.

Statewide Interoperable Communications System Board Report, pursuant to Iowa Code section 80.29. Report received on December 21, 2021.

BOARD OF REGENTS

Activities, Projects, and Programs Funded with Board of Regents Innovation Fund Appropriations, pursuant to 2021 Iowa Acts, Chapter 171, section 17. Report received on January 6, 2022.

Annual Articulation Report, pursuant to Iowa Code section 262.9. Report received on December 14, 2021.

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 3, 2021.

Board of Regents Report, pursuant to Iowa Code section 262.26. Report received on October 21, 2021.

College Bound and IMAGES Annual Report, pursuant to Iowa Code section 262.93. Report received on January 5, 2022.

Educational Credits Awarded to Veterans Report, pursuant to Iowa Code section 262.9. Report received on September 14, 2021.

Farm-To-Table Task Force Report, pursuant to 2021 Iowa Acts, SF 578, section 22. Report received on December 10, 2021.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on December 1, 2021.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3. Report received on January 6, 2022.

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9(35). Report received on September 28, 2021.

Private Enterprise Investment Report, pursuant to Iowa Code section 262.14. Report received on October 26, 2021.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5. Report received on September 14, 2021.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 14, 2021.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 14, 2021.

Quarterly Financial Report Qtr Ending 3/31/21, pursuant to 2021 Iowa Acts, Chapter 170, section 10. Report received on June 29, 2021.

Quarterly Financial Report Qtr Ending 6/30/21, pursuant to 2021 Iowa Acts, Chapter 170, section 10. Report received on August 30, 2021.

Quarterly Financial Report Qtr Ending 9/30/21, pursuant to 2021 Iowa Acts, Chapter 170, section 10. Report received on December 1, 2021.

Reversion Report, pursuant to Iowa Code section 8.62. Report received on June 22, 2021.

State Geologist Annual Report, pursuant to Iowa Code section 456.7. Report received on January 5, 2022.

Technology Commercialization, Entrepreneurship, Regional Development, and Market Research Report, pursuant to 2017 Iowa Acts, Chapter 169, section 17. Report received on January 6, 2022.

Use of Medical Cannabidiol—UI Carver College of Medicine and UI College of Pharmacy, pursuant to 2014 Iowa Acts, Chapter 1125, section 10. Report received on June 22, 2021.

DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report Qtr Ending 6/30/21, pursuant to Iowa Code section 421.17(27)(h). Report received on September 2, 2021.

Central Collections Unit Quarterly Debt Collection Report Qtr Ending 9/30/21, pursuant to Iowa Code section 421.17(27)(h). Report received on November 5, 2021.

Iowa Collection Enterprise (ICE) Report, pursuant to Iowa Code section 421.17. Report received on September 20, 2021.

Iowa Streamlined Sales Tax Advisory Council Annual Report, pursuant to Iowa Code section 423.9A. Report received on January 6, 2022.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 6, 2022.

Nonfilers of Returns, Nonpayers of Taxes, and Refund Fraud FY 2020, pursuant to Iowa Code section 421.17. Report received on January 6, 2022.

Nonfilers of Returns, Nonpayers of Taxes, and Refund Fraud FY 2021, pursuant to Iowa Code section 421.17. Report received on January 6, 2022.

Solar Energy System Tax Credits, pursuant to Iowa Code section 422.11L. Report received on January 3, 2022.

Tax Expenditure Cost Estimate Report, pursuant to Iowa Code section 2.48. Report received on January 6, 2022.

Tax Gap Compliance Project Report, pursuant to Iowa Code section 421.17. Report received on November 5, 2021.

SECRETARY OF STATE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 30, 2021.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on July 30, 2021.

STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM BOARD OF TRUSTEES

Annual Report, pursuant to Iowa Code section 411.5. Report received on December 14, 2021.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 17, 2021.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 17, 2021.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 17, 2021.

DEPARTMENT OF TRANSPORTATION

Cost Savings from Adding Additional FTE Employees Report, pursuant to 2020 Iowa Acts, Chapter 1122, section 4. Report received on December 27, 2021.

Effectiveness of Rumble Strips Report, pursuant to 2020 Iowa Acts, Chapter 1122, section 3. Report received on December 27, 2021.

Iowa Automated Permitting System Report, pursuant to 2019 Iowa Acts, Chapter 158, section 7. Report received on December 30, 2021.

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on December 22, 2021.

Nature and Scope of Enforcement Activities by Peace Officers Report, pursuant to Iowa Code section 321.477. Report received on December 1, 2021.

Periodic Review of Revenues—Road Use Tax Fund, pursuant to Iowa Code section 307.31. Report received on December 30, 2021.

Permits for the Operation of Vehicles of Excessive Size or Weight Report, pursuant to 2019 Iowa Acts, SF 629, section 7. Report received on December 30, 2021.

Road use Tax Fund Efficiency Measures, pursuant to 2014 Iowa Acts, Chapter 1123, section 21. Report received on December 30, 2021.

Use of Reversions Report, pursuant to Iowa Code section 307.46. Report received on September 7, 2021.

TREASURER OF STATE

ABLE Savings Trust Financial Report, pursuant to Iowa Code section 12I.7. Report received on October 27, 2021.

Iowa Educational Savings Plan Trust Report, pursuant to Iowa Code section 12D.8(1)(a). Report received on October 27, 2021.

Public Fund Iran Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 28, 2021.

Public Fund Israel Divestment Report, pursuant to Iowa Code section 12J.5(2). Report received on September 28, 2021.

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 28, 2021.

Reversion Report, pursuant to Iowa Code section 8.62. Report received on July 19, 2021.

Tobacco Settlement Authority Annual Report, pursuant to Iowa Code section 12E.15. Report received on December 30, 2021.

UTILITIES BOARD

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 29, 2021.

Reversion Report, pursuant to Iowa Code section 8.62. Report received on November 1, 20201.

Small Wind Innovation Zone Report, pursuant to Iowa Code section 476.48. Report received on December 27, 2021.

VETERANS AFFAIRS

County Allocation Fund Report, pursuant to Iowa Code section 35A.5. Report received on September 8, 2021.

IOWA VETERANS HOME

FY 2021 Annual Report, pursuant to Iowa Code section 35D.17. Report received on October 21, 2021.

REPORTS OF COMMITTEE MEETINGS

ETHICS

Convened: Monday, September 13, 2021, 3:30 p.m.

Members Present: Koelker, Chair; Carlin, Vice Chair; Jochum, Ranking Member; Costello, Hogg, and Kinney.

Members Absent: None.

Committee Business: Approved minutes of February 2021 meeting. Reviewed six complaints against 29 senators who voted in favor of HF 847. Committee voted 6-0 to dismiss all of the complaints.

Adjourned: 3:50 p.m.

RULES AND ADMINISTRATION

Convened: Monday, January 10, 2022, 10:30 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Brown, Jochum, Ragan, Sinclair, R. Smith, and Zumbach.

Members Absent: Zaun (excused).

Committee Business: Call to order. Approve minutes. First day of session reports. Adjourn.

Adjourned: 10:35 a.m.

VETERANS AFFAIRS

Convened: Monday, January 10, 2022, 3:05 p.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 3:10 p.m.

INTRODUCTION OF BILLS

Senate File 2001, by Green, a bill for an act to require proof of financial liability coverage upon registration of a motor vehicle.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2002, by Nunn, a bill for an act creating the second amendment preservation Act, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

Pursuant to Senate Concurrent Resolution 6, duly adopted during the 2021 Session of 89th General Assembly, the following is a list of officers and employees of the Senate for the Eighty-ninth General Assembly, 2022 Session, and their respective classification, grades and steps:

Position	Name	Grade-Step	Class of Appt
Secretary of the Senate	W. Charles Smithson	44-7	
Assistant Secretary of the Senate I	Michelle Bauer	32-7	P-FT
Administrative Assistant II to President	Kimberly Gleason	32-4	P-FT
Sr. Administrative Assistant to President	Jake Heard	38-4	P-FT
Sr. Administrative Assistant to Leader II	Mary Earnhardt	41-8	P-FT
Sr. Administrative Assistant to Leader II	Caleb Hunter	41-8	P-FT
Sr. Administrative Assistant to Leader II	Eric Bakker	41-8	P-FT
Sr. Administrative Assistant to Leader II	Debbie Kattenhorn	41-8	P-FT
Sr. Caucus Staff Director	Gannon Hendrick	41-7	P-FT
Sr. Caucus Staff Director	Ron Parker	41-8	P-FT
Legislative Research Analyst I	Zachary Engstrom	29-1	P-FT
Legislative Research Analyst I	Dylan Keller	29-3	P-FT
Legislative Research Analyst II	Jillian Carlson	32-2	P-FT
Legislative Research Analyst I	Megan Schlesky	29-5	P-FT
Legislative Research Analyst II	Laura Book	32-2	P-FT
Legislative Research Analyst II	Larissa Wurm-Skipworth	32-4	P-FT
Legislative Research Analyst II	Bob Bird	32-6	P-FT
Sr. Legislative Research Analyst	Thomas Ashworth	38-8	P-FT

Sr. Legislative Research Analyst	Kris Bell	38-8	P-FT
Sr. Legislative Research Analyst	Joshua Bronsink	38-6	P-FT
Sr. Legislative Research Analyst	Pamela Dugdale	38-8	P-FT
Sr. Legislative Research Analyst	Sue Foecke	38-8	P-FT
Sr. Legislative Research Analyst	Bridget Godes	38-8	P-FT
Sr. Legislative Research Analyst	Rusty Martin	38-8	P-FT
Sr. Legislative Research Analyst	Jace Mikels	38-8	P-FT
Sr. Legislative Research Analyst	Kerry Scott	38-8	P-FT
Sr. Legislative Research Analyst	Erica Shorkey	38-8	P-FT
Sr. Legislative Research Analyst	Julie Simon	38-8	P-FT
Sr. Legislative Research Analyst	Russ Trimble	38-8	P-FT
Executive Secretary to Leader	Cassie Bond	24-4	P-FT
Administrative Services Officer II	Jennifer Beminio	29-6	P-FT
Administrative Services Officer III	Angela Cox	32-6	P-FT
Administrative Services Officer III	Maureen Taylor	32-6	P-FT
Sr. Administrative Services Officer	Kay Dearie	35-8	P-FT
Sr. Administrative Services Officer	Kathy Olah	35-8	P-FT
Administrative Services Officer I	Samantha Dickson	26-6	P-FT
Administrative Services Officer	Caroline Warmuth	23-1	P-FT
Administrative Services Assistant	Samuel Sampson	20-1	P-FT
Sergeant-at-Arms	Joel Ehler	17-2	S-O
Bill Clerk	Tye Reiman	14-5	S-O
Legislative Secretary	Bobby Bailey	18-2	S-O
Legislative Secretary	Jackson Boaz	18-1	S-O
Legislative Secretary	Michelle Bruggenthies	18-1	S-O
Legislative Secretary	Bob Christenson	18-3	S-O
Legislative Secretary	Andrew Dunn	17-1	S-O
Legislative Secretary	Kathy Ellett	16-5	S-O
Legislative Secretary	Judith Elliott	18-5	S-O
Legislative Secretary	Cathy Engel	17-1	S-O
Legislative Secretary	Katelyn Fleming	16-1	S-O
Legislative Secretary	Beth Freeman	17-1	S-O
Legislative Secretary	Witt Harberts	16-1	S-O
Legislative Secretary	Nathaniel Harwood	17-1	S-O
Legislative Secretary	Claire Haws	16-4	S-O
Legislative Secretary	Rebecca Hoeppner	18-3	S-O
Legislative Secretary	Marce Huhn	16-7	S-O
Legislative Secretary	Benjamin Klimesh	16-1	S-O
Legislative Secretary	Adam Koch	16-1	S-O
Legislative Secretary	Olivia Mackel-Wiederanders	18-1	S-O
Legislative Secretary	Mary Ryan	15-1	S-O
Legislative Secretary	Nicole Schmitt	17-1	S-O
Legislative Secretary	Noah Schrad	17-1	S-O
Legislative Secretary	Ryan Simatovich	17-1	S-O
Legislative Secretary	Josh Treat	15-1	S-O
Legislative Secretary	Emily Vering	16-1	S-O
Legislative Secretary	Blaine Watkins	16-1	S-O
Legislative Secretary	Susie Wengert	16-2	S-O
Legislative Committee Secretary	Devin Devore	17-1	S-O
Legislative Committee Secretary	Nancy Garrett	18-3	S-O
Legislative Committee Secretary	Margaret Guth	17-3	S-O
Legislative Committee Secretary	Greg Heartsill	18-1	S-O

Legislative Committee Secretary	Theresa Hildreth	18-2	S-O
Legislative Committee Secretary	Sally Kraayenbrink	17-2	S-O
Legislative Committee Secretary	Caden Larson	18-1	S-O
Legislative Committee Secretary	Haley Ledford	17-1	S-O
Legislative Committee Secretary	Paula Lofgren	18-1	S-O
Legislative Committee Secretary	Jennifer Long	17-4	S-O
Legislative Committee Secretary	Madisyn Moorman	17-1	S-O
Legislative Committee Secretary	Sarah Moore	17-4	S-O
Legislative Committee Secretary	Gina Noll	18-2	S-O
Legislative Committee Secretary	Levi Schultz	18-1	S-O
Legislative Committee Secretary	Renee Severson	18-1	S-O
Legislative Committee Secretary	Kari Smith	17-1	S-O
Legislative Committee Secretary	Beth Stearns	18-2	S-O
Legislative Committee Secretary	Christopher Taylor-Bice	18-1	S-O
Legislative Committee Secretary	Gina Ten Pas	18-2	S-O
Legislative Committee Secretary	Cynthia Ulem Christy	17-1	S-O
Legislative Committee Secretary	Dede Zaun	18-4	S-O
Legislative Committee Secretary	Michelle Zumbach	18-1	S-O
Page	Ian Critelli	9-1	S-O
Page	Kennedy Haag	9-1	S-O
Page	Elizabeth Hunter	9-1	S-O
Page	Thomas Knudsen	9-1	S-O
Page	Jackson Maddox	9-1	S-O
Page	Maren Rasmussen	9-1	S-O
Page	Cecilia Redman	9-1	S-O
Page	Grace Tollefson	9-1	S-O

JACK WHITVER, Chair

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the Eighty-ninth General Assembly, 2022 session:

*Vice Chair

**Ranking Member

AGRICULTURE—13 Members

Zumbach, Chair	Driscoll	Mathis	Shipley
Sweeney*	Edler	Ragan	Smith, J.
Kinney**	Green	Rozenboom	Wahls
Costello			

APPROPRIATIONS—21 Members

Kraayenbrink, Chair	Dotzler	Koelker	Smith, J.
Lofgren*	Edler	Mathis	Taylor, T.
Bolkcom**	Garrett	Petersen	Williams

Celsi	Guth	Ragan	
Costello	Johnson	Reichman	
Cournoyer	Klimesh	Rozenboom	

COMMERCE—17 Members

Schultz, Chair	Chapman	Mathis	Sinclair
Koelker*	Goodwin	Nunn	Smith, R.
Lykam**	Johnson	Petersen	Wahls
Bisignano	Klimesh	Quirmbach	Williams
Brown			

EDUCATION—15 Members

Sinclair, Chair	Celsi	Johnson	Sweeney
Taylor, J.*	Cournoyer	Kraayenbrink	Trone Garriott
Quirmbach**	Giddens	Rozenboom	Zaun
Carlin	Goodwin	Smith, J.	

ETHICS—6 Members

Koelker, Chair	Jochum**	Hogg	Kinney
Carlin*	Costello		

GOVERNMENT OVERSIGHT—5 Members

Schultz, Chair	Celsi**	Lofgren	Petersen
Williams*			

HUMAN RESOURCES—13 Members

Edler, Chair	Garrett	Johnson	Rowley
Costello*	Green	Lofgren	Sweeney
Mathis**	Jochum	Ragan	Trone Garriott
Bolkcom			

JUDICIARY—15 Members

Zaun, Chair	Bolkcom	Petersen	Shipley
Garrett*	Boulton	Reichman	Sinclair
Kinney**	Dawson	Rowley	Taylor, J.
Bisignano	Johnson	Schultz	

LABOR AND BUSINESS RELATIONS—11 Members

Dickey, Chair	Dotzler	Jochum	Taylor, J.
Green*	Driscoll	Rowley	Taylor, T.
Boulton**	Guth	Schultz	

LOCAL GOVERNMENT—11 Members

Shipley, Chair	Driscoll	Hogg	Taylor, T.
Klimesh*	Garrett	Lofgren	Williams
Smith, J.**	Guth	Quirmbach	

NATURAL RESOURCES AND ENVIRONMENT—13 Members

Sweeney, Chair	Celsi	Hogg	Shipley
Driscoll*	Cournoyer	Lykam	Taylor, J.
Trone Garriott**	Green	Rozenboom	Zumbach
Boulton			

RULES AND ADMINISTRATION—11 Members

Whitver, Chair	Bolkcom	Ragan	Zaun
Chapman*	Brown	Sinclair	Zumbach
Wahls**	Jochum	Smith, R.	

STATE GOVERNMENT—15 Members

Smith, R., Chair	Brown	Goodwin	Koelker
Cournoyer*	Celsi	Guth	Reichman
Bisignano**	Dawson	Jochum	Schultz
Boulton	Giddens	Johnson	

TRANSPORTATION—13 Members

Brown, Chair	Driscoll	Lykam	Smith, J.
Dickey*	Klimesh	Rozenboom	Taylor T.
Giddens**	Koelker	Shipley	Zumbach
Bisignano			

VETERANS AFFAIRS—11 Members

Lofgren, Chair	Carlin	Dotzler	Mathis
Reichman*	Costello	Edler	Ragan
Giddens**	Dawson	Green	

WAYS AND MEANS—17 Members

Dawson, Chair	Dickey	Quirmbach	Sweeney
Goodwin*	Dotzler	Schultz	Taylor, J.
Jochum**	Green	Sinclair	Taylor, T.
Bolkcom	Petersen	Smith, R.	Zaun
Brown			

SENATE APPROPRIATIONS SUBCOMMITTEESADMINISTRATION AND REGULATION

Guth, Chair	Celsi**	Goodwin
Zumbach*	Giddens	

AGRICULTURE AND NATURAL RESOURCES

Rozenboom, Chair Shipley*	Mathis** Kinney	Williams
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ECONOMIC DEVELOPMENT

Koelker, Chair Reichman*	Dotzler** Hogg	Lofgren
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EDUCATION

Cournoyer, Chair Green*	Smith, J.** Quirmbach	Sweeney
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HEALTH AND HUMAN SERVICES

Costello, Chair Edler*	Ragan** Klimesh	Trone Garriott
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JUSTICE SYSTEM

Garrett, Chair Carlin*	Taylor, T.** Boulton	Taylor, J.
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TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Johnson, Chair Driscoll*	Petersen** Lykam	Rowley
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SENATORS AND THEIR RESPECTIVE COMMITTEES

BISIGNANO, Tony	Commerce Judiciary State Government, Ranking Member Transportation
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BOLKCOM, Joe	Appropriations, Ranking Member Human Resources Judiciary Rules and Administration Ways and Means
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BOULTON, Nate	Judiciary Labor and Business Relations, Ranking Member Natural Resources and Environment State Government Justice System Appropriations Subcommittee
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BROWN, Waylon	Commerce Rules and Administration State Government Transportation, Chair Ways and Means
CARLIN, Jim	Education Ethics, Vice Chair Veterans Affairs Justice System Appropriations Subcommittee, Vice Chair
CELSI, Claire	Appropriations Education Government Oversight, Ranking Member Natural Resources and Environment State Government Administration and Regulation Appropriations Subcommittee, Ranking Member
CHAPMAN, Jake	Commerce Rules and Administration, Vice Chair
COSTELLO, Mark	Agriculture Appropriations Ethics Human Resources, Vice Chair Veterans Affairs Health and Human Services Appropriations Subcommittee, Chair
COURNOYER, Chris	Appropriations Education Natural Resources and Environment State Government, Vice Chair Education Appropriations Subcommittee, Chair
DAWSON, Dan	Judiciary State Government Veterans Affairs Ways and Means, Chair
DICKEY, Adrian	Labor and Business Relations, Chair Transportation, Vice Chair Ways and Means

DOTZLER, William A., Jr.	Appropriations Labor and Business Relations Veterans Affairs Ways and Means Economic Development Appropriations Subcommittee, Ranking Member
DRISCOLL, Dawn	Agriculture Labor and Business Relations Local Government Natural Resources and Environment, Vice Chair Transportation Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair
EDLER, Jeff	Agriculture Appropriations Human Resources, Chair Veterans Affairs Health and Human Services Appropriations Subcommittee, Vice Chair
GARRETT, Julian B.	Appropriations Human Resources Judiciary, Vice Chair Local Government Justice System Appropriations Subcommittee, Chair
GIDDENS, Eric	Education State Government Transportation, Ranking Member Veterans Affairs, Ranking Member Administration and Regulation Appropriations Subcommittee
GOODWIN, Tim	Commerce Education State Government Ways and Means, Vice Chair Administration and Regulation Appropriations Subcommittee
GREEN, Jesse	Agriculture Human Resources Labor and Business Relations, Vice Chair Natural Resources and Environment Veterans Affairs

	Ways and Means Educations Appropriations Subcommittee, Vice Chair
GUTH, Dennis	Appropriations Labor and Business Relations Local Government State Government Administration and Regulation Appropriations Subcommittee, Chair
HOGG, Robert	Ethics Local Government Natural Resources and Environment Economic Development Appropriations Subcommittee
JOCHUM, Pam	Ethics, Ranking Member Human Resources Labor and Business Relations Rules and Administration State Government Ways and Means, Ranking Member
JOHNSON, Craig	Appropriations Commerce Education Human Resources Judiciary State Government Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair
KINNEY, Kevin	Agriculture, Ranking Member Ethics Judiciary, Ranking Member Agriculture and Natural Resources Appropriations Subcommittee
KLIMESH, Mike	Appropriations Commerce Local Government, Vice Chair Transportation Health and Human Services Appropriations Subcommittee
KOELKER, Carrie	Appropriations Commerce, Vice Chair Ethics, Chair State Government Transportation

	Economic Development Appropriations Subcommittee, Chair
KRAAYENBRINK, Tim	Appropriations, Chair Education
LOFGREN, Mark S.	Appropriations, Vice Chair Government Oversight Human Resources Local Government Veterans Affairs, Chair Economic Development Appropriations Subcommittee
LYKAM, Jim	Commerce, Ranking Member Natural Resources and Environment Transportation Transportation, Infrastructure, and Capitals Appropriations Subcommittee
MATHIS, Liz	Agriculture Appropriations Commerce Human Resources, Ranking Member Veterans Affairs Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
NUNN, Zach	Commerce
PETERSEN, Janet	Appropriations Commerce Government Oversight Judiciary Ways and Means Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member
QUIRMBACH, Herman C.	Commerce Education, Ranking Member Local Government Ways and Means Education Appropriations Subcommittee
RAGAN, Amanda	Agriculture Appropriations Human Resources Rules and Administration Veterans Affairs

	Health and Human Services Appropriations Subcommittee, Ranking Member
REICHMAN, Jeff	Appropriations Judiciary State Government Veterans Affairs, Vice Chair Economic Development Appropriations Subcommittee, Vice Chair
ROWLEY, David	Human Resources Judiciary Labor and Business Relations Transportation, Infrastructure, and Capitals Appropriations Subcommittee
ROZENBOOM, Ken	Agriculture Appropriations Education Natural Resources and Environment, Transportation Agriculture and Natural Resources Appropriations Subcommittee, Chair
SCHULTZ, Jason	Commerce, Chair Government Oversight, Chair Judiciary Labor and Business Relations State Government Ways and Means
SHIPLEY, Tom	Agriculture Judiciary Local Government, Chair Natural Resources and Environment, Transportation Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair
SINCLAIR, Amy	Commerce Education, Chair Judiciary Rules and Administration Ways and Means
SMITH, Jackie	Agriculture Appropriations Education Local Government, Ranking Member Transportation

	Education Appropriations Subcommittee, Ranking Member
SMITH, Roby	Commerce Rules and Administration State Government, Chair Ways and Means
SWEENEY, Annette	Agriculture, Vice Chair Education Human Resources Natural Resources and Environment, Chair Ways and Means Education Appropriations Subcommittee
TAYLOR, Jeff	Education, Vice Chair Judiciary Labor and Business Relations Natural Resources and Environment Ways and Means Justice System Appropriations Subcommittee
TAYLOR, Todd E.	Appropriations Labor and Business Relations Local Government Transportation Ways and Means Justice System Appropriations Subcommittee, Ranking Member
TRONE GARRIOTT, Sarah	Education Human Resources Natural Resources and Environment, Ranking Member Health and Human Services Appropriations Subcommittee
WAHLS, Zach	Agriculture Commerce Rules and Administration, Ranking Member
WHITVER, Jack	Rules and Administration, Chair
WILLIAMS, Craig Steven	Appropriations Commerce Government Oversight, Vice Chair Local Government

Agriculture and Natural Resources
Appropriations Subcommittee

ZAUN, Brad

Education
Judiciary, Chair
Rules and Administration
Ways and Means

ZUMBACH, Dan

Agriculture, Chair
Natural Resources and Environment
Rules and Administration
Transportation
Administration and Regulation
Appropriations Subcommittee, Vice Chair

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 11, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Monday, January 10, 2022, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:20 a.m. until 5:35 p.m.

RECONVENED

The Senate reconvened at 5:42 p.m., President Chapman presiding.

In accordance with House Concurrent Resolution 101, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate.

JOINT CONVENTION

The joint convention convened at 5:45 p.m., President Chapman presiding.

Senator Whitver moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Chapman declared a quorum present and the joint convention duly organized.

Senator Whitver moved that a committee of four, two members from the Senate and two members from the House, be appointed to notify Governor Kim Reynolds that the joint convention was ready to receive her.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Rozenboom and Trone Garriott on the part of the Senate, and Representatives Dolecheck and Konfrst on the part of the House.

The Chief Justice and the Justices of the Supreme Court and the Chief Judge and the Judges of the Court of Appeals were escorted into the House chamber.

Lieutenant Governor Adam Gregg and his family were escorted into the House chamber.

First Gentleman Kevin Reynolds and family of the Governor were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her to the Speaker's station.

President Chapman presented Governor Kim Reynolds, who delivered the following Condition of the State Address:

Mr. President, Mr. Speaker, Lieutenant Governor, legislative leaders and members, justices and judges, my fellow Iowans:

Two years ago, Ilee and Michael Muller were living in California but they were looking for something else. Something away from the hustle and bustle, the crowded highways and high cost of living.

They had visited the city of Elk Horn in Shelby county and fallen in love with it, so when a restaurant came up for sale, they made the leap and put their faith in Iowa.

They bought an acreage outside of town, packed their belongings, and began to build a life and introduce themselves and their two daughters to the community.

They opened their restaurant, Grace on Main, in March of 2020—and you know what came next.

But the Mullers quickly realized that the Iowa way of life isn't a myth.

The community came together—and came in droves to the restaurant window to buy their unique pizzas.

Unlike so many states, Iowa's economy stayed open, and so did Grace on Main.

And they did more than stay open. The Mullers and their restaurant have thrived, winning multiple awards, including the Rural Operator of the Year from the Iowa Restaurant Association.

When I stopped by Grace on Main for lunch this fall, Ille told me "Iowa Nice isn't just a slogan, it's real. It's not who has a nicer car and how much money you have. If you need help, everyone is willing to drop everything. You don't get that back in California."

I couldn't help but smile, because that's exactly what we've always done. And what we'll always do.

The Mullers had faith in Iowa. And Iowa came through.

The Mullers, along with some of their most loyal customers, are with us tonight. Won't you please join me in welcoming the Mullers to Iowa and recognizing the community that embraced them.

Two years ago, about the time the Mullers were moving to Iowa, I stood here before you at the beginning of a new decade. I talked about how far we'd come in ten years.

About how we'd gone from a time when families lost their life savings, Iowans lost their jobs, and our state government lost control of its budget—to a time of record-low unemployment, a budget surplus, and record investments in K-12 education.

But most important, I talked about a vision for our future. About the need to be bold; to show the world that Iowa truly is the state of opportunity.

The pandemic delayed some of our efforts, but it didn't change our direction. In the last eight months alone we:

- Invested \$300 million more in broadband,
- Strengthened funding for mental health by making it more sustainable;
- Made our communities safer and supported our law enforcement;
- Encouraged more quality housing,
- Extended and expanded our water-quality efforts,
- Repealed the inheritance tax on families,
- Gave parents more choices in their child's education,
- Protected life,
- and expanded telehealth services to increase access to affordable health care across every part of our state.

When US News and World Report ranked Iowa the #1 state for opportunity last year, it wasn't because we wanted it. It was because we earned it.

It was because we had faith in Iowans. And Iowans came through.

Of course, rankings are nice. But they're not what matters.

What matters is how we come together in our own communities —from cities like Des Moines to small towns like Elk Horn—where we live and work and worship.

This is my fourth time speaking to you from this chamber on the condition of the state. And I'm proud to report, for the fourth time, in every corner of Iowa, the condition of our state is strong.

We're strong because we've been guided by the lights of common sense, fairness, and freedom. By the knowledge that bold action isn't always government action. It's Iowans making their own decisions for their own families and future.

Under these high ceilings, next to this marble, among these columns and portraits, it's tempting to believe that nothing good happens unless we legislate it, regulate it, or fund it.

But in the small towns, around kitchen tables, in the fields and back-offices, Iowans understand that we in this building don't fund anything. They do.

And right now, they're paying too much.

Last year, the state ended with a \$1.2 billion surplus, on top of nearly \$1 billion cash reserves.

That's good. We kept spending down.

But it also means that, despite the historic 2018 tax cuts, we're still taking too much from Iowans' paychecks.

That needs to stop. Now.

Tomorrow, I'll introduce a comprehensive bill that significantly cuts taxes for all Iowans.

First, it eliminates our complex system of multiple tax brackets and sets one tax rate of 4%. Flat and fair.

The cuts will occur gradually over the next four years so that we protect priorities like education and public safety. But in the first year alone, taxpayers will save almost \$500 million. And by 2026, when the bill is fully implemented, an average Iowa family will pay over \$1,300 less in taxes, which is on top of their \$1,000 tax cut from the 2018 bill.

That's money that can be reinvested into our economy and used to promote the prosperity of every Iowan.

Yes, we'll have less to spend once a year at the Capitol, but we'll see it spent every single day on Main Streets, in grocery stores, and at restaurants across Iowa. We'll see it spent in businesses instead of on bureaucracies.

We'll put our faith in Iowans, and they won't let us down.

Also, starting next year, for Iowans who have worked all their lives and saved for retirement, this bill will do even more by eliminating the taxation of retirement income.

For the vast majority of retired Iowans—those who rely on their 401K, IRA, or pension—that's not just an income-tax cut; it's a full income-tax repeal.

And that's how it should be. You've worked hard all your life, saving for retirement and paying your fair share in taxes. It's time you get a break from the tax collector; you've earned it, now you should enjoy it.

Under my plan, the tax repeal on retirement income won't be limited to bank accounts.

For farmers, whose savings is as much the black dirt under their boots as the money in the bank, this bill will eliminate the tax on cash-rent payments they receive when they retire from farming.

And for employees who received stock in their company for years of hard work, the bill will eliminate the tax on the sale of those shares.

This will be a game-changer that will incentivize employers to share ownership with their employees and send a message to the rest of the country: Come. Move to Iowa. Work here and become an owner in a company and grow your investment tax free. Have faith in Iowa and we'll come through.

All of these tax cuts have one thing in common—they reward work. Work to be done and a lifetime of work to be proud of.

That's never been more important, as the country is facing an unprecedented worker shortage.

Across the nation, job openings far outnumber the workers available to fill them, and 4 million fewer Americans are working now than they were before the pandemic.

Iowa is better positioned than most, with the ninth highest labor participation rate in the country. But we're still down from where we were at the beginning of 2020. And if we don't take bold action, other states will.

Thanks to the leadership and careful planning of many of you in this room, we're building on a solid foundation.

Through bipartisan efforts, we established Future Ready Iowa, which provides tuition-free community college and certification programs to Iowans training for high-demand jobs.

Since the fall of 2019, more than 35,000 scholarships have been awarded empowering nearly 17,000 Iowans to pursue careers and advance Iowa's workforce—with thousands more to come.

We've also focused on expanding apprenticeship programs, incorporating work-based learning in our schools, integrating computer science into the curriculum, and so much more.

With these efforts, we're on the path to giving every Iowan the opportunity to find a rewarding career. But barriers to work still exist, including the need for childcare.

That's also a national issue but, contrary to what some in D.C. believe, there isn't a national solution.

In Iowa we've taken a bottom up approach. Last legislative session we created the Childcare Challenge, a program where providers apply for grants that fit the needs of *their* communities. It's already paying off.

In less than a year, we've awarded grants that will create 4,000 new childcare spots across the state.

Sprouts Early Learning Academy in Carlisle is a great example. Paige and Taylor Smothers own the Academy, and thanks to a state grant they overcame inflated construction costs and regulatory burdens to open an amazing preschool and child care center for 70 2-5 year-olds.

When I visited the academy, I could see that we're on the right path.

I've invited Paige and Taylor to be with us tonight so they can be recognized for their achievement and hear firsthand that their efforts, and the efforts of others like them, have inspired us to do even more. Won't you please stand.

Because of the positive results from the Childcare Challenge, and because of the overwhelming number of outstanding applicants, I'm announcing that the State is expanding this program to provide another 5,000-plus childcare openings across the state.

Last week, I had the privilege of calling some of the applicants to let them know they would be receiving a state grant. Let me give you a sample of what's to come.

In Dubuque, Aspire Home Daycare Network will remodel and equip homes that will help stay-at-home moms start their own daycare business. In Williamsburg, the school district will renovate a vacant house, in partnership with the high-school construction club, that will serve as a childcare center for teachers' children. And in Hull, the Bright Start Daycare and Preschool will expand its facility to help cut the current waitlist of 67 children in this rural community.

These are more than just buildings. They are the physical reminders of the thousands of lives that will be enriched. And it's not just the children—it's also the lives of parents empowered to go to work knowing their child is cared for.

Last spring I established the Governor's Childcare Task Force and charged the group with developing a comprehensive strategy to address this issue. I'm happy to report that we've already made progress in implementing many of their recommendations, including relieving childcare providers of onerous regulations.

There's more to do, and I look forward to working with the legislature this session. Because no one should be forced to choose between earning a living and caring for their child.

There are many reasons for the worker shortage, but we need to recognize that, in some cases, it's because the government has taken away the need or desire to work. The safety net has become a hammock.

Don't mistake me; this isn't the only cause. But it's a growing problem, and it's not just an economic one.

There is dignity in work; it gives us meaning and purpose. So when it's degraded, when idleness is rewarded with enhanced unemployment and stimulus checks, when work begins to seem optional rather than fundamental, then society begins to decay.

I'm worried that we're reaching that point. Where workers who stay home are being put ahead of the workers who show up.

Tomorrow, somewhere in Iowa, a carpenter will struggle to set rafters by himself in the freezing cold. He needs help, and he's been asking for it. But too many are at home, living on his tax dollars. It's been the same for almost two years now. His hands are tired; his back is tired. He's just tired.

He has faith in Iowa—he believes we'll come through—but D.C. doesn't seem to care.

So let's show him that Iowa does care. Let's show him that in this State, we appreciate the value of work and will promote it at every turn.

We start by revamping our unemployment system so that it becomes a *re*-employment system.

Unemployment benefits serve an important purpose as a short-term safety net for Iowans who are unexpectedly out of work, through no fault of their own. But we can't forget these are taxpayer funds, and we have to recognize that we're living in a time of prolonged low unemployment.

Today, there are many more job openings than Iowans on unemployment.

Those Iowans have six months to collect unemployment benefits while they look for one of the many open jobs. Frankly, that's more time than necessary.

I'll be introducing a bill that lowers benefits to 16 weeks—about four months—and ensures that those collecting unemployment can't turn down suitable jobs while living on taxpayer funds.

We'll also increase our efforts to match unemployed Iowans with new opportunities. To that end, I'm announcing the creation of a separate re-employment division within the State, whose sole focus will be helping Iowans get back to work.

We want these Iowans to succeed, and we'll give them every opportunity to do so.

Unemployment payments and stimulus checks aren't the only government-created problems we're facing.

We need to continue our work this session to eliminate unnecessary licensing requirements that keep people from moving to or working in Iowa.

We also need to address a legal system that is awarding millions of dollars in damages without regard to the consequences.

When accidents and mistakes happen, injured Iowans deserve to be fairly compensated. But arbitrary, multi-million dollar jury awards do more than that. They act as a tax on all Iowans, raising the costs of goods and services and jeopardizing our healthcare system.

Like many states have already done, we need to put reasonable caps on non-economic damages for trucking accidents and medical malpractice. Let's work together to do just that.

The shortage of healthcare workers is one of our greatest workforce concerns, especially in rural Iowa.

Five of the state's top-10 job postings are healthcare careers, with registered nurses and nursing assistants at the top of the list. And the problem is expected to get worse, as the US Bureau of Labor Statistics projects the need for 1.1 million more nurses nationally by 2030.

Once again, Iowa is ahead of the curve, as we've already begun the process to recruit and train.

We're expanding our loan forgiveness programs for healthcare professionals who commit to Iowa, especially our rural areas. And we're making it easier for part-time nurses to teach while they work.

We're also starting our training programs earlier, to give our students a first-hand view of what a career in healthcare looks like.

In Pella, the high-school Career Academy recently launched a patient-care registered apprenticeship program that offers students hands-on experience in a variety of medical settings, while at the same time earning a wage.

Before they even leave high school, these students can become a certified nursing assistant, and then qualify to work as a lab or surgical technician. And within a few short years, they can go on to become an OB tech, RN or BSN—all while being paid.

This innovative approach, and the public-private partnerships that make it possible, are what Iowa's education and healthcare systems need. That's why we're launching a new healthcare registered apprenticeship program that will provide funding to at least five communities to scale what Pella has done.

Marie Vander Wilt, the first apprentice in Pella's program, said that getting hands-on experience in healthcare gave her a new appreciation for this career path. She told me "the job isn't always easy but I get to leave work each day knowing that I made a difference."

Marie, along with her instructor, Kay Landon, and the program partners from Pella Regional Hospital and Wesley Life are with us tonight. Let's thank them for leading.

Across the state, educators are teaming up with professionals in their field to train our students. In fact, we're a national leader in work-based learning.

But for all the real-world experience we've brought to the classroom—from welding to information technology to healthcare—we've missed an important one: education.

When it comes to training the next generation of teachers, we haven't been using our best asset: our teachers in the classroom. The ones who put their skills to work every day to make a difference.

Starting tomorrow, we'll be launching the first teacher registered apprenticeship program in the country, letting schools effectively grow their own workforce.

High school apprentices start classroom instruction in their junior year and, within a year of graduation, they can earn a paraeducator credential and associates degree. And for paraeducators, their day jobs will count toward student teaching requirements, greatly reducing the cost and time required to become a teacher.

The teachers of tomorrow are in our schools today. Let's give them a head start on their journey to one of the most rewarding careers.

Talk to someone who's been successful and without fail they'll tell you about a teacher who set them on their path. About someone who inspired them; who pushed them to be what they are today.

Our teachers provide more than textbook instruction. They give emotional support and structure. They help guide our children through their most difficult and formative years.

That's why it was and is so important that our schools stay open. And that's why I'm proud of the tens of thousands of Iowa educators who stayed in the classroom when so many in other states did not.

As a means of saying “Thank you”—and to help retain our educators—I’m announcing tonight that we’ll use federal ESSER funds to award a \$1,000 retention bonus to teachers who stayed on the job through the pandemic and who will continue teaching next year. Your work is essential and we want you to know it.

The importance of a strong public school system is reflected in the State budget, where public education accounts for more than 56% of all state spending.

And for PreK-12 education, that’s over \$3.7 billion, with an increase of nearly \$1 billion in the last decade.

For most Iowa families, that’s money well spent. Across the State, in every one of our 99 counties, there are strong schools with dedicated teachers.

But for some families, the school district doesn’t fit their values or meet the needs of their child.

And sadly, in some cases, school administrators are ignoring the problem or just not listening. Some even believe that it’s a school’s responsibility to not just teach kids to learn but to control *what* they learn—to push their worldview.

The problem has been building for some time, but parents are no longer in the dark.

Recently, several parents brought to light that schools are buying and teaching with books that contain vulgar and sexually explicit material involving minors. These books are so explicit they’d be X-rated if they were shown in the theater. The content is so bad that after a parent read one of them at a school board meeting, the school district took the live stream down from its website because the passages were too inappropriate—and yet many of these books remain in school libraries today.

We live in a free country with free expression. But there’s a difference between shouting vulgarities from a street corner and assigning them as required classroom reading. There’s a difference between late-night cable TV and the school library.

If school boards and administrators refuse to understand that—if they believe the classroom is about pushing their worldview—then we’re on the wrong path.

So to the parents who are listening tonight, who are frustrated with what’s happening: Know that I and members of this legislature have heard you loud and clear. Enough is enough. Parents matter, and we’re going to make sure you stay in charge of your child’s education.

It starts with full transparency. All schools should be required to publish what they’re teaching. There’s no reason to hide it—at least no *good* reason.

The same goes for the books in the library. Parents should know what their kids have access to, and they should have a timely process to address their concerns. Because when our parents are fully informed, they can make informed choices.

And ultimately, that’s what every parent deserves: a choice. Even when the school is doing what it should, that doesn’t necessarily mean the unique needs and values of every student are being met.

Wealthier parents always have an alternative. But many middle- and lower-income families don’t. They don’t have a choice.

Jacky Ochoa, a mother of four daughters who attend St. Rose of Lima Catholic school in Denison said it best. Writing to the Des Moines Register, she said that “school choice is personal; it’s about students. Choice empowers parents—a child’s strongest advocates, and the people who best know their skills and interests—to select the learning environment that will allow their child to shine.”

Jacky, I couldn’t agree more—which is why I’ll be introducing legislation that allows middle- and low-income families and students with an individualized educational plan to receive a portion of the ‘per pupil’ funds allocated annually by the state to move their child to the education system of their choice.

About 70% (over \$5,300) of those funds will go directly into an account for families to customize their child's education. The remaining 30% will be distributed by the state to smaller school districts.

We want to ensure our small districts stay strong while, at the same time, empowering parents to choose what's best for their child.

As I said last year, school choice isn't a zero sum game. It has the potential to raise the quality of all schools. After we expanded open enrollment last session, one superintendent responded by setting the goal of making his district the "destination of choice."

That is precisely what we want: For every school, public or private, to strive to be the best it can be. Because when our schools succeed, Iowa becomes a "destination of choice" for parents everywhere.

My focus tonight is about work and workers. About what puts food on the table and a roof over our head. About what gives us meaning and purpose.

But sometimes work means more than that. Sometimes—for a small but brave few—it means putting someone else's life above their own.

For those workers—those who serve in our armed forces, who patrol our streets, guard our prisons, or in any other way protect and serve—an occasion like this would be incomplete without saying thank you and recognizing those Iowans who gave the ultimate sacrifice this year.

Cpl. Daegan William-Tyeler Page, who was killed by terrorists as he bravely protected US citizens and Afghan refugees attempting to evacuate Kabul.

Nurse Lorena Schulte and Correctional Officer Robert McFarland, who sacrificed their lives to stop two inmates from escaping Anamosa prison.

And State Patrol Sgt. Jim Smith and Trooper Ted Benda, who spent their careers protecting Iowans and keeping our communities safe, who tragically lost their lives in the line of duty.

I also want to honor the life of Congressman Neal Smith, a man who served this state and his country for almost all of his 101 years, including as a military pilot who earned the Purple Heart in World War II.

And I want to recognize the absence of my friend, John Landon, who served his country in Vietnam and served this State as a representative of this body. John, I miss seeing your reassuring face from this podium, but I'm so happy that your legacy lives on.

To honor all of these brave men and women we lost this year, please join me and the family members who are with us tonight in a moment of silence.

Whether it's patrolling our streets or guarding our prisons, public safety jobs are difficult and absolutely vital.

I want to thank the legislature for giving additional funds to the Department of Corrections to help keep our prisons secure. And I want to recognize the importance of the Back the Blue Bill you passed last year.

It's more important than ever that we show these men and women that we appreciate what they do.

Because across the country, far too many don't have that appreciation; they don't believe in prisons and don't see the need for police.

That way of thinking isn't just wrong; it's dangerous. And in Iowa, it has no place.

To re-enforce that message, we're using federal ARPA funds to give our brave men and women in law enforcement and corrections a \$1,000 retention bonus, while also aggressively recruiting officers in other states.

When officers are treated like villains and other jobs are plentiful, it's no wonder that applications nationally are down and resignations are up. It's no wonder that our young people are saying, "no thanks" to a career in public safety.

While we can't fix attitudes in other states, we can certainly let our officers—and officers across the country—know that in Iowa, they're welcome and will receive the respect and support they deserve.

Most of what we do here in this building is about what happens in Iowa. It's about educating our children in our schools, getting Iowans back to work, or just making sure that we, the government, aren't standing in their way.

But Iowa is also a national and international leader; what we do here reverberates beyond our borders.

That's certainly true when it comes to agriculture and energy—especially when the two meet.

Iowa is a leader in renewable energy. In fact, we lead the nation in the production of both ethanol and biodiesel and the crops that make them.

Everyone knows that renewable fuel is important to Iowa. But D.C. is losing sight of its importance to the country.

Time and again—in administrations of both parties—the federal government has walked away from its commitment to renewable fuels, and we've had to bring them back.

We need to do it again. The Biden Administration has focused almost all of its efforts on electric vehicles, actively working to eliminate gas-powered cars.

That's a mistake, especially as China works to lock up the precious metals that make EV batteries.

Instead, we must continue to embrace an all-of-the-above approach, where we support energy sources that come from right here in Iowa.

To do that, I am introducing new legislation that will improve access to E15 and B20 and upgrade Iowa's fuel infrastructure to offer higher blends. And I'm proposing that we invest in carbon-capture solutions to sustain and build on our leadership position in renewable energy.

Let's send DC a message that can't be ignored. Let's remind them that America's energy is growing, right here, in Iowa's fields.

I want to end tonight where I began—by highlighting the amazing things that are happening in our communities.

I do this to shine a light on what Iowans are doing, and to remind us, in here, that it's not our doing.

In Mason City, residents are completely remaking their downtown. With the historic Frank Lloyd Wright hotel as an anchor, they've created a beautiful park on Main Street, repurposed a mall as an ice arena, and lined the street's buildings with second-floor housing.

In Elkader, the small community of just 1,200 remade itself into a destination by creating one of Iowa's first whitewater courses, by reviving landmarks like the Elkader Theater and the Opera House, and by opening numerous restaurants, bars, and coffee shops that have created a cultural hub.

In Woodbine, the school, businesses, and local leaders partnered together to create the CREW Center, a place that combines recreation, education, and community. Where the small school district created an innovative work-based learning program, IGNITE Pathways, that is a magnet for all of SW Iowa.

Revitalization efforts like these are happening all over the state. They're happening because people see something special in our small towns and cities. They see something special in each other.

At the end of Field of Dreams—a magical movie that we got to relive last summer—James Earl Jones' character tells Ray Kinsella, in a baritone voice I can't imitate: "People will come Ray. They'll come to Iowa for reasons they can't even fathom."

If we get this right, if we take this opportunity, then people will come—but for reasons that are obvious.

They'll come because here they can find freedom and opportunity. Because of our small towns and thriving cities. They'll come because we reward work, value personal responsibility, and care for our neighbors.

Above all, they'll come because we put our faith in Iowans—and because Iowans always come through.

Thank you, God Bless you, and God Bless the great State of Iowa.

Governor Reynolds was escorted from the House chamber by the committee previously appointed.

Representative Windschitl moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:52 p.m. until 9:00 a.m., Wednesday, January 12, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Capitol Planning Commission, pursuant to Iowa Code section 8A.373. Report received on January 11, 2022.

IOWA LAND RECORDS

County Land Record Information System Budget and Recording Services Costs Report, pursuant to 2021 Iowa Acts, HF 837, section 3. Report received on January 11, 2022.

JUDICIAL BRANCH

Judicial Nominating Commissioners Elections Results Report, pursuant to Iowa Code section 46.9. Report received on January 11, 2022.

LAW ENFORCEMENT ACADEMY

Iowa Law Enforcement Academy Council Domestic Abuse Training Report, pursuant to Iowa Code section 80B.11. Report received on January 10, 2022.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 11, 2022.

DEPARTMENT OF PUBLIC DEFENSE

Offenses Reported to Civilian Law Enforcement Authorities, pursuant to 2021 Iowa Acts, Chapter 65, Section 3. Report received on January 10, 2022.

DEPARTMENT OF PUBLIC HEALTH

Behavior Analyst and Assistant Behavior Analyst Grants Program Report, pursuant to Iowa Code section 135.181. Report received on January 11, 2022.

Plumbing and Mechanical Systems Board Report, pursuant to Iowa Code section 105.9. Report received on January 11, 2022.

DEPARTMENT OF REVENUE

Earned Income Tax Credit (EITC) Evaluation Study Report, pursuant to Iowa Code section 2.48. Report received on January 11, 2022.

Franchise Tax Credit Evaluation Study Report, pursuant to Iowa Code section 2.48. Report received on January 11, 2022.

High Quality Jobs Program Tax Credit Evaluation Study Report, pursuant to Iowa Code section 2.48. Report received on January 11, 2022.

Research Activities Tax Credit Evaluation Study Report, pursuant to Iowa Code section 2.48. Report received on January 11, 2022.

Tax Expenditure Cost Estimate Report, pursuant to Iowa Code section 2.48. Report received on January 11, 2022.

DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures and Contractual Obligations, pursuant to Iowa Code section 307.12. Report received on January 11, 2022.

UTILITIES BOARD

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66. Report received on January 10, 2022.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, January 11, 2022, 10:00 a.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Costello, Driscoll, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls.

Members Absent: None.

Committee Business: Introductions.

Adjourned: 10:30 a.m.

APPROPRIATIONS

Convened: Tuesday, January 11, 2022, 2:30 p.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Mathis, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

Members Absent: None.

Committee Business: Appropriations committee.

Adjourned: 2:45 p.m.

COMMERCE

Convened: Tuesday, January 11, 2022, 1:05 p.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, Wahls, and Williams.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:10 p.m.

EDUCATION

Convened: Tuesday, January 11, 2022, 1:35 p.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott.

Members Absent: Zaun (excused).

Committee Business: Organizational.

Adjourned: 1:45 p.m.

HUMAN RESOURCES

Convened: Monday, January 10, 2022, 2:00 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:15 p.m.

JUDICIARY

Convened: Tuesday, January 11, 2022, 2:00 p.m.

Members Present: Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: Zaun, Chair; and Bolkcom (both excused).

Committee Business: Organizational/introductions.

Adjourned: 2:10 p.m.

LOCAL GOVERNMENT

Convened: Monday, January 10, 2022, 2:30 p.m.

Members Present: Shipley, Chair; Klimesh, Vice Chair; J. Smith, Ranking Member; Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:35 p.m.

INTRODUCTION OF BILLS

Senate File 2003, by Cournoyer, a bill for an act relating to certain amounts of school district funding for programs for at-risk students, secondary students who attend alternative programs or alternative schools, or returning dropouts and dropout prevention, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2004, by Petersen, Boulton, Lykam, Jochum, Celsi, J. Smith, Kinney, Dotzler, T. Taylor, and Hogg, a bill for an act relating to the submission and posting of hospital policies.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2005, by Petersen, Ragan, Mathis, Boulton, Lykam, Jochum, Celsi, J. Smith, Kinney, Dotzler, T. Taylor, Trone Garriott, Giddens, Quirmbach, Bolkcom, Wahls, and Hogg, a bill for an act relating to the Medicaid extended postpartum coverage option.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2006, by Petersen, Ragan, Mathis, Boulton, Lykam, Jochum, Celsi, J. Smith, Kinney, Dotzler, T. Taylor, Trone Garriott, Giddens, Quirmbach, Bolkcom, Wahls, and Hogg, a bill for an act relating to Medicaid reimbursement for maternal and child health.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2007, by Petersen, Ragan, Mathis, Boulton, Lykam, Jochum, Celsi, J. Smith, Kinney, Dotzler, T. Taylor, Trone Garriott, Giddens, Quirmbach, Bolkcom, and Wahls, a bill for an act relating to evidence-based maternal and infant home visiting services.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2008, by Petersen, Ragan, Mathis, Boulton, Lykam, Jochum, Celsi, J. Smith, Kinney, Dotzler, T. Taylor, Trone Garriott, Giddens, Quirmbach, Bolkcom, and Wahls, a bill for an act relating to maternal health best practices.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2009, by Ragan, Mathis, Boulton, Lykam, Celsi, J. Smith, Dotzler, T. Taylor, Petersen, Trone Garriott, Giddens, Quirmbach, Bolkcom, Wahls, Jochum, Kinney, Hogg, and Bisignano, a bill for an act relating to the state child care assistance eligibility requirements and provider reimbursement rates.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2010, by Green, a bill for an act relating to safety and sanitation criteria for tattooing establishments, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2011, by Costello, a bill for an act relating to the purchasing of a youth deer hunting license and tag.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 50
(Reassigned)

WAYS AND MEANS: Goodwin, Chair; Dawson and Quirmbach

Senate File 219
(Reassigned)

WAYS AND MEANS: Dawson, Chair; Dotzler and Goodwin

Senate File 441
(Reassigned)

WAYS AND MEANS: Zaun, Chair; Green and T. Taylor

Senate File 490
(Reassigned)

WAYS AND MEANS: Dawson, Chair; Quirmbach and Sinclair

House File 774
(Reassigned)

WAYS AND MEANS: Schultz, Chair; Dickey and Dotzler

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 12, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Zach Wahls, member of the Senate from Johnson County, Coralville, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Tuesday, January 11, 2022, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate stood at ease at 9:07 am. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:51 a.m., President Chapman presiding.

In accordance with House Concurrent Resolution 102, the Senate proceeded to the House chamber led by the Senate President and the Secretary of the Senate.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the joint convention was called to order at 9:59 a.m., President Chapman presiding.

Senator Whitver moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Chapman declared a quorum present and the joint convention duly organized.

Senator Whitver moved that a committee of four, two members from the Senate and two members from the House, be appointed to escort Governor Kim Reynolds to the Condition of the Iowa Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators J. Smith and Williams on the part of the Senate, and Representatives Bloomingdale and Hansen on the part of the House.

Senator Whitver moved that a committee of four, two members from the Senate and two members from the House, be appointed to notify Chief Justice Christensen that the joint convention was ready to receive her.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Boulton and Garrett on the part of the Senate, and Representatives Wolfe and Worthan on the part of the House.

The Justices of the Supreme Court, the Chief Judge and the Judges of the Court of Appeals were escorted into the House chamber.

The family of Chief Justice Susan Christensen was escorted to their seats.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

Governor Kim Reynolds was escorted into the House chamber.

The committee waited upon Chief Justice Susan Christensen and escorted her to the Speaker's station.

President Chapman then presented Chief Justice Susan Christensen who delivered the following Condition of the Judiciary Message:

Mr. President, Mr. Speaker, Members of the General Assembly, Governor Reynolds, Lt. Governor Gregg, state officials, colleagues, family, friends and all Iowans who are, once again, watching remotely or here in person.

Thank you for the opportunity to address this joint convention of the 89th General Assembly on the condition of the judiciary.

As introduced, I am Suzy Christensen. I continue to live in Harlan with my husband of 40 years, Jay. He is with me today as well as four of our five children and a couple of our grandchildren.

Last year, I gave my first condition of the judiciary. Not only did I mix up naming the two guys behind me...but much to my family's amusement, I messed up naming my own grandchildren. I would like to stop their ruthless teasing and fix that monumental boo boo right now: Logan, Karsyn, Connor, Emily, Jack, Levi (last year's forgotten child) and our newest addition, Grayson.

Emily Dickinson wrote, "HOPE is the thing with feathers." It's like a feathered bird forever perched in the soul of every human. You may remember that I started and ended last year's speech on the theme of HOPE. At that point, we were not yet one year into this pandemic. Emotions were swirling in every direction—frustration, anger and a paralyzing fear just to name a few. We were learning to adapt to unprecedented circumstances, and my intent was to send a positive message—to let the people of Iowa know that the judiciary did not succumb to COVID-19 and we remained open for business to ensure continued access to justice.

This year, I'd like to make PEACE the theme of my Condition of the Judiciary. It's been said that PEACE does not mean to be in a place where there is no noise, trouble or hard work. No. Peace means to be in the midst of those things and still be calm in your heart.

While leading the judiciary during a pandemic that is now entering its third year, acquiring a sense of peace has been absolutely critical for me. I'd like to share with you a story about finding peace amongst the noise, trouble and hard work that comes along with life's challenges.

I've told this story in only a couple quaint settings as a way of showing the importance of stick-to-itiveness. But it seems appropriate today for a larger audience because of the pandemic times we're experiencing and the temptation to say, "I don't want to do this anymore" when there is very important work yet to be done.

As you may know, my oldest son, Nic was diagnosed with cerebral palsy at the age of two. During adolescence, Nic's heart was full of wishes, but hands down—number one was to drive a car. Like every other kid.

So we signed him up for regular driver's ed and took him to Omaha for a special driver's ed that would help him learn to drive with hand controls. On July 13, 1998—his 16th birthday—I took him to a driver's license station outside Shelby County because our hometown office wasn't open for licensing that day. We took a number and waited. And waited. And waited...while other people came and went. I started to smell a rat. I went to the front desk and asked, "Is there a problem?" at which time I learned they were waiting for someone to take Nic for a test drive. I called ahead of time and was told he wouldn't have to drive. And we didn't have his car with hand controls. I whispered so Nic wouldn't hear, "May I see your supervisor?" I went into her office alone and asked why she was requiring Nic to drive. She said, "Because we can all see he's handicapped." I knew at that moment I wanted to pounce...like a lawyer. But I was there as Nic's mom. I put on my sunglasses, to hide my tears, and walked out of her office. I headed over to Nic and said, "Come on bud." He said, with his chin quivering, "Am I not getting my license today?" "No buddy, not today."

It was a painfully quiet ride on the way home. Neither one of us said a word. I knew what just happened was BIG and we needed to talk about it. So I pulled over. "Nic, are you okay with what happened back there?" He slowly shook his head no. I told him that if he was my client, I would have said more, but I didn't want to embarrass him. Nic said, "I like it when you fight for me." Okay. I was just hired. And this was the legal advice I gave my new client:

If something like this ever happens to you again, I want you to:

- (1) Say "That's not fair." Everyone knows what that means.
- (2) Ask the person, "What's your name?"
- (3) Call me.

Although Nic was very aware of his own diagnosis, cerebral palsy was not something our family ever talked about. It was just a normal part of our lives. But I decided to ask him something I never dared ask before. "Nic, what is the hardest part about having CP?" I made a conscientious effort to keep my mouth shut, to not answer for him. He looked straight ahead and pondered, for maybe 4 45 or 60 seconds. That's a really, really long time when you're waiting for an answer.

During that pause, my mind raced...what will he say? Maybe that he can't walk independently? Or that he talks different than everyone else? Or how about having the driver's license lady literally crush his dream right before his eyes? He finally turned to me and said, "I can't think of anything."

He couldn't think of one thing that's hard about having CP. And I was ready to fill his head with a bunch of negative things. Up to that day, we tackled one day at a time. Some of those days were unremarkable, others were a nightmare like the day he turned 16 years old. But Nic's response, "I can't think of anything" gave me a sudden and palpable sense of PEACE amidst a storm that continues to rage even today. If I ever had a doubt before—and I had many—for the first time, I truly believed, "We are going to get through this, Nic."

You might wonder what my story about Nic has to do with the Condition of the Judiciary. Today, as I look in the judicial branch's 2021 rear view mirror, I sense a similar feeling of PEACE in the midst of ongoing challenges.

COVID has had an abrupt and brutal impact on the judiciary. Last year, we spent most of the year trying to figure out new ways to perform basic fundamental tasks in our quest to provide Iowan's access to justice. Another year has now passed. What's different? Not only did everyone in the judicial branch get really good at handling the daily challenges that once nearly threw us under the bus, but we got stronger. We got better. And you can feel it. We are not on auto pilot, but there is certainly a sense of calmness, a sense of peace.

Each and every one of our judicial branch members has been a profile of what it takes to work effectively in a crisis and move us to this profound sense of peace within our branch. A sense of, “We can get through anything” even in the midst of this COVID storm that continues to rage.

We were also able to accomplish many great things this past year because you, our legislature, provided us with a steadier platform on which to base Iowa’s administration of justice by increasing our funding. On behalf of the entire judiciary, thank you.

Here are just a few highlights of the 2021 judicial branch accomplishments as the pandemic continued to swirl around most every aspect of our lives. These accomplishments helped to ensure all Iowans would have continued access to our judicial branch. A more detailed summary can be found in our Annual Report which was released just today.

You may recall that last year I talked about a distributive work pilot program coming out of the 1st and 4th judicial districts where work from one busier county is shared with judicial branch employees in a less busy county in the same district. Like I said then, for one county to be able to assist another county in need within the same district keeps each county relevant—no matter the size. We expanded those pilots and today, I am excited to report that all eight judicial districts have either begun distributive work processing or are in the final stages of implementing such a plan.

Something else that has had uniform application across the state involves much needed improvements in our courtrooms. When I was a trial judge, one of 6 the most common complaints made by jurors in virtually every trial was that they could not hear well in the courtroom. They had trouble hearing witnesses testify or lawyers make their closing arguments. The problem wasn’t their hearing—it had to do with poor acoustics in big, old courtrooms. It is incredibly concerning if a juror cannot hear every word uttered during a trial.

Something pretty cool happened to address that problem. Through the use of Iowa CARES funding, new technology was installed in nearly every courthouse across the state. This technology does more than allow us to hold virtual hearings with video-conferencing. One of the bells that came with this new technology is a sound system and strategically placed microphones which enhance the ability for jurors to hear clearly. One of the whistles that came along is an evidence presentation capability which allows jurors to clearly view exhibits rather than having hard copies passed through the jury box. The benefits of this technology made available with CARES funding will be utilized by every county and certainly last years beyond COVID.

During the last Condition of the Judiciary, I detailed the steps the judicial branch has taken to ensure that all persons are treated equally before the law. I also assured you that the judicial branch would remain steadfast in its commitment in identifying and implementing tools that will assist us in becoming better public servants. In 2021, that monumental journey continued.

All Iowans should be proud that the judicial branch is taking active steps to become a leader when it comes to research and education on issues related to procedural fairness and access to justice. Given the educational investments we’ve already made, the judicial branch is well-positioned to continue our role as a leader in the area of educating judges and court personnel.

Of course, leadership requires making sober assessments concerning what needs are not being met. In 2021, we recognized that in order for us to continue to properly serve the people of this great state, we need to develop a more comprehensive educational curriculum for judges and judicial branch employees. These educational opportunities would embrace a full range of adult learning. Issues related to race and disproportionality will remain critical components of our educational curriculum.

Simply put, expanding the range of educational opportunities for judicial officers and judicial branch staff will help enable the judicial branch to achieve our mission of administering justice under the law equally to all people, whether you live in Polk County or Page County.

Starting in July, and for the first time since becoming chief, I began traveling to our eight judicial districts. I wanted to personally listen to the many voices of our legal profession in this great state. I asked local lawyers and judges, "What are we doing well? What could we do better? What should I take back to Des Moines?" My sojourn took me to Dubuque, Mason City, Sioux City, Council Bluffs, Des Moines, Indianola, Cedar Rapids, Davenport, Ottumwa, Fairfield and Oskaloosa.

Speaking of Oskaloosa, Justice Waterman, Justice Oxley and I were invited to attend the Mahaska County Bar's weekly lunch. With the exception of Thanksgiving, they have been meeting for lunch every single Thursday...since well before FDR was President of the United States. Garold Heslinga has been a card-carrying member of the Mahaska County Bar since 1948. Interesting little fact for legal nerds like myself...Mr. Heslinga was the prevailing attorney in the spring-gun case of Katko v. Briney...a staple of most every law school tort class.

Each and every town or city I visited was deeply committed to honoring the legal profession and proud to show off their stomping grounds. What I learned through these visits will equip me with a deeper understanding of what Iowan's from every corner of our state need from the judiciary to ensure access to justice.

One of the reasons I wanted to get out to the districts was because the judicial branch was beginning to plan for a post COVID-19 world. We reviewed about 30 formal COVID orders entered by our court and considered the numerous informal policies and practices that had popped up across the state. Did it make sense to simply unwind our orders in an effort to get back to normal? Maybe not. Some of the emergency changes ended up being really good changes that might not have ever happened if the pandemic hadn't forced our hand.

In an effort to evaluate what changes were made in the prior year, the Lessons Learned Task Force was established by the supreme court. I fondly refer to this as the Lemonade Task Force. The task force was made up of representatives such as court reporters, district court and state court administration, trial court and appellate judges, clerks of court, and attorneys in private practice as well as county attorneys and the state public defender's office. They were tasked with reviewing all of the supervisory orders and making recommendations to the supreme court on rules, policies or practices that should be retained, modified or stopped.

The task force submitted its recommendations to the supreme court. After careful review of the task force's recommendations, public comments and considering the current status of the pandemic, on December 6th we entered one COVID order to replace all of the earlier orders.

This omnibus order recognizes the court system is 100 percent fully operational, but we are continuing some practices adopted on an emergency basis when the pandemic started. These practices not only keep court proceedings moving along but allow people to participate in a meaningful way without jeopardizing health or conflicting with work schedules.

Here are a few examples of what's included in the court's December 6th omnibus order which balances the need for efficiency with the value of doing business in person:

In criminal cases, the defendant does not have to appear at certain pretrial proceedings or depositions, and sentencing can go forward with parties appearing by remote video technology. Juvenile courts may conduct proceedings such as child in need of assistance and termination of parental rights by videoconference. In family law matters, courts may conduct divorce or custody trials by videoconference as needed.

It is clear from a review of the lemonade task force's recommendations that there was a heavy reliance on the significant work being done by the criminal rules committee already in place pre-pandemic. This month the court is also approving and sending to Legislative Council a comprehensive revision of the rules governing all criminal cases in Iowa. Since the current rules came into effect nearly 44 years ago, they have undergone piecemeal amendments but no comprehensive review. In the words of Justice Mansfield who chaired the task force reviewing our criminal rules, this piecemeal approach resulted in our rules becoming somewhat "wordy, out of date and hodge-podge."

The comprehensive revision is the work product of a task force made up of prosecutors, judges, and defense lawyers from around the state as well as representation from Drake and Iowa law schools.

The proposed rules are streamlined and fill in some gaps where the old rules didn't reflect what is actually being done in court. A few substantive changes are recommended by the committee, but only where there was consensus between prosecution and defense that the change would be an improvement. Many of those substantive changes are the result of lessons learned during COVID and would make permanent some of the language included in the criminal portion of our December 6th supervisory order.

Right about the time our criminal rules task force began winding down its four-year project, we threw other court rules into the hopper for review. In particular, Justice Oxley is chairing a task force charged with reviewing our rules of appellate procedure, and Justice Waterman is chairing a task force charged with reviewing our rules of evidence. I look forward to updating you on the work of those newer task forces when their reviews are completed.

You may remember last year, I announced that juvenile justice is my priority as chief. In particular, I am committed to ensuring that Iowa stands out among all the other states in implementing Family First, a federal funding bill based on the belief that kids do best with their families. I am so thrilled to stand up here today and say...we can start to check that box off.

The 4 Questions, 7 Judges program catapulted from pilot status to statewide implementation based on its proven effectiveness at cutting removals by nearly half. There is now talk about asking specific questions not only at the time of removal but at two other critical points in a child welfare case: (1) after a child is actually removed; and (2) once the family is reunited. An example of what kind of question could be asked at those critical stages came from one of our outstanding colleagues, the late Judge Colin Witt. In his courtroom, Judge Witt began asking, "Why can't this child go home today?" The Witt Question has begun to spread across the state...perhaps it will become a pilot program of its own?

We're not the only ones impressed by the 4 Questions program. Street Roots is an Oregon publication dedicated to the topic of homelessness and extreme poverty. About two months ago, an article was published called "Foster Care Shuffle." The focus of this article was Iowa's 4 Questions, 7 Judges program because it was showing evidence of success in reducing the number of moves for kids in foster care. Other states were encouraged to replicate Iowa's program. And apparently that's happening, because we continue to field calls from other states who are attempting to adopt a similar program.

And the judicial branch isn't alone in its mission to keep Iowa's children in the home, with family, whenever it can be done safely. As a part of Family First implementation, the department of human services took the lead on a review of Iowa's juvenile justice legislation found in Iowa Code Chapter 232 and proposing code changes to comply with Family First requirements. I thank DHS for beginning this conversation and I assure you that the Judicial Branch is committed to working with all stakeholders to implement Family First.

I'd like to end my speech by sharing with you something truly exciting that will be happening in the not so distant future. I think it's going to have a profound impact on Iowa's entire juvenile justice system.

In Iowa, our juvenile justice system is made up of two different kinds of judicial proceedings for children. In child welfare cases, it is the court's job to protect the child from the actions of someone else, sadly—that is usually a close family member. You may have heard of a CINA proceeding which is short for Child in Need of Assistance. In those cases, the court relies heavily on the expertise and attention of the Department of Human Services in trying to keep kids in their family home or reunite the family after they have been provided rehabilitative services.

A second kind of juvenile proceeding involves delinquency cases. In those cases, it is the court's job to protect society from the criminal acts of a child. In those types of cases, the court relies heavily on the expertise and attention of juvenile court probation officers in supervising the child and providing rehabilitative services.

Oftentimes, children are living in both of those worlds—CINA and delinquency—where the child's parents cannot provide a safe home and the child has acted out in a way that has resulted in criminal charges being filed.

It has been almost 30 years since Iowa's juvenile justice system has had a comprehensive, holistic review. Unlike nearly every other state, our juvenile justice system is decentralized with its services, governance, funding and data collection divided among four different entities: (1) the judicial branch; (2) the department of human services; (3) the department of human rights; and (4) the department of public health.

In the past few years, stakeholders implemented various programs intended to improve the juvenile justice system from their perspective. While well intentioned, those individualized improvements oftentimes have unintended ripples throughout the system.

The Iowa Supreme Court recently established a Juvenile Justice Task Force to review the continuum of care in our juvenile justice system and make recommendations to improve services, governance, funding and data collection as well as address the system's racial and gender disparities. Task force members are made up all kinds of experts in the juvenile justice world such as service providers, law enforcement, judges, juvenile court officers, county attorneys, public defenders, private attorneys, youth and family members as well as the four state entities I mentioned earlier. Knowing that the recommendations may very well include revisions to our current laws, we are honored to have legislators on our task force as well. Thank you, Senator Cournoyer, Senator Ragan, Representative Mohr and Representative Wessel-Kroeschell for agreeing to serve on this very important task force. The work of this task force could not be completed without staff support which is bring provided by Creighton, Drake and Iowa law schools.

It is our plan to release a task force report in November of this year, so stay tuned...I'm sure it will be mentioned in next year's Condition of the Judiciary.

I promised this was the end of my speech—sharing the exciting news about the newly formed Juvenile Justice Task Force. But I'd like to add a P.S. Remember Shawn and his journey through family treatment court? In preparation for today's speech, of course I had to check in with him. I learned that he is in the process of buying his first home ever. And of course I asked him, how many days of sobriety? As of today, that number is 1,396 (4 months shy of 4 years). Shawn and his son, Rylan, are here today with Shawn's twin brother, Jason. Once again, thank you, Shawn, for allowing me to share your story of HOPE and how Iowa's judicial branch provided a path for your enduring sobriety.

In closing, I want to thank my colleagues for their commitment to our work and to the legislature for its support of our work and for giving me this opportunity to speak with you today.

As chief, I look forward to providing Iowans with a sense of PEACE that we've got this. The judicial branch will continue to block out all the noise brought on by the pandemic and stay laser focused on our steadfast commitment to ensure that each and every Iowan has meaningful access to justice.

Chief Justice Susan Christensen was escorted from the House chamber by the committee previously appointed.

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

Representative Windschitl moved that the joint convention be dissolved, which motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:46 a.m. until 9:00 a.m., Thursday, January 13, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Financial Exploitation of Eligible Adults Report, pursuant to 2021 Iowa Acts, Chapter 137, section 12. Report received on January 12, 2022.

IOWA STUDENT LOAN LIQUIDITY CORPORATION

FY 2021 Annual Report, pursuant to Iowa Code section 7C.13(2). Report received on January 12, 2022.

DEPARTMENT VETERANS AFFAIRS

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13. Report received on January 12, 2022.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Wednesday, January 12, 2022, 2:00 p.m.

Members Present: Schultz, Chair; Williams, Vice Chair; Celsi, Ranking Member; and Petersen.

Members Absent: Lofgren (excused).

Committee Business: Organizational.

Adjourned: 2:05 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 12, 2022, 1:00 p.m.

Members Present: Dickey, Chair; Green, Vice Chair; Boulton, Ranking Member; Driscoll, Guth, Jochum, Rowley, Schultz, and T. Taylor.

Members Absent: Dotzler and J. Taylor (both excused).

Committee Business: Introductions and opening comments.

Adjourned: 1:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, January 12, 2022, 3:00 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Rozenboom, Shipley, and Zumbach.

Members Absent: Hogg, Lykam, and J. Taylor (all excused).

Committee Business: Committee introductions. Committee session goals.

Adjourned: 3:15 p.m.

TRANSPORTATION

Convened: Wednesday, January 12, 2022, 2:30 p.m.

Members Present: Brown, Chair; Dickey, Vice Chair; Giddens, Ranking Member; Bisignano, Driscoll, Klimesh, Koelker, Rozenboom, Shipley, J. Smith, T. Taylor, and Zumbach.

Members Absent: Lykam (excused).

Committee Business: Introductions.

Adjourned: 2:35 p.m.

WAYS AND MEANS

Convened: Wednesday, January 12, 2022, 1:35 p.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, T. Taylor, and Zaun.

Members Absent: Dotzler and J. Taylor (both excused).

Committee Business: Organization meeting.

Adjourned: 1:45 p.m.

INTRODUCTION OF BILLS

Senate File 2012, by Nunn, Guth, Shipley, Green, Klimesh, Lofgren, Reichman, Sweeney, Zaun, and Costello, a bill for an act prohibiting the labor commissioner from implementing, enforcing, or conforming to certain federal occupational safety and health standards relating to COVID-19 and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2013, by Petersen, Ragan, Mathis, Boulton, Lykam, Jochum, Celsi, J. Smith, Kinney, Dotzler, T. Taylor, Trone Garriott, Giddens, Quirmbach, Bolkcom, and Wahls, a bill for an act relating to Medicaid coverage of maternity care including doula care.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2014, by Garrett, a bill for an act relating to the membership of the district judicial nominating commissions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2015, by Brown, a bill for an act relating to cognitive screenings by audiologists and speech pathologists.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2016, by Carlin, a bill for an act relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2017, by Jochum, Quirmbach, Giddens, Trone Garriott, Dotzler, J. Smith, Lykam, Boulton, Ragan, and Wahls, a bill for an act providing for the registration of eligible electors upon review of electronic records received from state agencies and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2018, by Sinclair, a bill for an act relating to building design element regulation by governmental subdivisions, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2019, by T. Taylor, a bill for an act relating to the construction and maintenance of walkways in railroad yards, and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

STUDY BILLS RECEIVED**SSB 3001 Transportation**

Relating to wrecked or salvage vehicles with cosmetic damage.

SSB 3002 Education

Relating to disbursements from the computer science professional development incentive fund and including applicability provisions.

SSB 3003 Education

Establishing the mental health professional loan repayment program within the college student aid commission.

SSB 3004 Education

Relating to limitations on the immunization of children for enrollment in any licensed child care center or elementary or secondary school in the state and including effective date provisions.

SSB 3005 Education

Relating to the administration of certain physical examinations and student health screenings by school districts.

SSB 3006 State Government

Relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies.

SSB 3007 State Government

Relating to authorized uses of interest earned on funds in the flood recovery fund and including effective date provisions.

SSB 3008 State Government

Relating to the membership, procedures, and functions of the Iowa council on homelessness.

SSB 3009 State Government

Relating to the comprehensive financial report of the state and including effective date provisions.

SSB 3010 Judiciary

Relating to antisemitism in the state of Iowa.

SSB 3011 Judiciary

Relating to penalties for the manufacture, delivery, or possession with the intent to manufacture or deliver heroin.

SSB 3012 Judiciary

Prohibiting the use of automated or remote systems for traffic law enforcement, including prohibiting the sharing of related information and requiring the removal of existing systems, and including effective date provisions.

SSB 3013 Judiciary

Relating to spousal privilege and confidential communication between spouses.

SSB 3014 Judiciary

Relating to wills, including witness requirements for the execution of a will and procedure for wills to be admitted into probate.

SSB 3015 Judiciary

Relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel.

SSB 3016 Judiciary

Relating to the admissibility of evidence in a prosecution for physical abuse or a sexual offense upon or against a child, person with an intellectual disability, person with a cognitive impairment, or person with a developmental disability.

SSB 3017 Judiciary

Relating to post-arrest release after an initial appearance for persons taken into custody or arrested for certain sexual abuse offenses and no-contact orders.

SSB 3018 Judiciary

Relating to the discovery of evidence in criminal cases involving victims of sexual abuse.

SSB 3019 Judiciary

Relating to traffic violations involving the approach of certain stationary vehicles, including by providing for reporting of violations, requiring investigations, and providing for enforcement against vehicle owners.

SSB 3020 Judiciary

Relating to the apportionment of district associate judges.

SSB 3021 Judiciary

Relating to the appointment of counsel for indigent persons by the court in certain cases.

SSB 3022 Judiciary

Relating to video and telephonic hearings in criminal proceedings.

SSB 3023 Judiciary

Relating to the salary of the state court administrator.

SSB 3024 Judiciary

Relating to the Iowa drug policy coordinator and the Iowa drug policy advisory council.

SUBCOMMITTEE ASSIGNMENTS**Senate File 89**
(Reassigned)

EDUCATION: Carlin, Chair; Johnson and Trone Garriott

Senate File 107
(Reassigned)

STATE GOVERNMENT: Dawson, Chair; Bisignano and Schultz

Senate File 128
(Reassigned)

EDUCATION: Carlin, Chair; Celsi and Zaun

Senate File 168
(Reassigned)

EDUCATION: Cournoyer, Chair; Giddens and Johnson

Senate File 218
(Reassigned)

STATE GOVERNMENT: Brown, Chair; Bisignano and Johnson

Senate File 255
(Reassigned)

VETERANS AFFAIRS: Lofgren, Chair; Ragan and Reichman

Senate File 310
(Reassigned)

EDUCATION: Carlin, Chair; Giddens and Goodwin

Senate File 339

JUDICIARY: Garrett, Chair; Kinney and Schultz

Senate File 405
(Reassigned)

STATE GOVERNMENT: Goodwin, Chair; Celsi and R. Smith

Senate File 545

EDUCATION: Cournoyer, Chair; Quirmbach and Sweeney

Senate File 2014

JUDICIARY: Garrett, Chair; Boulton and Schultz

Senate File 2015

STATE GOVERNMENT: Brown, Chair; Guth and Jochum

House File 803
(Reassigned)

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and R. Smith

SSB 1024
(Reassigned)

STATE GOVERNMENT: Koelker, Chair; Bisignano and Cournoyer

SSB 1116
(Reassigned)

STATE GOVERNMENT: Cournoyer, Chair; Boulton and Guth

SSB 1211
(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Celsi and Cournoyer

SSB 3001

TRANSPORTATION: Brown, Chair; Dickey and J. Smith

SSB 3002

EDUCATION: Cournoyer, Chair; J. Smith and J. Taylor

SSB 3003

EDUCATION: Cournoyer, Chair; Quirmbach and Sweeney

SSB 3004

EDUCATION: Kraayenbrink, Chair; Celsi and Johnson

SSB 3005

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

SSB 3006

STATE GOVERNMENT: Reichman, Chair; Cournoyer and Jochum

SSB 3007

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Reichman

SSB 3008

STATE GOVERNMENT: Koelker, Chair; Bisignano and Cournoyer

SSB 3009

STATE GOVERNMENT: Johnson, Chair; Giddens and Goodwin

SSB 3010

JUDICIARY: Schultz, Chair; Bolkcom and Zaun

SSB 3011

JUDICIARY: Dawson, Chair; Kinney and Zaun

SSB 3012

JUDICIARY: Zaun, Chair; Bisignano and Garrett

SSB 3013

JUDICIARY: Garrett, Chair; Petersen and Shipley

SSB 3014

JUDICIARY: Garrett, Chair; Boulton and Johnson

SSB 3015

JUDICIARY: J. Taylor, Chair; Boulton and Reichman

SSB 3016

JUDICIARY: Shipley, Chair; Garrett and Kinney

SSB 3017

JUDICIARY: Garrett, Chair; Bolkcom and Schultz

SSB 3018

JUDICIARY: Shipley, Chair; Garrett and Kinney

SSB 3019

JUDICIARY: Reichman, Chair; Bisignano and J. Taylor

SSB 3020

JUDICIARY: Garrett, Chair; Boulton and Schultz

SSB 3021

JUDICIARY: Schultz, Chair; Bolkcom and Garrett

SSB 3022

JUDICIARY: Garrett, Chair; Boulton and Schultz

SSB 3023

JUDICIARY: J. Taylor, Chair; Bisignano and Rowley

SSB 3024

JUDICIARY: Shipley, Chair; Bolkcom and J. Taylor

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 13, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Wednesday, January 12, 2022, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate stood at ease at 9:11 a.m. until the fall of the gavel.

The Senate resumed session at 9:52 a.m., President Chapman presiding.

In accordance with House Concurrent Resolution 103, the Senate proceeded to the House chamber led by the Senate President and the Secretary of the Senate.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the joint convention was called to order at 9:57 a.m., President Chapman presiding.

Senator Whitver moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Whitver moved that a committee of four, two members from the Senate and two members from the House, be appointed to notify the Major General of the Iowa National Guard, Benjamin Corell, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Giddens and Nunn on the part of the Senate, and Representatives Cahill and Thompson on the part of the House.

The Executive Council was escorted into the House chamber.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

Major General Benjamin Corell's family was escorted into the House chamber.

The committee waited upon Major General Benjamin Corell and escorted him to the Speaker's station.

President Chapman presented Major General Benjamin Corell, Adjutant General of the Iowa National Guard. Major General Corell delivered the following Condition of the Guard Address:

Good morning everyone, and thank you for the warm welcome.

President Chapman, Speaker Grassley, Governor Reynolds, Lieutenant Governor Gregg, distinguished members of the Iowa General Assembly, and my fellow Iowans.

Thank you for inviting me to address this distinguished body and to once again share the story of our Iowa National Guard.

It is a tremendous honor to stand before you today representing the dedicated men and women of the Iowa National Guard. On their behalf, I want to say "THANK YOU" for all you have done over the years to assist us in building a professional, world class organization.

We are so very grateful for the strong support we receive from the members of this general assembly.

I want to publicly thank Governor Reynolds and Lt Governor Gregg for their leadership and support of all Iowans who serve, or have served our Nation and our State in uniform.

I continue to be appreciative of your trust and confidence in me as I serve as Iowa's 27th Adjutant General. I am extremely honored to lead and represent the Soldiers and Airmen of the Iowa National Guard.

I truly thank this legislative body for your continued support of the Iowa National Guard. The resources and support that you provide make it possible for the Iowa National Guard to be prepared to respond to the needs of our State and our Nation.

I realize it is our people, the individual members of the Iowa National Guard, our families, and our employers who continue to sacrifice their time and talents that allow us to be always ready to respond when needed.

Our success is noteworthy considering the challenging and dynamic environment we're operating in, not only with COVID -19, but also with the fluid situations that exist around the world.

Since the attacks on 9/11, we've mobilized and deployed more Soldiers and Airmen than any time in recent history.

More than 17,000 men and women serving in the Iowa National Guard have deployed in support of numerous campaigns around the globe.

This past year, twenty years after the attacks on our country, we all watched as the last U.S. service members left Afghanistan. For me, like many others who served there, it was difficult to watch.

I do realize these past two decades have not been an easy chapter in our Nation's history, nor have they been without setbacks and sacrifice.

Almost every community in Iowa has been affected in some way as our all-volunteer military met the security needs of our Nation. Sadly, not all of our brothers and sisters returned home. Twenty members of our Iowa National Guard have made the ultimate sacrifice while defending the nation since 9/11.

Today we have a new generation of heroes in our midst. The men and women who returned home after serving in the Global War on Terrorism are carrying freedom's torch in the same proud tradition as veterans of previous conflicts.

Like the veterans of World War II, our next "Greatest Generation" have returned with a renewed sense of purpose and energy, eager to contribute their skills and talents to improving life for their neighbors and in their communities here in Iowa.

The Soldiers and Airmen of the Iowa National Guard answered the call on 9/11, and have served continuously since. We haven't had the wealth of such experience and talent concentrated in our state since the end of World War II.

I want to thank the thousands of Soldiers and Airmen and their families for their time, service and sacrifice. Through them, the Iowa National Guard has made a difference in the world we live in.

Although the war in Afghanistan has now ended, the demand placed on the Iowa National Guard remains high.

Iowa's Soldiers and Airmen have continued to deploy in support of our Nation's defense, filling the operational requirements of our Nation's armed forces around the world and here at home.

During this past year, the Iowa National Guard played a critical role in both overseas and domestic operations for our Nation.

In 2021, over 1,600 Iowa Soldiers and over 200 Iowa Airmen served on active duty missions throughout Europe, the Middle East, and Africa.

620 Soldiers from the 1st-133rd Infantry Battalion, deployed to Qatar and the UAE in support of Operation Spartan Shield. This was the fifth federal mobilization for the Ironman Battalion in recent years including a 22-month mobilization in support of Operation Iraqi Freedom from 2005 through 2007.

Members of the 1st-113th Cavalry Squadron along with members of 1st-168th Infantry Battalion deployed 160 Soldiers to support Operation Enduring Freedom, in the Horn of Africa.

The 1st-194th Field Artillery Battalion, deployed 250 Soldiers that supported security operations in Afghanistan and Iraq.

The 2nd Infantry Brigade Combat Team deployed 360 Soldiers to Kosovo supporting NATO's KFOR mission focused on security and stability of the Western Balkans.

The 734th Regional Support Group deployed 80 Soldiers to Iraq and Kuwait and provided Forward Operations Base Life-Support in the Central Command area of responsibility.

The 3654 Support Maintenance Company deployed 150 Soldiers to Kuwait maintaining military equipment at 22 separate locations within the U.S. Central Command.

75 Soldiers from the 171st Aviation Regiment deployed to Kuwait and supported Operation Enduring Freedom and Operation Spartan Shield.

We have now welcomed home almost all of these units, our Soldiers and our Airmen as they successfully completed these overseas missions this past year.

In addition to our overseas mission requirements, we have continued to provide Iowa National Guard members to respond here at home. In the last few years, we've been as busy on the home front as we have been overseas.

Last January, we sent 265 Iowa Soldiers and Airmen to assist federal agencies with security missions during the 59th Presidential Inauguration.

This past October, we welcomed home 24 Soldiers from the 2nd Infantry Brigade Combat Team who spent a year supporting federal operations on the Southwest Border.

As they returned, we sent off several dozen Soldiers from the 376th Aviation Detachment, serving on federal duty supporting Customs and Border operations on the Southwest border again this year.

This past November, 65 Airmen from both the 185th Air Refueling Wing in Sioux City and the 132nd Wing in Des Moines deployed stateside to support Operation Allies Welcome.

Operation Allies Welcome is the ongoing effort to bring Americans home from Afghanistan and bring vulnerable Afghans to the United States and support their resettlement.

This past year saw a significant number of deployments for the Iowa National Guard both at home and across the globe.

I could not be any prouder of these great men and women who make so many sacrifices to continue to serve in our Iowa National Guard.

While executing all these missions, our units still found time to demonstrate that they are among the best in the nation at what they do.

The 185th Air Refueling Wing, in Sioux City, was awarded its 15th overall, and 5th consecutive Air Force Outstanding Unit Award.

The 132nd Air Wing, in Des Moines, was awarded its 16th overall, and 6th consecutive Air Force Outstanding Unit Award.

These accomplishments are a direct reflection of the training and readiness of the Iowa National Guard, along with the individual commitment, motivation, and pride of our members.

While we are proud of our past accomplishments, we now look forward to the year ahead.

The Iowa National Guard will continue to be asked to support our Nation's federal missions overseas.

We have alerted several units for possible deployment later this year. We anticipate we will deploy members of the 209th Medical Company from Iowa City and members of the 1133rd Transportation Company from Mason City to support Operation Atlantic Resolve in Poland.

Atlantic Resolve is part of the Deterrence Initiative focused in Eastern Europe, which enables the U.S. to provide deterrence to adversaries while supporting our NATO partners.

As we continue to meet the demands of deployments and respond to our State and Nation's homeland security needs, we remain mindful of the unpredictable nature of the world we live in –

A world where extremist ideologies and great power competitions are realities that must be dealt with.

We must maintain resilience and provide responsive capabilities from our all-volunteer force.

We as a Nation must choose wisely when we want to use our military power, and then clearly define what the desired end state is for the missions that we ask our military to perform.

One way the Iowa National Guard continues to support stability and peace efforts around the world is through our State Partnership Program relationship with the Kosovo Security Force, or KSF under the National Guard Bureau's State Partnership Program.

Last year, the Iowa National Guard and Kosovo Security Force accomplished an historic co-deployment to the Middle East.

KSF logistics officers deployed with us serving in the 734th Regional Support Group and KSF maintenance personnel deployed with us serving in the 3654 Maintenance Company.

All KSF members were based out of Kuwait supporting Operation Spartan Shield and Operation Inherent Resolve.

This deployment demonstrated the KSF's operational readiness for future missions while building trust and interoperability for additional opportunities for Kosovo to be a security partner to stand side by side with our partners and allies.

This strong partnership with Kosovo didn't happen overnight. It developed over years of engagements that built relationships through mutual goals, respect, and shared interests.

This past November, the Iowa National Guard held a series of events celebrating our decade-long partnership with Kosovo.

This anniversary was celebrated not only with senior leadership of the KSF, but also with senior Kosovo government leaders such as the Deputy Prime Minister and the Minister of Defense, demonstrating the level of importance that we each place on this relationship.

We will continue to strengthen this partnership. We have plans for several more training opportunities this year as we work for additional co-deployment opportunities between the KSF and the Iowa National Guard.

Just like our relationship with Kosovo, partnerships within our State are equally important and vital to our success.

When talking about the Iowa National Guard, people often focus on our state and overseas missions. But we can't forget that the Iowa National Guard is a community-based organization with an important community mission.

Through interagency partnerships with local and State partners, we strive to add value for the people of Iowa.

The West Des Moines Armory project is a great example of this. It involves a partnership between the City of West Des Moines, West Des Moines Fire Department and the Iowa National Guard.

This 20 million dollar project, 75% federal and 25% state-funded, will posture the organization well into the future. I thank this legislative body for your support on this project that was approved last legislative session.

Another example of interagency partnership we are working on is the concept of a Midwest Traffic Incident Management Training Center.

This training facility would be constructed on Camp Dodge facilitating driver training, accident investigation, and on-scene management of roadside incidents for the

Iowa Department of Transportation, the Iowa Department of Public Safety and the Iowa National Guard.

The Iowa Department of Transportation has the lead on this initiative but the Iowa National Guard is in full support of the concept and a partner in this effort.

These types of partnerships facilitate our ability as a state to respond rapidly to emerging threats to help our fellow Iowans during times of need. These partnerships, at every level, reflect the sense of community and teamwork that Iowans expect and depend on.

As I've said before, my vision for the Iowa National Guard is focused on always being ready, whether defending our country or coming to the aid of Iowans during times of need.

This requires us to be responsible stewards of our resources, ensuring our organization is ready for any task or mission put before us in order to be responsive to the needs of our State and Nation.

The Iowa National Guard is focused on four lines of effort to help accomplish this vision: Fielding a Competent and Ready Force; Maintaining the Right Force Structure in Iowa;

Developing and Maintaining Sustainable Infrastructure across the state; and Caring for our Service Members, our Employers, and our Families.

To meet the needs here at home and the security requirements abroad, the Iowa National Guard must remain focused on fielding a competent and ready force.

We often talk about the impact federal funding has with the Iowa National Guard's support to the state's economy.

But just as important, is the impact in terms of human capital created by our members returning from military training or from deployments.

This training and operational experience is a value-added component that Citizen Soldiers and Airmen bring back to their military and civilian jobs, enhancing the value they provide to their workplace.

This operational experience and training is something impossible to replicate, regardless of time or resources available to our civilian employers.

When our Soldiers and Airmen leave Iowa for a deployment, they embark on a journey that leaves them forever changed.

They are challenged both physically and mentally in ways that are hard to imagine.

They are charged with performing, often in dangerous and inhospitable environments, incredible tasks day in and day out.

Yet, they do so with a steely professionalism and determination that few who have not experienced this can understand.

And when they complete their mission, they return home to their families, friends, employers, and communities to pick up where they left off.

For the great majority of these individuals, they return to Iowa more focused, more disciplined, and generally more capable than when they left.

Ensuring that our Soldiers and Airmen are Always Ready to respond comes with challenges;

Challenges that are no different than those being experienced across this country. This leads into our second line of effort: Maintain Force Structure.

Businesses and organizations across the country struggle to maintain their readiness and ability to operate at full capacity due to the lack of personnel.

The sudden emergence of COVID has delivered, and continues to deliver, a severe blow to our economy, our businesses, and our communities.

Federal vaccine mandates will no doubt impact our organization, as members must decide to either get vaccinated, or be forced to leave military service.

We see ourselves as complementary to our full-time Iowa employers. As a primarily part-time work force, our members typically enter our ranks as recent high school graduates.

By utilizing the job training and education benefits, they enter the workforce as disciplined, skilled, and educated employees.

Regarding education benefits, last year the number of service members that utilized the Iowa National Guard Service Scholarship increased by 18%. The most recent fall semester has seen our highest benefit usage ever: \$2.8 million in assistance.

That's Iowans serving Iowa, going to Iowa schools, investing in Iowa's future.

It is only from the support of this legislative body and your commitment to fund the Iowa National Guard Service Scholarship that we are able to provide this incentive.

This not only benefits our men and women, but also the communities and employers across the state where they live and work.

I am proud to say that in 2021, the Iowa Army National Guard's strength numbers were 102% of our authorized strength.

Additionally, 81% of eligible soldiers chose to reenlist and continue to serve in the Iowa Army National Guard.

The Iowa Air National Guard is doing equally well. In 2021, we finished the year at 101% percent of assigned strength, with a retention rate of 93%.

Recruiting and retention is a critical task for us; when our ranks are full, we maintain the flexibility to perform all of our State and Federal missions when we are called upon.

The Soldiers and Airmen we are recruiting today are high quality young men and women,

Iowan's who join knowing they could be called upon to serve our Nation and State at any time.

This success didn't happen by accident.

It is the result of the hard work of our members working together as a team-building and community-based organization that the people of Iowa can trust and depend on today and in the future.

Our third line of effort is our ability to Maintain and Develop Sustainable Infrastructure.

Part of my responsibility as the Adjutant General is to look to the future and ensure the Iowa National Guard is postured for continued success.

Stewardship of the resources entrusted to us requires us to be responsible not only for our people, but also for the State and Federal resources with which we are entrusted.

Iowa National Guard's annual federal dollar investment into Infrastructure spending in an average year is over \$25 million dollars, putting money back into our economy and providing Iowa companies with projects and employment for their workforce.

In the past 21 years, the Iowa Army National Guard has completed major modernization projects on 33 of its older Readiness Centers and Maintenance Facilities across the state.

Our most recent Readiness Center renovation was in Carroll, a facility that had not received any major renovations since it was built in 1987.

This \$2.5 million renovation was completed last year and included updated mechanical, electrical, and plumbing systems – paid for with both federal and state funds.

These types of renovations, using Rebuild Iowa Infrastructure Funds, allow us to leverage federal dollars to ensure that our infrastructure can support our ability to quickly mobilize and respond to meet our State and Federal obligations.

I appreciate this body's continued support with the Rebuild Iowa Infrastructure Funding. Completing these updates and renovations is of particular importance allowing

us to safeguard continuous operations and prevent disruptions when disasters strike, whether natural or manmade.

Our ability to mass our forces across the state in key locations was especially important during the Eastern Iowa Derecho, where we staged Iowa National Guard members at our Cedar Rapids Readiness Center in order to quickly assist utility companies in electrical power restoration.

Another way we are improving our state response ability across agencies is through our Continuity of Operations initiative.

This effort will allow all State and local partners a redundant backup system in order to facilitate essential functions and maintain communications across the state in the event of any action that takes down our state's primary communications system.

Through State and Federal funding sources, we are investing in capabilities that will make Iowa's emergency management systems more responsive.

This will prevent lapses in critical communication capabilities during a crisis, ensuring our ability to meet the expectations of Iowans in times of need.

Finally, I want to share with you a little about a few of our Soldiers, Airmen, and Families.

As I've said before, without our people, the Iowa National Guard would not exist.

We recognize that military service places significant demands and stress not only on our service members but also on their families.

Today I have with me several members of the Iowa National Guard I want to introduce to you:

I'd like to first introduce Private First Class (PFC) Taylor Patterson.

PFC Patterson is the 1st female in Iowa National Guard history to enlist, and become qualified as an infantry soldier after successfully completing infantry training at Fort Benning, Georgia.

PFC Patterson is from Ankeny and is attending Iowa State University studying animal science as she breaks barriers for others to follow.

Next, I would like to introduce to you Chief Warrant Officer 5 Stephen L. Swisher.

Chief Swisher retired this past November as the longest serving member in Iowa National Guard history having actively served our State and Nation for 44 years, 7 months and 18 days.

Chief Swisher enlisted on December 2, 1976, at the age of 17. Chief Swisher and his wife Lori live in Glenwood.

Please join me in recognizing both of these outstanding members of the Iowa National Guard.

Our people are truly what makes our organization world class.

I want to make you aware of a program we are using that helps make the Iowa National Guard unique and stand out among others while adding value to our communities and our State.

It is called the Expedited Citizenship and Sponsorship (ECAS) Program.

This program allows the Iowa National Guard to help Soldiers gain U.S. citizenship after completing at least one year of Iowa National Guard service.

We began supporting this program in April 2020. Since then, at least 45 Iowa Soldiers from 18 different countries have gained U.S. citizenship and continue to serve as Iowa Citizen Soldiers.

This program is changing lives while adding value and diversity to our organization and to our State.

In closing, if we are to be truly successful in our mission, we must continue look into the future.

We must be prepared for what the world will look like in the years to come.

There are complicated security challenges emerging in our world everyday and we know that we must always be ready to respond when called.

Trust that we are well postured to fulfill any mission that may arise whether it be for the people of Iowa or for our Nation –

From our strong strength numbers, to our sound infrastructure management, our solid partnerships, and the consistent support from communities across Iowa.

Most importantly with our greatest resource, the thousands of Iowa men and women who are willing to stand beside me and answer the call to serve our Nation and our State.

I assure each of you that the condition of our Iowa National Guard is now, and will continue to remain, strong.

Your Iowa National Guard has always been there, we've always answered the call, and we have never failed a mission.

We are ALWAYS READY!

Thank you!

Major General Benjamin Corell was escorted from the House chamber by the committee previously appointed.

Representative Windschitl moved that the joint convention be dissolved, which motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:37 a.m. until 9:00 a.m., Friday, January 14, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Annual Review of Qualified Student Loan Bond Issuer, pursuant to Iowa Code section 7C.13. Report received on January 13, 2022.

DEPARTMENT OF EDUCATION

Adult Education and Literacy Program Report, pursuant to Iowa Code section 260C.50. Report received on January 12, 2022.

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on January 12, 2022.

Statewide Work-Based Intermediary Network Report, pursuant to Iowa Code section 256.40. Report received on January 12, 2022.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Iowa Flood Mitigation Board Annual Report, pursuant to Iowa Code section 418.8. Report received on January 13, 2022.

DEPARTMENT OF MANAGEMENT

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 13, 2022.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 12, 2022.

DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on January 13, 2022.

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: Thursday, January 13, 2022, 11:30 a.m.

Members Present: R. Smith, Chair; Cournoyer, Vice Chair; Bisignano, Ranking Member; Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz.

Members Absent: None.

Committee Business: Organizational.

Adjourned: 11:35 a.m.

INTRODUCTION OF BILLS

Senate File 2020, by Petersen, a bill for an act relating to the provision of period products.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2021, by Petersen, Ragan, Mathis, Celsi, and Hogg, a bill for an act relating to the elimination of the exemption of gaming floors from the prohibitions of the smokefree air Act.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2022, by Zaun, a bill for an act relating to the practice of cosmetology and barbering in a home.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2023, by Boulton, a bill for an act relating to preexisting military service-related disabilities covered by the second injury fund and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 2024, by Carlin, a bill for an act relating to instruction relating to gender identity in the curriculum provided to students enrolled in elementary education programs.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2025, by Carlin, a bill for an act prohibiting persons from entering single and multiple occupancy toilet facilities in elementary and secondary schools that do not correspond with the person's biological sex.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2026, by Carlin, a bill for an act relating to applicant priority and grant award amounts under the teach Iowa scholar program.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2027, by Carlin, a bill for an act providing for a study committee to determine best practices for the placement of juveniles in foster care with histories of violent or sexually predatory behavior.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2028, by Carlin, a bill for an act relating to required written consent prior to immunization or vaccination of a minor.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2029, by Carlin, a bill for an act relating to the postfertilization age of an unborn child relative to an abortion, and making licensee discipline and civil penalties applicable.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2030, by Carlin, a bill for an act relating to proof of immunity as an exception to COVID-19 vaccination.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2031, by Carlin, a bill for an act relating to protections for physicians who prescribe certain prescription drugs.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2032, by Carlin, a bill for an act requiring the reporting of COVID-19 vaccination information on a death certificate form.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2033, by Carlin, a bill for an act requiring the provision of a product-specific fact sheet to each patient or caregiver prior to administration of the COVID-19 vaccine.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2034, by Carlin, a bill for an act relating to the penalties for defendants who aid and abet the commission of murder in the first degree.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2035, by Dickey, a bill for an act relating to service dogs and county or city dog breed restrictions.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2036, by Dickey, a bill for an act relating to jury notifications of attorney compensation and litigation financing.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2037, by Dickey, a bill for an act prohibiting administrators from permitting the teaching of certain specified concepts in school districts.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2038, by Dickey, a bill for an act relating to applications for certificates of title and annual registration fees for commercial vehicles.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2039, by Dickey, a bill for an act requiring the board of directors of a school district and the authorities in charge of each accredited nonpublic school to adopt a policy prohibiting certain school-sponsored activities related to race.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2040, by Dickey, a bill for an act prohibiting the collection of certain specified information from students enrolled in school districts or charter schools.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2041, by Dickey, a bill for an act relating to relocation of a minor child's residence outside the minor child's established school district.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2042, by Dickey, a bill for an act relating to the undergraduate programs offered by the institutions of higher education governed by the state board of regents.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2043, by Dickey, a bill for an act prohibiting certain conduct of teachers related to the pledge of allegiance.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2044, by Dickey, a bill for an act relating to school employees who are determined to have been wrongfully accused of inflicting corporal punishment upon a student.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2045, by Dickey, a bill for an act relating to continued annual training requirements for certain volunteer fire fighters.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2046, by Dickey, a bill for an act relating to health care facilities and requirements for itemized billing.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2047, by Dickey, a bill for an act prohibiting the expenditure of certain public moneys for dues or membership fees to high school organizations that do not meet certain requirements concerning school classifications for extracurricular interscholastic activities.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2048, by Dickey, a bill for an act relating to the disbursement and accounting of child support payments, providing penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

STUDY BILLS RECEIVED

SSB 3025 Judiciary

Relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

SSB 3026 Judiciary

Relating to paternity in certain actions before the juvenile court.

SSB 3027 Judiciary

Relating to the modification and extension of a no-contact order.

SSB 3028 State Government

Relating to the records of the Iowa public broadcasting board.

SSB 3029 State Government

Concerning state agency response to a proclamation of disaster emergency.

SSB 3030 Commerce

Eliminating specific requirements relating to no smoking signs or symbols.

SSB 3031 Commerce

Relating to the Iowa telecommunications and technology commission contract approval process.

SSB 3032 Commerce

Related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program.

SUBCOMMITTEE ASSIGNMENTS**Senate File 233**

TRANSPORTATION: Koelker, Chair; Driscoll and T. Taylor

Senate File 330

TRANSPORTATION: Rozenboom, Chair; Brown and Giddens

Senate File 525

HUMAN RESOURCES: Edler, Chair; Costello and Mathis

Senate File 528

HUMAN RESOURCES: Edler, Chair; Costello and Mathis

Senate File 2001

TRANSPORTATION: Klimesh, Chair; J. Smith and Zumbach

Senate File 2002

JUDICIARY: Reichman, Chair; Bisignano and Shipley

Senate File 2011

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Cournoyer

Senate File 2017

STATE GOVERNMENT: Schultz, Chair; Dawson and Jochum

Senate File 2021

STATE GOVERNMENT: Dawson, Chair; Celsi and Schultz

House File 419
(Reassigned)

WAYS AND MEANS: Goodwin, Chair; Quirmbach and Sinclair

SSB 3025

JUDICIARY: Reichman, Chair; Johnson and Kinney

SSB 3026

JUDICIARY: J. Taylor, Chair; Bisignano and Rowley

SSB 3027

JUDICIARY: Reichman, Chair; Kinney and Rowley

SSB 3028

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Schultz

SSB 3029

STATE GOVERNMENT: Cournoyer, Chair; Boulton and Guth

SSB 3030

COMMERCE: Schultz, Chair; Johnson and Lykam

SSB 3031

COMMERCE: Goodwin, Chair; Bisignano and Williams

SSB 3032

COMMERCE: Koelker, Chair; Goodwin and Mathis

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, January 14, 2022

The Senate met in regular session at 9:00 a.m., President Chapman presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Jake Chapman, President of the Senate from Dallas County, Adel, Iowa.

The Journal of Thursday, January 13, 2022, was approved.

ADJOURNMENT

On motion of Senator Zaun, the Senate adjourned at 9:02 a.m. until 10:00 a.m., Tuesday, January 18, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

COLLEGE STUDENT AID COMMISSION

Annual Report, pursuant to Iowa Code section 261.2. Report received on January 14, 2022.

DEPARTMENT OF EDUCATION

Antibullying Program Report, pursuant to 2021 Iowa Acts, Chapter 170, section 6. Report received on January 13, 2022.

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14. Report received on January 14, 2022.

Enrich Iowa Program—Library Services Division, pursuant to Iowa Code section 256.57. Report received on January 13, 2022.

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on January 13, 2022.

Online Learning in Iowa Annual Report, pursuant to Iowa Code section 256.7. Report received on January 13, 2022.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on January 13, 2022.

Senior Year Plus Program Report, pursuant to Iowa Code section 261E.3. Report received on January 13, 2022.

Supplemental Assistance for High-Need Schools Report, pursuant to Iowa Code section 284.11. Report received on January 13, 2022.

Workforce Training and Economic Development (WTED) Fund Annual Report, pursuant to Iowa Code section 260C.18A. Report received on January 13, 2022.

DEPARTMENT OF HUMAN RIGHTS

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139. Report received on January 14, 2022.

DEPARTMENT OF PUBLIC HEALTH

Obstetrical Care in Iowa Report, pursuant to Iowa Code section 135.11. Report received on January 14, 2022.

BOARD OF REGENTS

UIHC Audited Financial Report, pursuant to Iowa Code section 263A.13. Report received on January 14, 2022.

DEPARTMENT OF VETERANS AFFAIRS

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on January 14, 2022.

STUDY BILLS RECEIVED**SSB 3033 Commerce**

Relating to beverage containers control provisions, including handling fees, refund value, applicability to certain beverages, and acceptance of beverage containers, and providing penalties.

SSB 3034 Commerce

Relating to broadband grant eligibility for public utilities and affiliates of public utilities in projects with communications service providers and including applicability provisions.

SSB 3035 Commerce

Relating to certificate of need exclusions relative to required immunization against COVID-19.

SSB 3036 Veterans Affairs

Relating to motor vehicle registration fees for disabled veterans.

SSB 3037 Commerce

Prohibiting the use of financial incentives or penalties relative to vaccine administration.

SUBCOMMITTEE ASSIGNMENTS**Senate File 493**

LABOR AND BUSINESS RELATIONS: J. Taylor, Chair; Rowley and T. Taylor

**SSB 1034
(Reassigned)**

LABOR AND BUSINESS RELATIONS: Green, Chair; Driscoll and Jochum

SSB 3033

COMMERCE: Brown, Chair; Klimesh and Quirmbach

SSB 3034

COMMERCE: Koelker, Chair; Quirmbach and Williams

SSB 3035

COMMERCE: Brown, Chair; Bisignano and Johnson

SSB 3036

VETERANS AFFAIRS: Green, Chair; Giddens and Lofgren

SSB 3037

COMMERCE: Brown, Chair; Johnson and Petersen

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 18, 2022

The Senate met in regular session at 10:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Sarah Trone Garriott, member of the Senate from Polk County, Windsor Heights, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Friday, January 14, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:09 a.m. until 9:00 a.m., Wednesday, January 19, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Contracts Awarded to Targeted Small Businesses Report, pursuant to Iowa Code section 8A.311(10). Report received on January 14, 2022.

CHIEF INFORMATION OFFICER

Information Technology Services Financial Report, pursuant to Iowa Code section 8B.21. Report received on January 14, 2022.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Consumer Advocate Bureau Annual Report, pursuant to Iowa Code section 505.8. Report received on January 14, 2022.

DEPARTMENT OF MANAGEMENT

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on January 14, 2022.

REPORT OF COMMITTEE MEETING**NATURAL RESOURCES AND ENVIRONMENT**

Convened: Tuesday, January 18, 2022, 11:00 a.m.

Members Present: Driscoll, Vice Chair; Trone Garriott, Ranking Member; Celsi, Cournoyer, Green, Hogg, Rozenboom, Shipley, J. Taylor, and Zumbach.

Members Absent: Sweeney, Chair; Boulton, and Lykam (all excused).

Committee Business: Subcommittee assignments announced.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 2049, by Nunn, a bill for an act relating to affirmative defenses for entities using cybersecurity programs and electronic transactions recorded by blockchain technology.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2050, by Nunn, a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 2051, by Green, a bill for an act relating to railroad trains, including train length limits and the operation of trains by a crew of two or more persons, providing penalties, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2052, by Guth, Schultz, Johnson, J. Taylor, Green, Zaun, and Carlin, a bill for an act relating to discrimination on the basis of medical creed under the Iowa civil rights Act of 1965 and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2053, by Ragan, a bill for an act relating to the information required to be included in name change petitions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2054, by Hogg, a bill for an act requiring the department of natural resources to develop a plan to match the nationally determined commitment to cut greenhouse gas pollution.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2055, by Carlin, a bill for an act permitting businesses' new on-site daycare facilities or businesses' expansion of existing on-site daycare facilities to qualify as projects under the high quality jobs program, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2056, by Carlin, a bill for an act relating to the development of an actionable strategic plan to promote and support breastfeeding in the state.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2057, by Carlin, a bill for an act relating to the requirements for authorized electronic monitoring in nursing facilities, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2058, by Carlin, a bill for an act establishing a surviving spouse property tax deferral program for certain persons who have attained the age of sixty-five, applying income limitations, providing a penalty, making appropriations, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2059, by Carlin, a bill for an act exempting homestead property owned by certain elderly persons from specified school property tax levies and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2060, by Edler, a bill for an act relating to massage therapy, including child and dependent adult abuse reporting and continuing education requirements, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 3038 Ethics

Relating to the requirements under the Senate Code of Ethics for filing personal financial disclosure forms by senators and candidates for senate.

SSB 3039 Labor and Business Relations

Relating to employment security benefits.

SSB 3040 Natural Resources and Environment

Relating to matters under the purview of the department of natural resources, including administration, dams and spillways, personal flotation devices, and operating a motorboat or sailboat while intoxicated, providing penalties, and making penalties applicable.

SSB 3041 Natural Resources and Environment

Relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act.

SSB 3042 Natural Resources and Environment

Relating to underground storage tanks, including by creating the Iowa tanks fund and Iowa tanks fund financing program, repealing the Iowa comprehensive petroleum underground storage tank fund, and eliminating the Iowa comprehensive petroleum underground storage tank fund board, requiring a study, and including effective date and transition provisions.

SSB 3043 Human Resources

Relating to violations by a health care facility.

SUBCOMMITTEE ASSIGNMENTS**Senate File 355**

STATE GOVERNMENT: Koelker, Chair; Bisignano and Cournoyer

Senate File 409

STATE GOVERNMENT: Cournoyer, Chair; Boulton and Guth

Senate File 410

STATE GOVERNMENT: Dawson, Chair; Bisignano and Schultz

Senate File 480

STATE GOVERNMENT: Brown, Chair; Bisignano and Johnson

Senate File 485

LABOR AND BUSINESS RELATIONS: J. Taylor, Chair; Boulton and Driscoll

Senate File 573

STATE GOVERNMENT: Goodwin, Chair; Celsi and R. Smith

Senate File 2004

HUMAN RESOURCES: Garrett, Chair; Costello and Jochum

Senate File 2005

HUMAN RESOURCES: Costello, Chair; Garrett and Ragan

Senate File 2006

HUMAN RESOURCES: Garrett, Chair; Costello and Trone Garriott

Senate File 2007

HUMAN RESOURCES: Costello, Chair; Bolkcom and Garrett

Senate File 2008

HUMAN RESOURCES: Garrett, Chair; Costello and Trone Garriott

Senate File 2009

HUMAN RESOURCES: Garrett, Chair; Costello and Ragan

Senate File 2010

HUMAN RESOURCES: Johnson, Chair; Bolkcom and Green

Senate File 2012

LABOR AND BUSINESS RELATIONS: Driscoll, Chair; Green and Jochum

Senate File 2013

HUMAN RESOURCES: Garrett, Chair; Costello and Trone Garriott

Senate File 2020

HUMAN RESOURCES: Garrett, Chair; Costello and Jochum

House File 724

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Guth

Senate Joint Resolution 15

STATE GOVERNMENT: R. Smith, Chair; Celsi and Cournoyer

Senate Joint Resolution 16

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Sweeney and Trone Garriott

SSB 3038

ETHICS: Koelker, Chair; Carlin, Costello, Hogg, Jochum, and Kinney

SSB 3039

LABOR AND BUSINESS RELATIONS: Guth, Chair; Boulton and Driscoll

SSB 3040

NATURAL RESOURCES AND ENVIRONMENT: Zumbach, Chair; Green and Trone Garriott

SSB 3041

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Celsi and Rozenboom

SSB 3042

NATURAL RESOURCES AND ENVIRONMENT: Green, Chair; Driscoll and Hogg

SSB 3043

HUMAN RESOURCES: Costello, Chair; Ragan and Rowley

COMMITTEES CHANGES**COMMERCE—17 Members**

Schultz, Chair	Chapman	Lykam	Quirmbach
Koelker*	Goodwin	Mathis	Sinclair
Giddens**	Johnson	Nunn	Smith, R.
Bisignano	Klimesh	Petersen	Williams
Brown			

TRANSPORTATION—13 Members

Brown, Chair	Driscoll	Koelker	Shipley
Dickey*	Giddens	Lykam	Taylor T.
Smith, J.**	Klimesh	Rozenboom	Zumbach
Bisignano			

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 19, 2022

The Senate met in regular session at 9:07 a.m., President Chapman presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecilia Redman.

The Journal of Tuesday, January 18, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:18 a.m. until 9:00 a.m., Thursday, January 20, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF CORRECTIONS

Electronic Monitoring System Report, pursuant to 2021 Iowa Acts, Chapter 166, section 8. Report received on January 19, 2022.

DEPARTMENT OF EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on January 18, 2022.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260I. Report received on January 18, 2022.

Iowa Community Colleges 260G ACE Infrastructure Report, pursuant to Iowa Code section 260G. Report received on January 18, 2022.

Job Placement of Individuals with Disabilities Vocational Rehabilitation Division, pursuant to 2021 Iowa Acts, Chapter 170, section 6. Report received on January 18, 2022.

Pathways for Academic Career and Employment (PACE) Program Report, pursuant to Iowa Code section 260H. Report received on January 18, 2022.

DEPARTMENT OF HUMAN SERVICES

Department of Human Services Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on January 19, 2022.

IOWA LOTTERY AUTHORITY

Iowa Lottery Authority Quarterly Report, pursuant to Iowa Code section 99G.7. Report received on January 19, 2022.

IOWA VETERANS HOME

Veterans Home Discharge Report, pursuant to Iowa Code section 35D.15. Report received on January 18, 2022.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 19, 2022, 1:00 p.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott.

Members Absent: Zaun (excused).

Committee Business: Presentation from Iowa Alliance for Arts Education SSB 3002 SSB 3004 SSB 3005.

Adjourned: 2:00 p.m.

ETHICS

Convened: Tuesday, January 18, 2022, 2:00 p.m.

Members Present: Koelker, Chair; Carlin, Vice Chair; Jochum, Ranking Member; Costello, and Hogg.

Members Absent: Kinney (excused).

Committee Business: SSB 3038.

Adjourned: 2:25 p.m.

HUMAN RESOURCES

Convened: Wednesday, January 19, 2022, 11:05 a.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: Bolkcom (excused).

Committee Business: Family First Presentation by Janee Harvey, Division Administrator of Adult, Children and Family Services.

Adjourned: 12:00 p.m.

TRANSPORTATION

Convened: Wednesday, January 19, 2022, 3:00 p.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Driscoll, Giddens, Klimesh, Koelker, Rozenboom, Shipley, and Zumbach.

Members Absent: Bisignano, Lykam, and T. Taylor (all excused).

Committee Business: Distribution of Subcommittee Assignments.

Adjourned: 3:05 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 101, by committee on Ethics, a resolution relating to the requirements under the Senate Code of Ethics for filing personal financial disclosure forms by senators and candidates for senate.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

Senate File 2061, by Dickey, a bill for an act relating to the use of automated or remote systems for traffic law enforcement involving out-of-state businesses, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2062, by Dickey, a bill for an act relating to data and alternative measures required prior to implementing automated or remote systems for traffic law enforcement, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2063, by Dickey, a bill for an act exempting certain trailers from annual registration fees and registration plate issuance requirements.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2064, by Nunn, a bill for an act establishing a criminal penalty for violent repeat offenders and providing for risk assessments.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2065, by Ragan and Mathis, a bill for an act relating to claims incorrectly denied or underpaid by Medicaid managed care organizations.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2066, by Ragan and Mathis, a bill for an act relating to Medicaid program improvements.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2067, by Ragan and Mathis, a bill for an act relating to the reimbursement of providers under the Medicaid program.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2068, by Petersen, a bill for an act relating to the official language of the state of Iowa.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2069, by Petersen, a bill for an act creating a health equity program and fund, and providing an appropriation.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2070, by Rowley, a bill for an act relating to the transfer of ownership of certain foreign vehicles.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2071, by Petersen, a bill for an act relating to the health and human growth and development instruction provided by school districts and accredited nonpublic schools.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2072, by Cournoyer, a bill for an act relating to budgets of local emergency management agencies and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2073, by J. Smith, Kinney, Dotzler, Petersen, Trone Garriott, Giddens, Boulton, Lykam, Mathis, Wahls, Bolkcom, Ragan, Bisignano, Celsi, T. Taylor, Quirmbach, Hogg, and Jochum, a bill for an act establishing a neighborhood housing revitalization assistance program within the Iowa finance authority.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2074, by Mathis, a bill for an act authorizing school districts to use funding from the secure an advanced vision for education fund for certain preschool program costs.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2075, by Mathis, a bill for an act relating to suicide prevention hotline information on student identification cards and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2076, by Mathis, a bill for an act relating to hunting, trapping, and fishing privileges for disabled veterans.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2077, by Mathis, a bill for an act providing for the automatic registration of eligible electors upon review of electronic records received from state agencies and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2078, by Klimesh, a bill for an act relating to the use and calibration of automated or remote systems for traffic law enforcement.

Read first time under Rule 28 and referred to committee on **Transportation**.

STUDY BILLS RECEIVED

SSB 3044 Ways and Means

Relating to state revenue and finance by modifying individual and corporate income taxes, and including effective date and applicability provisions.

SSB 3045 Transportation

Relating to the display of a county name on vehicle registration plates.

SSB 3046 Education

Relating to students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund.

SSB 3047 Education

Relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty.

SSB 3048 Education

Relating to schools that are required to register with the college student aid commission.

SSB 3049 Transportation

Relating to airport registration and site approval by the department of transportation.

SSB 3050 Agriculture

Relating to mowing on rights-of-way and medians of interstate highways, primary highways, and secondary roads.

SSB 3051 Agriculture

Providing a personal use exemption from inspection and licensing requirements of the Meat and Poultry Inspection Act.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 8**
(Reassigned)

JUDICIARY: Zaun, Chair; Boulton and Schultz

Senate File 169

WAYS AND MEANS: Dawson, Chair; Goodwin and Jochum

Senate File 332

TRANSPORTATION: Shipley, Chair; Klimesh and J. Smith

Senate File 557
(Reassigned)

JUDICIARY: J. Taylor, Chair; Boulton and Zaun

Senate File 590

WAYS AND MEANS: Dawson, Chair; Petersen and Zaun

Senate File 591

WAYS AND MEANS: R. Smith, Chair; Dotzler and Green

Senate File 593

WAYS AND MEANS: Goodwin, Chair; Petersen and Sinclair

Senate File 601

WAYS AND MEANS: Dawson, Chair; Goodwin and Quirmbach

Senate File 602

WAYS AND MEANS: Goodwin, Chair; Sinclair and T. Taylor

Senate File 603

WAYS AND MEANS: Dawson, Chair; Goodwin and T. Taylor

Senate File 604

WAYS AND MEANS: Sinclair, Chair; Goodwin and Quirmbach

Senate File 609

WAYS AND MEANS: Dawson, Chair; Goodwin and Petersen

Senate File 617

WAYS AND MEANS: Dawson, Chair; Goodwin and T. Taylor

Senate File 618

WAYS AND MEANS: Schultz, Chair; Dawson and Dotzler

Senate File 2003

EDUCATION: Cournoyer, Chair; Goodwin and Trone Garriott

Senate File 2018

LOCAL GOVERNMENT: Klimesh, Chair; Quirmbach and Williams

Senate File 2019

TRANSPORTATION: Zumbach, Chair; Klimesh and T. Taylor

Senate File 2023

VETERANS AFFAIRS: Edler, Chair; Costello and Dotzler

Senate File 2035

LOCAL GOVERNMENT: Driscoll, Chair; Guth and J. Smith

Senate File 2038

TRANSPORTATION: Dickey, Chair; Giddens and Shipley

Senate File 2046

COMMERCE: Williams, Chair; Goodwin and Lykam

Senate File 2049

COMMERCE: Nunn, Chair; Mathis and Williams

Senate File 2050

VETERANS AFFAIRS: Reichman, Chair; Giddens and Lofgren

Senate File 2061

TRANSPORTATION: Dickey, Chair; Klimesh and Lykam

Senate File 2062

TRANSPORTATION: Dickey, Chair; Klimesh and Lykam

Senate File 2063

TRANSPORTATION: Dickey, Chair; Bisignano and Rozenboom

Senate File 2070

TRANSPORTATION: Shipley, Chair; T. Taylor and Zumbach

House File 842

WAYS AND MEANS: Goodwin, Chair; Petersen and Sinclair

SSB 3044

WAYS AND MEANS: Dawson, Chair; Bolkcom, Jochum, R. Smith, and Zaun

SSB 3045

TRANSPORTATION: Brown, Chair; Klimesh and T. Taylor

SSB 3046

EDUCATION: Sinclair, Chair; Giddens and Sweeney

SSB 3047

EDUCATION: Sweeney, Chair; Johnson and J. Smith

SSB 3048

EDUCATION: J. Taylor, Chair; Kraayenbrink and Quirmbach

SSB 3049

TRANSPORTATION: Koelker, Chair; Driscoll and J. Smith

SSB 3050

AGRICULTURE: Zumbach, Chair; Ragan and Shipley

SSB 3051

AGRICULTURE: Zumbach, Chair; Driscoll and Kinney

FINAL COMMITTEE REPORT OF BILL ACTION**ETHICS**

Bill Title: *SENATE RESOLUTION 101 (SSB 3038), a resolution relating to the requirements under the Senate Code of Ethics for filing personal financial disclosure forms by senators and candidates for senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 5: Koelker, Carlin, Jochum, Costello, and Hogg. Nays, none. Absent, 1: Kinney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ethics Committee on Senate Resolution 101, and they were attached to the committee report.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 20, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tim Kraayenbrink, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Wednesday, January 19, 2022, was approved.

ADJOURNMENT

On motion of Senator Goodwin, the Senate adjourned at 9:07 a.m. until 1:00 p.m., Monday, January 24, 2022.

APPENDIX

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: Thursday, January 20, 2022, 11:05 a.m.

Members Present: R. Smith, Chair; Cournoyer, Vice Chair; Bisignano, Ranking Member; Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, and Reichman.

Members Absent: Boulton and Schultz (both excused).

Committee Business: SSB 3006 SSB 3008 SSB 3009

Adjourned: 11:30 a.m.

INTRODUCTION OF BILLS

Senate File 2079, by committee on Education, a bill for an act relating to limitations on the immunization of children for enrollment in any licensed child care center or elementary or secondary school in the state and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2080, by committee on Education, a bill for an act relating to the administration of certain physical examinations and student health screenings by school districts, charter schools, or innovation zone schools.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2081, by committee on Education, a bill for an act relating to disbursements from the computer science professional development incentive fund and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2082, by Dickey, a bill for an act prohibiting negative option billing practices in subscription contracts and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2083, by Dickey, a bill for an act relating to the abatement of property taxes owed on property owned by certain volunteer emergency services providers and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2084, by Dickey, a bill for an act relating to repair or service estimates for certain older motor vehicles, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2085, by Dickey, a bill for an act prohibiting litigation financing contracts.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2086, by committee on State Government, a bill for an act relating to the membership, procedures, and functions of the Iowa council on homelessness.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2087, by committee on State Government, a bill for an act relating to the comprehensive financial report of the state and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2088, by committee on State Government, a bill for an act relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 3052 Natural Resources and Environment

Relating to the adoption and use of certain general permits issued by the department of natural resources.

SSB 3053 State Government

Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2016

COMMERCE: Williams, Chair; Brown and Petersen

Senate File 2022

STATE GOVERNMENT: Schultz, Chair; Bisignano and Dawson

Senate File 2027

HUMAN RESOURCES: Costello, Chair; Bolkcom and Rowley

Senate File 2028

HUMAN RESOURCES: Johnson, Chair; Green and Trone Garriott

Senate File 2029

HUMAN RESOURCES: Edler, Chair; Rowley and Trone Garriott

Senate File 2030

HUMAN RESOURCES: Costello, Chair; Jochum and Johnson

Senate File 2031

HUMAN RESOURCES: Lofgren, Chair; Bolkcom and Garrett

Senate File 2032

HUMAN RESOURCES: Edler, Chair; Costello and Ragan

Senate File 2033

HUMAN RESOURCES: Edler, Chair; Johnson and Ragan

Senate File 2045

STATE GOVERNMENT: Reichman, Chair; Brown and Giddens

Senate File 2048

HUMAN RESOURCES: Costello, Chair; Ragan and Sweeney

Senate File 2051

LABOR AND BUSINESS RELATIONS: Green, Chair; Rowley and T. Taylor

Senate File 2052

HUMAN RESOURCES: Edler, Chair; Jochum and Sweeney

Senate File 2054

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Driscoll and Hogg

Senate File 2056

HUMAN RESOURCES: Sweeney, Chair; Rowley and Trone Garriott

Senate File 2057

HUMAN RESOURCES: Johnson, Chair; Bolkcom and Green

Senate File 2060

STATE GOVERNMENT: Brown, Chair; Celsi and Cournoyer

Senate File 2061
(Reassigned)

TRANSPORTATION: Dickey, Chair; Bisignano and Klimesh

Senate File 2062
(Reassigned)

TRANSPORTATION: Dickey, Chair; Bisignano and Klimesh

Senate File 2068

STATE GOVERNMENT: Schultz, Chair; Bisignano and Dawson

Senate File 2077

STATE GOVERNMENT: Schultz, Chair; Dawson and Jochum

SSB 3052

NATURAL RESOURCES AND ENVIRONMENT: Driscoll, Chair; Sweeney and Trone Garriott

SSB 3053

STATE GOVERNMENT: Cournoyer, Chair; Boulton and Reichman

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 2079 (SSB 3004), a bill for an act relating to limitations on the immunization of children for enrollment in any licensed child care center or elementary or secondary school in the state and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2079, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2080 (SSB 3005), a bill for an act relating to the administration of certain physical examinations and student health screenings by school districts, charter schools, or innovation zone schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2080, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2081 (SSB 3002), a bill for an act relating to disbursements from the computer science professional development incentive fund and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 2086 (SSB 3008), a bill for an act relating to the membership, procedures, and functions of the Iowa council on homelessness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: R. Smith, Cournoyer, Bisignano, Brown, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, and Reichman. Nays, 1: Celsi. Absent, 2: Boulton and Schultz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2087 (SSB 3009), a bill for an act relating to the comprehensive financial report of the state and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, and Reichman. Nays, none. Absent, 2: Boulton and Schultz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2088 (SSB 3006), a bill for an act relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, and Reichman. Nays, none. Absent, 2: Boulton and Schultz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

January 20, 2022

Members of the Senate Ethics Committee
Via Email

Re: Report of Personal Financial Disclosure Forms

Dear Senate Ethics Committee Members:

Pursuant to Iowa Code section 68B.35 and Rule 11 of the Senate Code of Ethics, Senators and certain Senate employees are required to file Personal Financial Disclosure Statements. Rule 11 also requires the Secretary of the Senate to inform the Ethics Committee with the results of these filings and I do so as follows:

1. The filing period commenced on January 10, 2022, and ended on January 20, 2022.
2. By 10:30 a.m. on January 20, 2022, all Senators and the Secretary of the Senate had filed the appropriate form. The forms will be published on the General Assembly Web site.
3. To the best of my knowledge, each form has been completed. As such, all Senators and the Secretary of the Senate are in compliance with Iowa Code section 68B.35 and Senate Ethics Rule 11 and your Committee need not take any action.

If the Ethics Committee has any questions or concerns, please notify me.

Respectfully submitted,

W. Charles Smithson
Secretary of the Senate

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 24, 2022

The Senate met in regular session at 1:02 p.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Thursday, January 20, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:04 p.m. until 9:00 a.m., Tuesday, January 25, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Equal Opportunity—Contract Compliance Policy Report, pursuant to Iowa Code section 19B.7. Report received on January 24, 2022.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual report, pursuant to Iowa Code section 312.3B. Report received on January 17, 2022.

BOARD OF REGENTS

Affirmative Action, Diversity, and Multicultural Accomplishment, pursuant to Iowa Code section 19B.5. Report received on January 20, 2022.

Minority and Women Educators Enhancement Program Report, pursuant to Iowa Code sections 262.93 and 262.82. Report received on January 20, 2022.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: Monday, January 24, 2022, 11:05 a.m.

Members Present: Rozenboom, Chair; Mathis, Ranking Member; and Kinney.

Members Absent: Shipley, Vice Chair; and Williams (both excused).

Committee Business: Mike Naig, Secretary of Agriculture spoke.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Monday, January 24, 2022, 12:00 p.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Klimesh, and Trone Garriott.

Members Absent: None.

Committee Business: Presentation by Legislative Services Agency on the Analysis of the Governor's Budget Recommendations.

Adjourned: 12:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 101, by Zaun, a concurrent resolution urging the United States Drug Enforcement Administration to grant an exception to the classification of cannabis under schedule I of the federal Controlled Substances Act in Iowa.

Read first time under Rule 28 and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 2089, by Zaun, a bill for an act modifying provisions relating to the additional property tax credit for elderly persons and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2090, by Dawson, a bill for an act relating to pretrial bond amounts for certain felonies.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2091, by Dawson, a bill for an act relating to jury service disqualification for certain felons.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2092, by Dawson, a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2093, by Dawson, a bill for an act relating to accommodations in housing provided to persons with a disability-related need for assistance animals and service animals, and providing penalties.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2094, by Zaun, a bill for an act relating to consideration of the educational setting of a minor child in a child custody proceeding.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2095, by Zaun, a bill for an act relating to the statute of limitations in a civil action involving the sexual abuse of a minor.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2096, by Klimesh, a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2097, by Sinclair, a bill for an act relating to the lookback period for prior operating-while-intoxicated convictions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2098, by Sinclair, a bill for an act relating to statements required to be submitted to the state building code commissioner by state agencies and governmental subdivisions of costs associated with building regulations involving residential structures.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED**SSB 3054 Judiciary**

Relating to disclosure of psychological test material.

SSB 3055 Judiciary

Relating to public safety answering point cost and expense data collection and the responsibilities of the auditor of state.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2024**

EDUCATION: Sinclair, Chair; Quirmbach and Rozenboom

Senate File 2025

EDUCATION: Sinclair, Chair; Quirmbach and Rozenboom

Senate File 2026

EDUCATION: Carlin, Chair; Cournoyer and Quirmbach

Senate File 2034

JUDICIARY: Garrett, Chair; Dawson and Kinney

Senate File 2036

JUDICIARY: J. Taylor, Chair; Boulton and Garrett

Senate File 2037

EDUCATION: Goodwin, Chair; Quirmbach and Sinclair

Senate File 2039

EDUCATION: Goodwin, Chair; Celsi and Sinclair

Senate File 2040

EDUCATION: Goodwin, Chair; Celsi and Sinclair

Senate File 2041

EDUCATION: Goodwin, Chair; Sinclair and J. Smith

Senate File 2042

EDUCATION: Goodwin, Chair; Giddens and Sinclair

Senate File 2043

EDUCATION: Goodwin, Chair; Celsi and Sinclair

Senate File 2044

EDUCATION: Goodwin, Chair; Celsi and Sinclair

Senate File 2047

EDUCATION: Goodwin, Chair; Sinclair and J. Smith

Senate File 2053

JUDICIARY: Shipley, Chair; Bolkcom and Johnson

Senate File 2064

JUDICIARY: Sinclair, Chair; Petersen and Shipley

Senate File 2065

HUMAN RESOURCES: Garrett, Chair; Edler and Ragan

Senate File 2066

HUMAN RESOURCES: Johnson, Chair; Green and Ragan

Senate File 2067

HUMAN RESOURCES: Garrett, Chair; Johnson and Ragan

Senate File 2069

HUMAN RESOURCES: Costello, Chair; Garrett and Trone Garriott

Senate File 2071

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2076

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Celsi and Cournoyer

SSB 1003
(Reassigned)

JUDICIARY: Garrett, Chair; Bisignano and Schultz

SSB 3054

JUDICIARY: J. Taylor, Chair; Bolkcom and Reichman

SSB 3055

JUDICIARY: Johnson, Chair; Bisignano and J. Taylor

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 25, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Williams, member of the Senate from Carroll County, Manning, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Monday, January 24, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:06 a.m. until 9:00 a.m., Wednesday, January 26, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Condition of Education Annual Report, pursuant to Iowa Code section 256.7. Report received on January 25, 2022.

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14. Report received on January 25, 2022.

DEPARTMENT OF NATURAL RESOURCES

Resources Enhancement and Protection Recommendations, pursuant to Iowa Code section 455A.17. Report received on January 25, 2022.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Petroleum Underground Storage Tank Fund Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on January 25, 2022.

DEPARTMENT OF TRANSPORTATION

Biodiesel and Biodiesel Blended Fuel Revolving Fund, pursuant to Iowa Code section 307.20. Report received on January 24, 2022.

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36. Report received on January 24, 2022.

Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on January 24, 2022.

REPORT OF COMMITTEE MEETING

VETERANS AFFAIRS

Convened: Tuesday, January 25, 2022, 1:00 p.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan.

Members Absent: None.

Committee Business: Presentation by Executive Director Iowa Department of Veterans Affairs, Steven Lukan.

Adjourned: 1:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2001, by Carlin, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to medical freedom.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 2099, by Brown, a bill for an act relating to the establishment of emergency response districts.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2100, by Rozenboom, a bill for an act relating to the crime of indecent exposure and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2101, by Rozenboom, a bill for an act relating to the crimes of indecent exposure and public masturbation, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2102, by Green, a bill for an act relating to operation of an off-road utility vehicle by an unlicensed person at a designated off-highway vehicle riding area, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2103, by J. Taylor, a bill for an act relating to the establishment of a cold case investigation unit within the department of public safety.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2104, by Jochum, a bill for an act relating to the earned income tax credit available against the individual income tax and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2105, by Carlin, a bill for an act excluding from the computation of net income for purposes of the individual income tax the unreimbursed cost of prescribed drugs or insulin of certain taxpayers at least sixty-five years of age, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2106, by Shipley, a bill for an act relating to landlords and tenants, including rental property utilities, the definition of rent, and forcible entry and detainer actions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2107, by Carlin, a bill for an act directing the department of education to convene a working group to study the impact of technology on cognitive learning.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2108, by Carlin, a bill for an act providing a nursing home visitation shelter tax credit available against the individual and corporate income taxes, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2109, by J. Taylor, a bill for an act relating to the penalties for defendants who aid and abet the commission of murder in the first degree.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2110, by Shipley, a bill for an act relating to acreage limitations for the production of hemp, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Agriculture**.

STUDY BILLS RECEIVED

SSB 3056 Commerce

Relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

SSB 3057 Commerce

Relating to public utility access to public road rights-of-way.

SSB 3058 Commerce

Relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions.

SSB 3059 Transportation

Relating to department of transportation employees designated as peace officers, and including effective date provisions.

SSB 3060 Judiciary

Relating to probate indigent defense fees and trial transcript fees.

SSB 3061 Judiciary

Relating to remote testimony in civil and criminal court proceedings.

SSB 3062 Commerce

Relating to financial reporting by insurance holding company systems.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 101**

JUDICIARY: Zaun, Chair; Bolkcom and Sinclair

Senate File 2055

COMMERCE: Koelker, Chair; Quirmbach and Williams

Senate File 2072

LOCAL GOVERNMENT: Klimesh, Chair; Hogg and Lofgren

Senate File 2073

COMMERCE: R. Smith, Chair; Mathis and Schultz

Senate File 2078

TRANSPORTATION: Klimesh, Chair; Bisignano and Dickey

Senate File 2090

JUDICIARY: Dawson, Chair; Johnson and Kinney

Senate File 2091

JUDICIARY: Dawson, Chair; Bisignano and Johnson

Senate File 2095

JUDICIARY: Zaun, Chair; Petersen and Rowley

Senate File 2096

LOCAL GOVERNMENT: Klimesh, Chair; Lofgren and J. Smith

Senate File 2097

TRANSPORTATION: Rozenboom, Chair; Giddens and Klimesh

Senate File 2098

STATE GOVERNMENT: Schultz, Chair; Brown and Giddens

Senate File 2099

LOCAL GOVERNMENT: Driscoll, Chair; Guth and Quirmbach

SSB 3056

COMMERCE: Klimesh, Chair; Chapman and Giddens

SSB 3057

COMMERCE: Williams, Chair; Giddens and Goodwin

SSB 3058

COMMERCE: Williams, Chair; Johnson and Petersen

SSB 3059

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

SSB 3060

JUDICIARY: Garrett, Chair; Boulton and Rowley

SSB 3061

JUDICIARY: Garrett, Chair; Petersen and J. Taylor

SSB 3062

COMMERCE: Williams, Chair; Bisignano and Goodwin

FINAL COMMITTEE REPORT OF BILL ACTION**VETERANS AFFAIRS**

Bill Title: SENATE FILE 255, a bill for an act relating to county commissions of veteran affairs contacting discharged veterans regarding veteran benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Lofgren, Reichman, Giddens, Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 26, 2022

The Senate met in regular session at 9:01 a.m., President Chapman presiding.

Prayer was offered by the Honorable Adrian Dickey, member of the Senate from Jefferson County, Packwood, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Tuesday, January 25, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:04 a.m. until 9:00 a.m., Thursday, January 27, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Iowa Reading Research Center Annual Report, pursuant to Iowa Code section 256.9. Report received on January 25, 2022.

DEPARTMENT OF REVENUE

Central Collections Unit (CCU) Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on January 26, 2022.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 26, 2022, 1:00 p.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: None.

Committee Business: SSB 3048 with Senator Taylor. SSB 3047 with Senator Sweeney. SSB 3046 with Senator Sinclair.

Adjourned: 1:10 p.m.

JUDICIARY

Convened: Wednesday, January 26, 2022, 2:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: SF 2014, SSB 3019, SSB 3023.

Adjourned: 3:00 p.m.

INTRODUCTION OF BILLS

Senate File 2111, by Dawson, a bill for an act relating to a peace officer's search of garbage placed outside of a person's residence for waste collection in a publicly accessible area.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2112, by Carlin, a bill for an act directing the department of education to convene an achievement gap working group.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2113, by J. Taylor, a bill for an act relating to parole board review of the status of certain persons committed to the department of corrections.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2114, by Rowley, a bill for an act relating to the operation of registered all-terrain vehicles and off-road utility vehicles on secondary roads.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2115, by Rowley, a bill for an act relating to the regulation of certain short-term rental properties by counties and cities.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2116, by Nunn, a bill for an act relating to reimbursement rates for providers of substance use disorder treatment services.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2117, by Edler, a bill for an act relating to experimental treatments for terminally ill persons, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2118, by Kinney, a bill for an act relating to mental health and disability services funds to establish county-controlled accounts for administrative expenses and increase the amount mental health and disability services funds may carryforward.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2119, by Cournoyer, a bill for an act relating to cosmetology and the practice of threading.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2120, by Sinclair, a bill for an act relating to the authority granted native distilleries.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2121, by Cournoyer, a bill for an act relating to health insurance coverage for hearing aids for covered persons age eighteen and younger.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2122, by Rozenboom, a bill for an act relating to the redemption of and payment of refund value on beverage containers, making appropriations, providing penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2123, by Cournoyer, a bill for an act relating to the Iowa law enforcement academy council including the revocation or suspension of certifications of law enforcement officers and reserve peace officers in this state and certifications of law enforcement officers in other states, and the peace officer, public safety, and emergency personnel bill of rights including formal administrative investigations of officers.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2124, by Guth, a bill for an act relating to immunization information requested on a medical examiner investigation form.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2125, by T. Taylor, a bill for an act relating to railroad trains, including train length limits and the operation of trains by a crew of two or more persons, providing penalties, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2126, by T. Taylor, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2127, by Zumbach, a bill for an act relating to commercially owned solar panel field installation on agricultural land.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 2128, by committee on Education, a bill for an act relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2129, by committee on Education, a bill for an act relating to students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2130, by committee on Education, a bill for an act relating to schools that are required to register with the college student aid commission.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2131, by committee on Labor and Business Relations, a bill for an act relating to employment security benefits.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 3063 Ways and Means

Relating to sales, use, and motor vehicle fuel taxes administered by the department of revenue including distributions to local governments and school districts, the liability of sellers, tax refund and tax credit incentives, and motor fuel tax reporting and terminology modifications, and providing penalties, and including effective date and applicability provisions.

SSB 3064 Ways and Means

Proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes.

SSB 3065 Human Resources

Relating to child care center staff ratios.

SSB 3066 Human Resources

Relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry.

SSB 3067 Education

Relating to education, including eligibility for grants under the teach Iowa scholar program, licenses issued by the board of educational examiners, and the use of revenues from the district management levy, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2058**

WAYS AND MEANS: Dawson, Chair; Goodwin and T. Taylor

Senate File 2059

WAYS AND MEANS: Dawson, Chair; Goodwin and Quirmbach

Senate File 2074

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2075

EDUCATION: Sinclair, Chair; Rozenboom and J. Smith

Senate File 2083

WAYS AND MEANS: Dawson, Chair; Dotzler and Goodwin

Senate File 2089

WAYS AND MEANS: Dawson, Chair; Goodwin and Quirmbach

Senate File 2094

EDUCATION: Zaun, Chair; J. Taylor and Trone Garriott

Senate File 2100

JUDICIARY: Schultz, Chair; Petersen and J. Taylor

Senate File 2101

JUDICIARY: Schultz, Chair; Petersen and J. Taylor

Senate File 2102

TRANSPORTATION: Brown, Chair; Lykam and Zumbach

Senate File 2107

EDUCATION: J. Taylor, Chair; Carlin and Giddens

Senate File 2110

AGRICULTURE: Shipley, Chair; Green and Kinney

Senate File 2112

EDUCATION: J. Taylor, Chair; Carlin and Giddens

SSB 3063

WAYS AND MEANS: Dawson, Chair; Bolkcom and Goodwin

SSB 3064

WAYS AND MEANS: Dawson, Chair; Goodwin and Petersen

SSB 3065

HUMAN RESOURCES: Edler, Chair; Costello and Jochum

SSB 3066

HUMAN RESOURCES: Edler, Chair; Costello and Ragan

SSB 3067

EDUCATION: Sinclair, Chair; Goodwin and Quirmbach

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: SENATE FILE 2128 (SSB 3047), a bill for an act relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2129 (SSB 3046), a bill for an act relating to students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2130 (SSB 3048), a bill for an act relating to schools that are required to register with the college student aid commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, and Trone Garriott. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 493, a bill for an act relating to the registration of construction contractors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2131 (SSB 3039), a bill for an act relating to employment security benefits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 27, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Wednesday, January 26, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, January 31, 2022.

APPENDIX

REPORT OF COMMITTEE MEETING

TRANSPORTATION

Convened: Thursday, January 27, 2022, 10:00 a.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Bisignano, Driscoll, Giddens, Klimesh, Koelker, Rozenboom, Shipley, T. Taylor, and Zumbach.

Members Absent: Lykam (excused).

Committee Business: SSB 3001, SF 330, SSB 3049.

Adjourned: 10:40 a.m.

INTRODUCTION OF BILLS

Senate File 2132, by committee on Judiciary, a bill for an act relating to the membership of the district judicial nominating commissions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2133, by committee on Judiciary, a bill for an act relating to traffic violations involving the approach of certain stationary vehicles, including by providing for reporting of violations, requiring investigations, and providing for enforcement against vehicle owners.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2134, by committee on Judiciary, a bill for an act relating to the salary of the state court administrator.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2135, by Cournoyer, a bill for an act providing that a licensed veterinarian is immune from administrative, civil, or criminal liability in investigations or proceedings involving the mistreatment of animals.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2136, by Guth, J. Taylor, Green, and Johnson, a bill for an act relating to elective social studies courses emphasizing religious scripture that school districts may offer and teach.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2137, by Brown, a bill for an act relating to terms used in the context of land surveying.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2138, by Schultz, a bill for an act relating to shotguns that may be used to hunt turkey.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2139, by committee on Transportation, a bill for an act relating to wrecked or salvage vehicles with cosmetic damage.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2140, by committee on Transportation, a bill for an act relating to airport registration and site approval by the department of transportation.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 3068 Commerce

Modifying the definitions of essential county purpose and essential corporate purpose to include cybersecurity purposes.

SSB 3069 Commerce

Relating to life insurance company or association investments in foreign countries other than Canada, and including applicability provisions.

SSB 3070 Commerce

Regarding port authorities, including by allowing port authorities to enter into certain loan agreements and lease contracts.

SSB 3071 Commerce

Relating to direct health care agreements, and including effective date and applicability provisions.

SSB 3072 Labor and Business Relations

Relating to the use of child labor for certain bakery machine occupations utilizing pizza dough rollers.

SSB 3073 Judiciary

Relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions.

SSB 3074 Ways and Means

Relating to state and local revenue and finances by modifying sales and use taxes, individual and corporate income taxes, the franchise tax, the insurance premiums tax, the equipment tax, the automobile rental excise tax, the water service tax, and local option taxes, crediting moneys to the natural resources and outdoor recreation trust fund, and including effective date and applicability provisions.

SSB 3075 State Government

Relating to the confirmation by the senate of certain appointees.

SSB 3076 Natural Resources and Environment

Relating to the submission of a groundwater hazard statement.

SSB 3077 Human Resources

Relating to child welfare, including provisions relating to foster care and the child advocacy board.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2001

STATE GOVERNMENT: Goodwin, Chair; Bisignano and Koelker

Senate File 241

JUDICIARY: Shipley, Chair; Bisignano and J. Taylor

Senate File 513

JUDICIARY: Dawson, Chair; Bisignano and J. Taylor

Senate File 616

WAYS AND MEANS: Sweeney, Chair; Green and Quirmbach

Senate File 2082

COMMERCE: Klimesh, Chair; Bisignano and Brown

Senate File 2084

COMMERCE: Klimesh, Chair; Brown and Lykam

Senate File 2085

COMMERCE: Nunn, Chair; Goodwin and Quirmbach

Senate File 2092

COMMERCE: Klimesh, Chair; Koelker and Petersen

Senate File 2104

WAYS AND MEANS: Dawson, Chair; Goodwin and Jochum

Senate File 2105

WAYS AND MEANS: Goodwin, Chair; Dawson and Quirmbach

Senate File 2106

COMMERCE: Brown, Chair; Bisignano and Sinclair

Senate File 2108

WAYS AND MEANS: Goodwin, Chair; Dawson and Dotzler

Senate File 2111

JUDICIARY: Dawson, Chair; Kinney and Zaun

Senate File 2113

JUDICIARY: J. Taylor, Chair; Bisignano and Reichman

Senate File 2115

LOCAL GOVERNMENT: Lofgren, Chair; Guth and J. Smith

Senate File 2119

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and Koelker

Senate File 2120

COMMERCE: Sinclair, Chair; Lykam and Schultz

Senate File 2121

COMMERCE: Williams, Chair; Brown and Mathis

Senate File 2123

JUDICIARY: Reichman, Chair; Kinney and Rowley

Senate File 2127

AGRICULTURE: Zumbach, Chair; Driscoll and Kinney

SSB 3068

COMMERCE: Nunn, Chair; Giddens and Johnson

SSB 3069

COMMERCE: Goodwin, Chair; Johnson and Quirmbach

SSB 3070

COMMERCE: Koelker, Chair; Johnson and Lykam

SSB 3071

COMMERCE: Williams, Chair; Goodwin and Petersen

SSB 3072

LABOR AND BUSINESS RELATIONS: Rowley, Chair; Driscoll and T. Taylor

SSB 3073

JUDICIARY: Zaun, Chair; Bolkcom and Rowley

SSB 3074

WAYS AND MEANS: Dawson, Chair; Bolkcom, Jochum, R. Smith and Zaun

SSB 3075

STATE GOVERNMENT: R. Smith, Chair; Boulton and Cournoyer

SSB 3076

NATURAL RESOURCES AND ENVIRONMENT: J. Taylor, Chair; Celsi and Driscoll

SSB 3077

HUMAN RESOURCES: Costello, Chair; Johnson and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: SENATE FILE 2132 (formerly SF 2014), a bill for an act relating to the membership of the district judicial nominating commissions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2133 (SSB 3019), a bill for an act relating to traffic violations involving the approach of certain stationary vehicles, including by providing for reporting of violations, requiring investigations, and providing for enforcement against vehicle owners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2134 (SSB 3023), a bill for an act relating to the salary of the state court administrator.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkeom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2139 (SSB 3001), a bill for an act relating to wrecked or salvage vehicles with cosmetic damage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Brown, Dickey, Driscoll, Klimesh, Koelker, Rozenboom, Shipley, and Zumbach. Nays, 4: J. Smith, Bisignano, Giddens, and T. Taylor. Excused, 1: Lykam.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2140 (SSB 3049), a bill for an act relating to airport registration and site approval by the department of transportation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Brown, Dickey, J. Smith, Bisignano, Driscoll, Giddens, Klimesh, Koelker, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, 1: Lykam.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 31, 2022

The Senate met in regular session at 1:03 p.m., President Chapman presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Thursday, January 27, 2022, was approved.

BILLS REFERRED TO COMMITTEE

President Chapman announced that **Senate Files 2093** and **2120** were referred from the committee on **Commerce** to the committee on **State Government**; and **Senate File 2122** was referred from the committee on **Commerce** to the committee on **Ways and Means** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:09 p.m. until 9:00 a.m., Tuesday, February 1, 2022.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

CHIEF INFORMATION OFFICER

IowAccess Revolving Fund Report, pursuant to Iowa Code section 8B.33. Report received on January 31, 2022.

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Service Quarterly Report, pursuant to Iowa Code section 15H.2. Report received on January 28, 2022.

DEPARTMENT OF EDUCATION

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on January 31, 2022.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on January 31, 2022.

IOWA PUBLIC INFORMATION BOARD

Annual Report, pursuant to Iowa Code section 23.6. Report received on January 28, 2022.

DEPARTMENT OF TRANSPORTATION

Midwest Regional Rail Passenger Initiative, pursuant to Iowa Code section 327.J.3. Report received on January 28, 2022.

OFFICE OF THE TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on January 28, 2022.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS SUBCOMMITTEE

Convened: Monday, January 31, 2022, 11:00 a.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Mathis, Ranking Member; Kinney, and Williams.

Members Absent: None.

Committee Business: Director Kayla Lyon, Iowa Department of Natural Resources presented.

Adjourned: 11:55 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Monday, January 31, 2022, 12:00 p.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Klimesh, and Trone Garriott.

Members Absent: None.

Committee Business: Zoom presentations by Mark Mendoza, Pear Therapeutics and John McNamara, Texas Pregnancy Care Network.

Adjourned: 1:00 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 2002, by Green, Zaun, Lofgren, and Guth, a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States that impose fiscal restraints, limit the power and jurisdiction of the federal government, and impose term limits on federal officials and members of Congress.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate Joint Resolution 2003, by Bolkcom, Petersen, Trone Garriott, Dotzler, Lykam, Jochum, Wahls, Celsi, and J. Smith, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to cannabis.

Read first time under Rule 28 and referred to committee on **Judiciary**.

INTRODUCTION OF BILLS

Senate File 2141, by committee on Transportation, a bill for an act relating to the use of an electronic device in a voice-activated or hands-free mode while driving, providing penalties, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2142, by Klimesh, a bill for an act relating to deer hunting licenses available to nonresident hunters.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2143, by Schultz, a bill for an act relating to the carrying, transportation, or possession of firearms on real property comprising a person's place of employment.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2144, by Shipley, a bill for an act relating to flashing lights equipped on motor vehicles, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2145, by Schultz, a bill for an act relating to the conveyance of guns in or on vehicles on public highways.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2146, by Mathis, a bill for an act relating to a study regarding reimbursement for administrative days.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2147, by Ragan and Mathis, a bill for an act relating to the validation of Medicaid managed care organization encounter data, providing an appropriation, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2148, by Zaun, a bill for an act regarding donated leave by state employees.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2149, by Quirmbach, a bill for an act relating to funding amounts for the statewide preschool program and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2150, by J. Smith, Giddens, Trone Garriott, Ragan, Kinney, Wahls, and Celsi, a bill for an act relating to the college student aid commission, including vocational-technical tuition grants and skilled workforce shortage tuition grants, and making appropriations.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2151, by J. Smith, Kinney, Giddens, Wahls, Trone Garriott, Ragan, and Celsi, a bill for an act relating to the determination of funding for the statewide preschool program for four-year-old children and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2152, by Klimesh, a bill for an act relating to the inventory of state lands managed or owned by the department of natural resources.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2153, by Klimesh, a bill for an act authorizing a local emergency management commission to assume the duties of a joint 911 service board.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2154, by Bolkcom, a bill for an act relating to science instruction and the Iowa core content standards applicable to certain specified students of school districts and accredited nonpublic schools.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2155, by Bolkcom, a bill for an act relating to additional penalties for certain violations against bicyclists causing serious injury or death committed by a person operating a motor vehicle.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2156, by Guth, a bill for an act relating to information to be provided, recorded, and reported by health care providers relative to certain vaccinations, and providing penalties.

Read first time under Rule 28 and referred to committee on **Local Government**.

STUDY BILLS RECEIVED

SSB 3078 Veterans Affairs

Appropriating moneys to the Iowa finance authority for the home ownership assistance program for eligible service members.

SSB 3079 Education

Relating to the rights of parents and guardians of students enrolled in school districts.

SSB 3080 Education

Relating to education, including establishing a student first scholarship program and a student first enrollment supplement fund, requiring the boards of directors of school districts to publish certain specified information, modifying provisions related to required social studies instruction, open enrollment, teacher librarian endorsements, competent private instruction, and special education, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions.

SSB 3081 Education

Relating to the district-to-community college sharing or concurrent enrollment program and the community colleges through which school districts may offer courses.

SSB 3082 Education

Relating to Iowa tuition grants and the definition of accredited private institutions.

SSB 3083 Judiciary

Relating to corporations by providing for the use of electronic mail and other electronic transmissions, and shareholders' lists.

SSB 3084 Agriculture

Relating to renewable fuels, including ethanol blended gasoline and biodiesel blended fuel used to power internal combustion engines, by providing for compliance requirements and promotional initiatives that relate to establishing classifications and standards for renewable fuels, advertising and selling renewable fuels, storing and dispensing renewable fuels, using state motor vehicles powered by renewable fuels, and taxes, tax credits, and tax refunds relating to renewable fuels; providing penalties and making penalties applicable; and including effective date and retroactive applicability provisions.

SSB 3085 Education

Authorizing the boards of directors of school districts to engage certain specified individuals to serve without compensation as substitute teachers.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2103**

JUDICIARY: J. Taylor, Chair; Johnson and Kinney

Senate File 2109

JUDICIARY: J. Taylor, Chair; Kinney and Rowley

Senate File 2114

TRANSPORTATION: Brown, Chair; Bisignano and Zumbach

Senate File 2116

HUMAN RESOURCES: Costello, Chair; Bolkcom and Johnson

Senate File 2117

HUMAN RESOURCES: Edler, Chair; Bolkcom and Costello

Senate File 2118

HUMAN RESOURCES: Edler, Chair; Costello and Jochum

Senate File 2124

HUMAN RESOURCES: Costello, Chair; Johnson and Trone Garriott

Senate File 2125

TRANSPORTATION: Zumbach, Chair; Rozenboom and T. Taylor

Senate File 2126

TRANSPORTATION: Zumbach, Chair; Rozenboom and T. Taylor

Senate File 2136

EDUCATION: J. Taylor, Chair; Johnson and Quirmbach

Senate File 2137

COMMERCE: Brown, Chair; Giddens and Johnson

Senate File 2144

TRANSPORTATION: Shipley, Chair; Driscoll and Lykam

House File 456
(Reassigned)

JUDICIARY: Reichman, Chair; Boulton and Johnson

SSB 3078

VETERANS AFFAIRS: Lofgren, Chair; Costello and Ragan

SSB 3079

EDUCATION: Sinclair, Chair; Quirmbach and J. Taylor

SSB 3080

EDUCATION: Sinclair, Chair; Celsi and Rozenboom

SSB 3081

EDUCATION: Johnson, Chair; Giddens and J. Taylor

SSB 3082

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

SSB 3083

JUDICIARY: Zaun, Chair; Boulton and Rowley

SSB 3084

AGRICULTURE: Zumbach, Chair; Costello and Ragan

SSB 3085

EDUCATION: Sinclair, Chair; Carlin and J. Smith

FINAL COMMITTEE REPORT OF BILL ACTION**TRANSPORTATION**

Bill Title: *SENATE FILE 2141 (formerly SF 330), a bill for an act relating to the use of an electronic device in a voice-activated or hands-free mode while driving, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Brown, Dickey, J. Smith, Bisignano, Driscoll, Giddens, Klimesh, Koelker, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, 1: Lykam.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2141, and they were attached to the committee report.

JOURNAL OF THE SENATE

**TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY**

Senate Chamber
Des Moines, Iowa, Tuesday, February 1, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecilia Redman.

The Journal of Monday, January 31, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:12 a.m. until 9:00 a.m., Wednesday, February 2, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Annual Report, pursuant to Iowa Code section 15.107B. Report received on February 1, 2022.

DEPARTMENT OF EDUCATION

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on February 1, 2022.

DEPARTMENT OF HUMAN RIGHTS

Iowa Collaboration for Youth Development Council Annual Report, pursuant to Iowa Code section 216A.140. Report received on February 1, 2022.

DEPARTMENT OF HUMAN SERVICES

Annual Report, pursuant to Iowa Code section 217.21. Report received on February 1, 2022.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, February 1, 2022, 10:00 a.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Consideration and passage of the following bills: SSB 3066, SSB 3043, and SSB 3077.

Adjourned: 10:30 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 1, 2022, 2:00 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Rozenboom, Shipley, and J. Taylor.

Members Absent: Zumbach (excused).

Committee Business: SF 2011 SSB 3040 SSB 3041.

Adjourned: 2:30 p.m.

VETERANS AFFAIRS

Convened: Tuesday, February 1, 2022, 1:00 p.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan.

Members Absent: None.

Committee Business: Committee work and presentations.

Adjourned: 2:00 p.m.

INTRODUCTION OF BILLS

Senate File 2157, by Brown, a bill for an act relating to medical cannabidiol by providing deductions from the individual and corporate income taxes for expenses incurred by medical cannabidiol manufacturers and dispensaries, and exempting the sale of medical cannabidiol products from the sales and use tax, and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2158, by Carlin, a bill for an act relating to the printing and counting of absentee ballots by requiring a watermark, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2159, by Bolkcom, a bill for an act relating to application of specific penalties to an assault on a social worker under certain circumstances.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2160, by J. Taylor, a bill for an act relating to certain actions of utility companies and the Iowa utilities board and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2161, by Kinney, a bill for an act establishing a return to work incentive program, making an appropriation, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2162, by Dickey, a bill for an act relating to the authority of a law enforcement officer over local businesses operating during an annual recreational bicycle ride across the state.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2163, by Mathis, a bill for an act relating to a mental health service providers competitive grant program for school districts and area education agencies, making an appropriation, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2164, by Sweeney, a bill for an act relating to insurance coverage for diagnostic breast cancer examinations, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2165, by Sweeney, a bill for an act relating to insurance coverage for prescription drugs used in the treatment of metastatic cancer and associated conditions, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2166, by Kraayenbrink, a bill for an act concerning compensation and benefits limits, relating to the earnings limitation for retirees under the Iowa public employees' retirement system and compensation limits for school corporation board members.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2167, by Quirmbach, Trone Garriott, Petersen, Bisignano, Dotzler, Giddens, J. Smith, Jochum, Boulton, Mathis, Ragan, Wahls, and Bolkcom, a bill for an act relating to commercial and industrial property tax replacement payments and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2168, by committee on Human Resources, a bill for an act relating to violations by a health care facility.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2169, by Sweeney, a bill for an act relating to assisted reproduction fraud, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2170, by J. Taylor, Schultz, Garrett, Williams, Green, Johnson, and Costello, a bill for an act prohibiting the burdening of a person's free exercise of religion.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2171, by committee on Human Resources, a bill for an act relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2172, by Cournoyer, a bill for an act relating to alcoholic beverage control concerning the sale of beer and liquor for resale.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2173, by Kinney, a bill for an act relating to the use of a simulated firearm or simulated explosive when committing a robbery, the criminal offense of intimidation, or other crimes, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

STUDY BILLS RECEIVED

SSB 3086 Judiciary

Relating to excuse from jury service for persons at least seventy-two years of age.

SSB 3087 Local Government

Providing for the removal of municipal utility board members under specified circumstances and including effective date provisions.

SSB 3088 Commerce

Relating to scrap metal transactions, including by regulating the sale of catalytic converters to scrap metal dealers and providing for recordkeeping requirements, providing penalties, and making penalties applicable.

SSB 3089 State Government

Relating to restrictions regarding companies boycotting Israel.

SSB 3090 Education

Relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions.

SSB 3091 Judiciary

Relating to the uniform commercial code by providing for controllable electronic records.

SSB 3092 Appropriations

Relating to the prohibition of specific public fund expenditures and the certification of human trafficking prevention training of certain lodging providers, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2122**

WAYS AND MEANS: Dawson, Chair; Dotzler and Schultz

Senate File 2135

JUDICIARY: Shipley, Chair; Kinney and Rowley

Senate File 2138

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Shipley

Senate File 2142

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Driscoll and Lykam

Senate File 2143

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dickey and Dotzler

Senate File 2145

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Celsi and J. Taylor

Senate File 2146

HUMAN RESOURCES: Garrett, Chair; Johnson and Mathis

Senate File 2147

HUMAN RESOURCES: Garrett, Chair; Johnson and Ragan

Senate File 2149

EDUCATION: Sinclair, Chair; Quirmbach and Rozenboom

Senate File 2150

EDUCATION: Sinclair, Chair; Giddens and Rozenboom

Senate File 2151

EDUCATION: Sinclair, Chair; Rozenboom and J. Smith

Senate File 2152

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Hogg and J. Taylor

Senate File 2153

LOCAL GOVERNMENT: Klimesh, Chair; Lofgren and T. Taylor

Senate File 2154

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2156

LOCAL GOVERNMENT: Guth, Chair; Lofgren and Quirmbach

Senate File 2164

COMMERCE: Schultz, Chair; Mathis and Williams

Senate File 2165

COMMERCE: Schultz, Chair; Mathis and Williams

SSB 3086

JUDICIARY: Shipley, Chair; Bolkcom and Rowley

SSB 3087

LOCAL GOVERNMENT: Garrett, Chair; Hogg and Williams

SSB 3088

COMMERCE: Brown, Chair; Koelker and Lykam

SSB 3089

STATE GOVERNMENT: Guth, Chair; Boulton and R. Smith

SSB 3090

EDUCATION: Sinclair, Chair; Cournoyer and Quirmbach

SSB 3091

JUDICIARY: J. Taylor, Chair; Boulton and Rowley

SSB 3092

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: SENATE FILE 2168 (SSB 3043), a bill for an act relating to violations by a health care facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2171 (SSB 3066), a bill for an act relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 2011, a bill for an act relating to the purchasing of a youth deer hunting license and tag.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Rozenboom, Shipley, and J. Taylor. Nays, none. Excused, 1: Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTED POSITIONS

February 1, 2022

Mr. W. Charles Smithson
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Smithson:

Enclosed please find a list of all of the appointment positions requiring gubernatorial action pursuant to Iowa Code section 2.32(2).

If you have any questions, please contact my Director of Boards and Commissions, Megan Hall, via email: megan.hall@governor.iowa.gov.

Sincerely,



Governor Kim Reynolds

BY THE GOVERNOR

DIRECTORS

NUMBER OF POSITIONS

PAROLE, BOARD OF (CHAIR)

1

ALCOHOLIC BEVERAGES DIVISION

1

OFFICE OF THE CHIEF INFORMATION OFFICER	1
PUBLIC EMPLOYMENT RELATIONS BOARD (CHAIR AND MEMBER)	1
IOWA DEPARTMENT OF PUBLIC HEALTH	1
DEPARTMENT OF VETERANS AFFAIRS	1
DEPARTMENT OF MANAGEMENT	1
<u>BOARD</u>	<u>NUMBER OF POSITIONS</u>
ACCOUNTANCY EXAMINING BOARD	3
AFRICAN AMERICANS, COMMISSION ON THE STATUS OF	3
AGRICULTURAL DEVELOPMENT BOARD	1
ALCOHOLIC BEVERAGES COMMISSION	1
ARCHITECTURAL EXAMINING BOARD	2
ASIAN AND PACIFIC ISLANDER AFFAIRS, COMMISSION OF	3
ATHLETIC TRAINING, BOARD OF	3
AUTISM COUNCIL, IOWA	6
BARBERING, BOARD OF	1
BEHAVIORAL SCIENCE, BOARD OF	7
BLIND, COMMISSION FOR THE	1
BOILER AND PRESSURE VESSEL BOARD	7
CHILD ADVOCACY BOARD	5
CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD	5
CHIROPRACTIC, BOARD OF	1
CITY DEVELOPMENT BOARD	2

COMMUNITY ACTION AGENCIES, COMMISSION ON	5
CORRECTIONS, BOARD OF	1
COSMETOLOGY ARTS AND SCIENCES, BOARD OF	2
COUNTY FINANCE COMMITTEE	1
CREDIT UNION REVIEW BOARD	3
DEAF SERVICES, COMMISSION OF	2
DENTISTRY, BOARD OF	3
DIETETICS, BOARD OF	3
DRUG POLICY ADVISORY COUNCIL, IOWA	2
EARLY CHILDHOOD IOWA STATE BOARD	5
ECONOMIC DEVELOPMENT AUTHORITY	4
EDUCATION, STATE BOARD OF	3
EDUCATIONAL EXAMINERS, STATE BOARD OF	2
ELECTRICAL EXAMINING BOARD	5
ELEVATOR SAFETY BOARD	6
EMPLOYMENT APPEAL BOARD	1
ENGINEERING AND LAND SURVEYING EXAMINING BOARD	2
ENHANCE IOWA BOARD	4
ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA	2
GRAIN FUND INDEMNITY BOARD	2
GREAT PLACES ADVISORY BOARD, IOWA	5
HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD	2
HEARING AID SPECIALISTS, BOARD OF	4

HIGHER EDUCATION LOAN AUTHORITY, IOWA	1
INTERIOR DESIGN EXAMINING BOARD	2
IPERS, INVESTMENT BOARD OF THE	1
JUDICIAL NOMINATING COMMISSION, STATE	3
JUSTICE ADVISORY BOARD	3
LANDSCAPE ARCHITECTURAL EXAMINING BOARD	4
LATINO AFFAIRS COMMISSION	4
LAW ENFORCEMENT ACADEMY COUNCIL, IOWA	4
LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA	2
MASSAGE THERAPY, BOARD OF	4
MEDICINE, BOARD OF	5
MENTAL HEALTH AND DISABILITY SERVICES COMMISSION	9
MORTUARY SCIENCE, BOARD OF	2
NATIVE AMERICAN AFFAIRS, COMMISSION OF	4
NURSING HOME ADMINISTRATORS, BOARD OF	5
NURSING, BOARD OF	4
OPTOMETRY, BOARD OF	3
PAROLE, BOARD OF	2
PEACE OFFICERS RETIREMENT ACCIDENT AND DISABILITY SYSTEMS TRUSTEE	1
PERSONS WITH DISABILITIES, COMMISSION OF	4
PHARMACY, BOARD OF	4

PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF	3
PHYSICIAN ASSISTANTS, BOARD OF	5
PLUMBING AND MECHANICAL SYSTEMS BOARD	7
PODIATRY, BOARD OF	3
PSYCHOLOGY, BOARD OF	3
PUBLIC EMPLOYMENT RELATIONS BOARD	1
PUBLIC INFORMATION BOARD, IOWA	6
RACING AND GAMING COMMISSION, STATE	1
REAL ESTATE APPRAISER EXAMINING BOARD	3
REAL ESTATE COMMISSION	2
RESPIRATORY CARE AND POLYSOMNOGRAPHY, BOARD OF	3
SCHOOL BUDGET REVIEW COMMITTEE	2
SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS, BOARD OF	5
SOCIAL WORK, BOARD OF	3
SOIL CONSERVATION AND WATER QUALITY COMMITTEE, STATE	1
SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF	3
STATUS OF WOMEN, COMMISSION ON THE	4
TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA	1
TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON	3
TRANSPORTATION COMMISSION, STATE	2

VETERANS AFFAIRS, DEPARTMENT OF	4
VETERINARY MEDICINE, IOWA BOARD OF	1
WORKFORCE DEVELOPMENT BOARD, IOWA	7

BY THE COMMISSION

<u>DIRECTOR</u>	<u>NUMBER OF POSITIONS</u>
ADMINISTRATOR OF THE STATE RACING AND GAMING COMMISSION	1

REPORT OF THE SECRETARY OF THE SENATE

February 1, 2022

The Honorable Kim Reynolds
Governor
State Capitol Building
Local Mail

Dear Governor Reynolds:

Thank you for submitting the list of appointment positions requiring gubernatorial action, pursuant to Iowa Code section 2.32(2). This letter is the official acknowledgement, pursuant to the same section, of my receipt of your timely submission.

Sincerely,

W. Charles Smithson
Secretary of the Senate

JOURNAL OF THE SENATE

**TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY**

Senate Chamber
Des Moines, Iowa, Wednesday, February 2, 2022

The Senate met in regular session at 9:05 a.m., President Pro Tempore Zaun presiding.

Prayer was offered by the Honorable Jim Carlin, member of the Senate from Woodbury County, Sioux City, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Tuesday, February 1, 2022, was approved.

ADJOURNMENT

On motion of Senator Cournoyer, the Senate adjourned at 9:12 a.m. until 9:00 a.m., Thursday, February 3, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on February 1, 2022.

DEPARTMENT OF TRANSPORTATION

Department of Transportation Recycling Report, pursuant to Iowa Code section 307.21. Report received on February 2, 2022.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, February 1, 2022, 3:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: SF 339, SSB 3010, SSB 3027, SSB 3011, SSB 3015.

Adjourned: 4:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 26, 2022, 11:00 a.m.

Members Present: Dickey, Chair; Green, Vice Chair; Boulton, Ranking Member; Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor.

Members Absent: None.

Committee Business: SSB 3039 SF 493.

Adjourned: 11:30 a.m.

ALSO:

Convened: Wednesday, February 2, 2022, 10:15 a.m.

Members Present: Dickey, Chair; Green, Vice Chair; Boulton, Ranking Member; Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor.

Members Absent: None.

Committee Business: SSB 3072 with amendment SSB 3072.2803.

Adjourned: 10:20 a.m.

TRANSPORTATION

Convened: Wednesday, February 2, 2022, 2:00 p.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and T. Taylor.

Members Absent: Zumbach (excused).

Committee Business: Presentation from Iowa Department of Transportation.

Adjourned: 2:50 p.m.

INTRODUCTION OF BILLS

Senate File 2174, by committee on Human Resources, a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2175, by committee on Veterans Affairs, a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2176, by committee on Natural Resources and Environment, a bill for an act relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2177, by committee on Natural Resources and Environment, a bill for an act relating to matters under the purview of the department of natural resources, including administration, dams and spillways, personal flotation devices, and operating a motorboat or sailboat while intoxicated, providing penalties, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2178, by committee on Judiciary, a bill for an act relating to the modification and extension of a no-contact order.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2179, by committee on Judiciary, a bill for an act relating to penalties for the manufacture, delivery, or possession with the intent to manufacture or deliver heroin.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2180, by Kinney, a bill for an act relating to driver's licenses and nonoperator identification cards for victims of domestic abuse.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2181, by Dawson and Costello, a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2182, by Dawson and Schultz, a bill for an act relating to taking feral hogs from an aircraft.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2183, by committee on Judiciary, a bill for an act relating to antisemitism in the state of Iowa.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2184, by Quirmbach, Trone Garriott, Bisignano, Dotzler, Giddens, J. Smith, Jochum, Boulton, Mathis, Ragan, Wahls, and Bolkcom, a bill for an act creating the community law enforcement enhancement fund and providing an appropriation.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2185, by committee on Judiciary, a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 3093 Commerce

Relating to matters under the purview of the state, including unemployment benefits and civil torts.

SSB 3094 Committee on Labor and Business Relations

Relating to registration and bonding requirements for home improvement contractors, providing penalties, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2002

STATE GOVERNMENT: Guth, Chair; Celsi and R. Smith

Senate Joint Resolution 2003

JUDICIARY: Zaun, Chair; Bolkcom and Dawson

Senate File 2093

STATE GOVERNMENT: Dawson, Chair; Bisignano and Schultz

Senate File 2120

STATE GOVERNMENT: Cournoyer, Chair; Giddens and Johnson

Senate File 2148

LABOR AND BUSINESS RELATIONS: Driscoll, Chair; Rowley and T. Taylor

Senate File 2155

TRANSPORTATION: Brown, Chair; Koelker and J. Smith

Senate File 2157

WAYS AND MEANS: Dawson, Chair; Bolkcom and Goodwin

Senate File 2158

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Jochum

Senate File 2159

JUDICIARY: Shipley, Chair; Bolkcom and J. Taylor

Senate File 2161

LABOR AND BUSINESS RELATIONS: Dickey, Chair; Boulton and Green

Senate File 2162

JUDICIARY: Schultz, Chair; Bolkcom and Sinclair

Senate File 2163

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2166

STATE GOVERNMENT: Goodwin, Chair; Boulton and Cournoyer

Senate File 2167

WAYS AND MEANS: Dawson, Chair; Goodwin and Quirmbach

Senate File 2170

LOCAL GOVERNMENT: Garrett, Chair; J. Smith and Williams

Senate File 2172

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and Koelker

Senate File 2173

JUDICIARY: Shipley, Chair; Kinney and Rowley

SSB 3093

COMMERCE: Schultz, Chair; Brown and Petersen

SSB 3094

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Jochum and Rowley

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: *SENATE FILE 2174 (SSB 3077), a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2174, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 339, a bill for an act relating to the employment of unauthorized aliens and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2178 (SSB 3027), a bill for an act relating to the modification and extension of a no-contact order.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 1: Bisignano. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2179 (SSB 3011), a bill for an act relating to penalties for the manufacture, delivery, or possession with the intent to manufacture or deliver heroin.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Boulton, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 2: Bolkcom and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2183 (SSB 3010), a bill for an act relating to antisemitism in the state of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2183, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2185 (SSB 3015), a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 2176 (SSB 3041), a bill for an act relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Rozenboom, Shipley, and J. Taylor. Nays, none. Excused, 1: Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2177 (SSB 3040), a bill for an act relating to matters under the purview of the department of natural resources, including administration, dams and spillways, personal flotation devices, and operating a motorboat or sailboat while intoxicated, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Rozenboom, Shipley, and J. Taylor. Nays, none. Excused, 1: Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE JOINT RESOLUTION 15, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 409, a bill for an act relating to filing complaints with the Iowa public information board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2022, a bill for an act relating to the practice of cosmetology and barbering in a home.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: SENATE FILE 2175 (formerly SF 2050), a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Lofgren, Reichman, Giddens, Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 3, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Waylon Brown, member of the Senate from Mitchell County, Osage, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Wednesday, February 2, 2022, was approved.

BILL REFERRED TO COMMITTEE

President Chapman announced that **Senate File 2175** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:11 a.m. until 9:00 a.m., Monday, February 7, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received February 3, 2022.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, February 2, 2022, 1:00 p.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Bisignano, Brown, Goodwin, Johnson, Klimesh, Lykam, Mathis, Petersen, Quirmbach, Sinclair, R. Smith, and Williams.

Members Absent: Chapman and Nunn (both excused).

Committee Business: SSB 3030, SSB 3057, SSB 3058.

Adjourned: 2:00 p.m.

EDUCATION

Convened: Wednesday, February 2, 2022, 3:00 p.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: None.

Committee Business: Discussed SF 168, SSB 3033, SSB 3067.

Adjourned: 3:45 p.m.

ALSO:

Convened: Thursday, February 3, 2022, 11:05 a.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: None.

Committee Business: Discussed SSB 3079 and SSB 3090.

Adjourned: 12:05 p.m.

WAYS AND MEANS

Convened: Thursday, February 3, 2022, 10:00 a.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun.

Members Absent: None.

Committee Business: SSB 3074 – Dawson.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 2186, by T. Taylor, a bill for an act relating to public employee collective bargaining concerning the designation of public safety officers and providing for retention and recertification elections.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2187, by Sweeney, a bill for an act relating to the information required on an application for a driver's license or nonoperator's identification card.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2188, by committee on Commerce, a bill for an act eliminating specific requirements relating to no smoking signs or symbols.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2189, by committee on Commerce, a bill for an act relating to public utility access to public road rights-of-way.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2190, by committee on Labor and Business Relations, a bill for an act relating to the use of child labor for certain bakery machine occupations utilizing pizza dough rollers.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2191, by committee on State Government, a bill for an act relating to authorized uses of interest earned on funds in the flood recovery fund and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2192, by committee on State Government, a bill for an act concerning state agency response to a proclamation of disaster emergency.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2193, by committee on State Government, a bill for an act relating to cognitive screenings by audiologists and speech pathologists.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2194, by committee on Commerce, a bill for an act relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2195, by committee on Education, a bill for an act establishing the mental health professional loan repayment program within the college student aid commission.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2196, by committee on State Government, a bill for an act relating to fees charged to employees by employers for copies of personnel files.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2197, by committee on Education, a bill for an act providing for the establishment of a task force related to special education support for students at nonpublic schools.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2198, by Chapman, a bill for an act relating to the prohibition of certain specified materials in schools and school libraries and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2199, by Trone Garriott, a bill for an act relating to funding sources for preschool programs and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2200, by Trone Garriott, a bill for an act relating to the composition of the boards of directors of school districts by including nonvoting student members.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2201, by Trone Garriott, a bill for an act relating to the statewide preschool program by modifying provisions relating to eligibility, funding, and compulsory attendance and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2202, by committee on Education, a bill for an act relating to education, including eligibility for grants under the teach Iowa scholar program, licenses issued by the board of educational examiners, and the use of revenues from the district management levy, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2203, by Goodwin, a bill for an act relating to meetings of the boards of directors of school districts and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

STUDY BILLS RECEIVED

SSB 3095 Agriculture

Providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable.

SSB 3096 Labor and Business Relations

Relating to unemployment benefits and including effective date provisions.

SSB 3097 Labor and Business Relations

Concerning restrictions on workforce advertising by state agencies.

SSB 3098 Appropriations

Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

SSB 3099 Appropriations

Relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and providing for other properly related matters.

SSB 3100 Transportation

Prohibiting parking meter fees if snow is blocking the parking meter.

SSB 3101 Transportation

Relating to motor vehicle body damage repairs performed under a motor vehicle insurance policy and deceptive acts or practices by motor vehicle insurers.

SSB 3102 Human Resources

Relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2170**
(Reassigned)

LOCAL GOVERNMENT: Garrett, Chair; Hogg and Williams

Senate File 2180

TRANSPORTATION: Zumbach, Chair; Rozenboom and J. Smith

Senate File 2181

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Sweeney and Trone Garriott

Senate File 2182

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Boulton and Cournoyer

SSB 3095

AGRICULTURE: Driscoll, Chair; Kinney and Shipley

SSB 3096

LABOR AND BUSINESS RELATIONS: Dickey, Chair; Boulton and Schultz

SSB 3097

LABOR AND BUSINESS RELATIONS: J. Taylor, Chair; Dickey and Dotzler

SSB 3098

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 3099

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 3100

TRANSPORTATION: Brown, Chair; Bisignano and Rozenboom

SSB 3101

TRANSPORTATION: Klimesh, Chair; Lykam and Rozenboom

SSB 3102

HUMAN RESOURCES: Edler, Chair; Costello and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE 2188 (SSB 3030), a bill for an act eliminating specific requirements relating to no smoking signs or symbols.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Schultz, Koelker, Giddens, Bisignano, Brown, Goodwin, Johnson, Klimesh, Lykam, Sinclair, R. Smith, and Williams. Nays, 3: Mathis, Petersen, and Quirmbach. Excused, 2: Chapman and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE 2189 (SSB 3057), a bill for an act relating to public utility access to public road rights-of-way.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Yeas, 15: Schultz, Koelker, Giddens, Bisignano, Brown, Goodwin, Johnson, Klimesh, Lykam, Mathis, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 2: Chapman and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE 2194 (SSB 3058), a bill for an act relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Giddens, Bisignano, Brown, Goodwin, Johnson, Klimesh, Lykam, Mathis, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 2: Chapman and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2194, and they were attached to the committee report.

EDUCATION

Bill Title: SENATE FILE 2195 (SSB 3003), a bill for an act establishing the mental health professional loan repayment program within the college student aid commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, Carlin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2197 (formerly SF 168), a bill for an act providing for the establishment of a task force related to special education support for students at nonpublic schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, Carlin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2197, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2202 (SSB 3067), a bill for an act relating to education, including eligibility for grants under the teach Iowa scholar program, licenses issued by the board of educational examiners, and the use of revenues from the district management levy, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, Carlin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2202, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 2190 (SSB 3072), a bill for an act relating to the use of child labor for certain bakery machine occupations utilizing pizza dough rollers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Labor and Business Relations Committee on Senate File 2190, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2191 (SSB 3007), a bill for an act relating to authorized uses of interest earned on funds in the flood recovery fund and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2192 (SSB 3029), a bill for an act concerning state agency response to a proclamation of disaster emergency.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2192, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2193 (formerly SF 2015), a bill for an act relating to cognitive screenings by audiologists and speech pathologists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2193, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2196 (formerly SF 355), a bill for an act relating to fees charged to employers by employees for copies of personnel files.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2196, and they were attached to the committee report.

SPONSOR ADDED

Senate File 2184 — Kinney of Johnson

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 7, 2022

The Senate met in regular session at 9:00 a.m., President Chapman presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Jake Chapman, President of the Senate from Dallas County, Adel, Iowa.

The Journal of Thursday, February 3, 2022, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 2022, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2128, a bill for an act relating to renewable fuels, including ethanol blended gasoline and biodiesel blended fuel used to power internal combustion engines, by providing for compliance requirements and promotional initiatives that relate to establishing classifications and standards for renewable fuels, advertising and selling renewable fuels, storing and dispensing renewable fuels, using state motor vehicles powered by renewable fuels, and taxes, tax credits, and tax refunds relating to renewable fuels; providing penalties and making penalties applicable; and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Agriculture**.

BILLS REFERRED TO COMMITTEE

President Chapman announced that **Senate File 2202** was referred from the Regular Calendar to the committee on **Ways and Means**; and **Senate File 2204** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:03 a.m. until 10:00 a.m., Tuesday, February 8, 2022.

APPENDIX

INTRODUCTION OF BILLS

Senate File 2204, by committee on Education, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2205, by committee on Education, a bill for an act relating to the rights of students enrolled in school districts or charter schools and the rights of parents and guardians of those students.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2206, by committee on Ways and Means, a bill for an act relating to state and local revenue and finances by modifying sales and use taxes, individual and corporate income taxes, the franchise tax, the insurance premiums tax, the equipment tax, the automobile rental excise tax, the water service tax, and local option taxes, crediting moneys to the natural resources and outdoor recreation trust fund, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILLS RECEIVED**SSB 3103 Education**

Relating to supplemental aid and modified supplemental amounts for certain school districts relating to open enrollment and including effective date and applicability provisions.

SSB 3104 Education

Relating to entities supported in whole or in part by public moneys, including the sale of public bonds, the duties and responsibilities of school boards, school districts, the department of education, the board of educational examiners, and accredited nonpublic schools, and the membership of county conference boards.

SSB 3105 Human Resources

Relating to the application of the certificate of need process only to nursing facilities.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2010**
(Reassigned)

HUMAN RESOURCES: Green, Chair; Bolkcom and Rowley

SSB 3103

EDUCATION: Goodwin, Chair; Rozenboom and Trone Garriott

SSB 3104

EDUCATION: Cournoyer, Chair; J. Smith and J. Taylor

SSB 3105

HUMAN RESOURCES: Edler, Chair; Costello and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 2204 (SSB 3090), a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, J. Taylor, Carlin, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 5: Quirmbach, Celsi, Giddens, J. Smith, and Trone Garriott. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2204, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2205 (SSB 3079), a bill for an act relating to the rights of students enrolled in school districts or charter schools and the rights of parents and guardians of those students.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2205, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: *SENATE FILE 2206 (SSB 3074), a bill for an act relating to state and local revenue and finances by modifying sales and use taxes, individual and corporate income taxes, the franchise tax, the insurance premiums tax, the equipment tax, the automobile rental excise tax, the water service tax, and local option taxes, crediting moneys to the natural resources and outdoor recreation trust fund, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dawson, Goodwin, Brown, Dickey, Green, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, 6: Jochum, Bolkcom, Dotzler, Petersen, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2206, and they were attached to the committee report.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 8, 2022

The Senate met in regular session at 10:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Annette Sweeney, member of the Senate from Hardin County, Alden, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Monday, February 7, 2022, was approved.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 10:06 a.m. until 9:00 a.m., Wednesday, February 9, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Quarterly Financial Report, pursuant to 2021 Iowa Acts, Chapter 170, section 10. Report received on February 7, 2022.

TREASURER OF STATE

Tobacco Settlement Authority Annual Report, pursuant to Iowa Code section 12E.15.
Report received on February 7, 2022.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Tuesday, February 8, 2022, 11:00 a.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Klimesh, Koelker, Mathis, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

Members Absent: Johnson (excused).

Committee Business: SF 2204.

Adjourned: 11:45 a.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 8, 2022, 10:30 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Jochum, Ragan, Sinclair, R. Smith, Zaun, and Zumbach.

Members Absent: Brown (excused).

Committee Business: Call to order Approval of Minutes Approval of Final Personnel Report for 89th GA Section 17 Amendments Assign Interim Governor Appointments
Adjourn

Adjourned: 10:35 a.m.

TRANSPORTATION

Convened: Tuesday, February 8, 2022, 12:30 p.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach.

Members Absent: None.

Committee Business: SF 2070 and SSB 3045

Adjourned: 12:50 p.m.

INTRODUCTION OF BILLS

Senate File 2207, by Nunn, a bill for an act prohibiting the state and political subdivisions of the state from expending public moneys for payment to persons responsible for ransomware attacks.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2208, by Nunn, a bill for an act relating to consumer data protection, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2209, by Reichman, a bill for an act relating to the practice of barbering and cosmetology arts and sciences and providing transition provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2210, by Edler, a bill for an act relating to health care employment agencies, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2211, by Cournoyer, a bill for an act relating to homeownership by creating the home loan program fund and the housing renewal program fund within the Iowa finance authority and amending qualifications for individual development accounts, and making appropriations and transfers.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2212, by Green, a bill for an act relating to chiropractic treatment for animals by persons licensed to practice chiropractic.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2213, by Koelker, a bill for an act relating to the delivery of restaurant food pursuant to a third-party food delivery service.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2214, by Edler, a bill for an act establishing a therapeutic foster care services study committee.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2215, by Dickey, a bill for an act relating to the administration of the habitat and public access program and establishing an annual payment under the program.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2216, by Edler, a bill for an act relating to the establishment of state intensive psychiatric units at the state mental health institutes.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2217, by Sweeney, a bill for an act relating to requirements for veteran special registration plates.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 2218, by Petersen, a bill for an act relating to sexual abuse evidence collection kits.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2219, by Dickey, a bill for an act relating to the transferability of free deer hunting licenses for use on farm units.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 2220, by Cournoyer, a bill for an act relating to sales of native distilled spirits by a native distillery.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2221, by Trone Garriott, a bill for an act relating to school district class size and student performance, making appropriations, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2222, by Edler, a bill for an act relating to the juvenile detention home fund.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 2223, by Cournoyer, a bill for an act relating to disciplinary proceedings under civil service.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 2224, by Nunn, a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing civil penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2225, by T. Taylor, a bill for an act relating to the possession of marijuana, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2226, by Chapman, a bill for an act relating to criminal law including the disclosure of a defendant's privileged records in a criminal action, permanent no-contact orders, penalties for domestic abuse assault, limitations on criminal actions involving certain sexual offenses, criminal sentencing and corrections, parole and work release, crime victim rights, discovery in criminal actions, postconviction relief procedure, and certain reporting requirements, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 2227, by Koelker, a bill for an act relating to certain emergency services provided by a city.

Read first time under Rule 28 and referred to committee on **Local Government**.

STUDY BILLS RECEIVED

SSB 3106 Transportation

Relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight.

SSB 3107 Transportation

Relating to motor vehicle speed, including by increasing the speed limit on certain roads and increasing fines for excessive speed in road work zones, and making penalties applicable.

SSB 3108 Transportation

Relating to special minor's driver's licenses, including applications certified by the department of transportation and authorized use by students who receive competent private instruction or independent private instruction, and making penalties applicable.

SSB 3109 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

SSB 3110 Judiciary

Relating to nonsubstantive Code corrections, and including retroactive applicability provisions.

SSB 3111 Judiciary

Relating to trusts, including optional notices to creditors when a will has been admitted to probate without administration and the trust is the beneficiary of the estate, trust accounting, specific powers of a trustee, and representation of holders of power and similar interests.

SSB 3112 Judiciary

Relating to the administration of medical cannabidiol by educational institutions and long-term care facilities.

SSB 3113 State Government

Relating to utility service cost disclosures in connection with certain rental properties, providing civil penalties, and including effective date provisions.

SSB 3114 State Government

Relating to professional licensing boards, including requirements related to the submission of official transcripts or diplomas.

SSB 3115 State Government

Relating to the designation of real estate teams and the display of real estate licenses.

SSB 3116 Human Resources

Increasing the amount of cash reserves mental health and disability services regions may have before affecting quarterly payment amounts and incentive fund eligibility.

SSB 3117 Local Government

Relating to required considerations by a county compensation board.

SSB 3118 Local Government

Relating to electronic meetings of governmental bodies.

SSB 3119 Local Government

Regarding electronic submission of bids for public improvement contracts.

SSB 3120 Local Government

Relating to certain deadlines relating to the informal review and protest of property assessments in counties declared to be a disaster area.

SSB 3121 Local Government

Relating to the authority of a county treasurer to postpone or cancel an annual tax sale.

SSB 3122 Human Resources

Relating to the newborn screening.

SSB 3123 State Government

Relating to various matters under the purview of the state, including city and county zoning, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and the state building code, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2169**
(Reassigned)

HUMAN RESOURCES: Sweeney, Chair; Costello and Ragan

Senate File 2184

JUDICIARY: Johnson, Chair; Bisignano and J. Taylor

Senate File 2199

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2200

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2201

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

Senate File 2203

EDUCATION: Goodwin, Chair; J. Smith and Zaun

Senate File 2221

EDUCATION: Sinclair, Chair; Rozenboom and Trone Garriott

House File 2128

AGRICULTURE: Zumbach, Chair; Costello and Ragan

SSB 3028
(Reassigned)

STATE GOVERNMENT: Reichman, Chair; Bisignano and R. Smith

SSB 3106

TRANSPORTATION: Zumbach, Chair; Shipley and T. Taylor

SSB 3107

TRANSPORTATION: Klimesh, Chair; Bisignano and Koelker

SSB 3108

TRANSPORTATION: Brown, Chair; Koelker and J. Smith

SSB 3109

JUDICIARY: Zaun, Chair; Bolkcom and Dawson

SSB 3110

JUDICIARY: Zaun, Chair; Bolkcom and Dawson

SSB 3111

JUDICIARY: J. Taylor, Chair; Boulton and Reichman

SSB 3112

JUDICIARY: Zaun, Chair; Bolkcom and Sinclair

SSB 3113

STATE GOVERNMENT: R. Smith, Chair; Boulton and Johnson

SSB 3114

STATE GOVERNMENT: Koelker, Chair; Brown and Celsi

SSB 3115

STATE GOVERNMENT: R. Smith, Chair; Dawson and Giddens

SSB 3116

HUMAN RESOURCES: Edler, Chair; Bolkcom and Costello

SSB 3117

LOCAL GOVERNMENT: Shipley, Chair; Klimesh and J. Smith

SSB 3118

LOCAL GOVERNMENT: Williams, Chair; Lofgren and T. Taylor

SSB 3119

LOCAL GOVERNMENT: Klimesh, Chair; Driscoll and Quirmbach

SSB 3120

LOCAL GOVERNMENT: Lofgren, Chair; Guth and Hogg

SSB 3121

LOCAL GOVERNMENT: Driscoll, Chair; Garrett and T. Taylor

SSB 3122

HUMAN RESOURCES: Costello, Chair; Green and Trone Garriott

SSB 3123

STATE GOVERNMENT: Brown, Chair; Boulton and R. Smith

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 2204, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 8: Bolkcom, Celsi, Dotzler, Mathis, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 1: Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 6, duly adopted during the 89th General Assembly, the Committee on Rules and Administration submits the following increases, reclassifications and the effective dates of Senate employees:

Assistant Secretary of of the Senate I	Michelle Bauer	Step 6 to Step 7 Effective 7/9
Administrative Services Officer II	Jennifer Beminio	Step 5 to Step 6 Effective 7/9
Research Analyst II	Bob Bird	Step 5 to Step 6 Effective 7/9
Confidential Secretary to Leader	Christina Bettini	Resigned Effective 10/28
Executive Secretary to Leader	Cassie Bond	Grade 24 Step 4 Effective 12/20
Research Analyst II	Laura Book	Grade 32 Step 2 Effective 11/12
Sr. Research Analyst	Josh Bronsink	Step 5 to Step 6 Effective 7/9
Sr. Finance Officer III	Lois Brownell	Effective 6/24 Resigned
Research Analyst I Research Analyst II	Jillian Carlson	Grade 29 Step 2 to Grade 32 Step 2 Effective 7/9
Admin. Assistant to President II	Jennifer Chapman	Resigned Effective 12/23
Administrative Services Officer III	Angela Cox	Step 5 to Step 6 Effective 7/9
Administrative Services Officer I	Samantha Dickson	Step 5 to Step 6 Effective 12/24
Sr. Research Analyst	Cathy Engel	Effective 6/10 Resigned
Research Analyst I	Zachary Engstrom	Grade 29 Step 1 Effective 10/25
Sr. Research Analyst	Sue Foecke	Step 7 to Step 8 Effective 7/9

Admin. Assistant to President II	Kimberly Gleason	Grade 32 Step 4 Effective 1/7
Sr. Admin Assistant to President I	Jake Heard	Step 3 to Step 4 Effective 7/9
Sr. Caucus Staff Director	Gannon Hendrick	Step 6 to Step 7 Effective 7/9
Research Analyst to Research Analyst I	Dylan Keller	Grade 27 Step 3 to Grade 29 Step 3
Research Analyst II	Jace Mikels	Step 6 to Step 8 Effective 7/9
Sergeant-at-Arms to Admin Services Assistant	Samuel Sampson	Grade 17 Step 3 to Grade 20 Step 1 Effective 11/22
Research Analyst	Megan Schlesky	Step 4 to Step 5 Effective 7/9
Administrative Services Officer III	Maureen Taylor	Step 5 to Step 6 Effective 7/9
Admin. Services Assistant to Admin. Services Officer	Caroline Warmuth	Grade 20 Step 1 to Grade 23 Step 1 Effective 7/9
Research Analyst I to Research Analyst II	Larissa Wurm-Skipworth	Grade 29 Step 6 to Grade 32 Step 4 Effective 7/9

JACK WHITVER, Chair

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ADMINISTRATIVE SERVICES, DIRECTOR OF THE DEPARTMENT OF (Sec. 8A.102)
Adam Steen, Pleasant Hill 01/11/2021 – Pleasure of the Governor

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)
Wendell Talley, Dubuque 12/08/2021 – 04/30/2025

AGING, COMMISSION ON (Sec. 231.11)		
Joel Wulf, Urbandale		12/08/2021 – 04/30/2025
ATHLETIC TRAINING, BOARD OF (Sec. 147.14(1)(R))		
Erica Boer, Pella		09/09/2021 – 04/30/2024
BARBERING, BOARD OF (Sec. 147.14(1)(A))		
Rebecca Brockmann, Hartley		06/30/2021 – 04/30/2024
BEHAVIORAL SCIENCE, BOARD OF (Sec. 147.14(1)(M))		
Kevin Allemagne, Johnston		09/09/2021 – 04/30/2024
Cody Samec, Des Moines		09/01/2021 – 04/30/2024
Mary Wink, Urbandale		09/13/2021 – 04/30/2024
CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD (Sec. 225C.51(2))		
Darci Alt, Newhall		06/28/2021 – 04/30/2025
Melanie Cleveringa, Sioux Center		06/28/2021 – 04/30/2025
Scott Hobart, Davenport		06/28/2021 – 04/30/2025
Carol Meade, Newhall		06/28/2021 – 04/30/2025
CHIROPRACTIC, BOARD OF (Sec. 147.14(1)(H))		
Kirby Connell, Altoona		09/24/2021 – 04/30/2024
CIVIL RIGHTS COMMISSION, DIRECTOR OF THE IOWA STATE (Sec. 216.3(3))		
Stanley Thompson, Clive		01/10/2022 – Pleasure of the Governor
CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3(1))		
Gina Battani, Grimes		09/07/2021 – 04/30/2023
COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A)		
Nicole Conrad, Fort Dodge		09/07/2021 – 04/30/2024
CREDIT UNION REVIEW BOARD (Sec. 533.107(2))		
Bobbi Terrell, Ottumwa		09/07/2021 – 04/30/2024
DEAF SERVICES, COMMISSION OF (Sec. 216A.113)		
Brian Gongol, West Des Moines		08/18/2021 – 04/30/2025
Telina McKenna-Quintana, Waterloo		09/13/2021 – 04/30/2025
DIETETICS, BOARD OF (Sec. 147.14(1)(K))		
Janet Rydberg, West Des Moines		08/11/2021 – 04/30/2024
DISABILITIES, COMMISSION OF PERSONS WITH (Sec. 216A.74)		
Timothy Dowie, Urbandale		09/07/2021 – 04/30/2024
Adam Koch, Grimes		12/08/2021 – 04/30/2022
DRUG POLICY ADVISORY COUNCIL (Sec. 80E.2(2))		
Brenna Bird, Dexter		09/07/2021 – 04/30/2025
Patrick Coughlin, Des Moines		09/09/2021 – 04/30/2023
ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105(2))		
Samuel Eathington, Johnston		12/08/2021 – 04/30/2025

EDUCATION, STATE BOARD OF (Sec. 256.3)

Rodney Bradley, Denison

07/01/2021 – 04/30/2024

EDUCATIONAL EXAMINERS, EXECUTIVE DIRECTOR OF THE BOARD OF (Sec. 272.5(2))

Michael Cavin, Urbandale

08/16/2021 – Pleasure of the Governor

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3(2))

Pamela Bleam, Rockwell City

08/26/2021 – 04/30/2025

ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Sara Fasching, Ottumwa

06/28/2021 – 04/30/2022

Tim Gerald, Des Moines

08/12/2021 – 04/30/2024

Luke Maloney, Marion

06/28/2021 – 04/30/2024

Dan Wood, Des Moines

09/08/2021 – Pleasure of the Governor

ELEVATOR SAFETY BOARD (Sec. 89A.13(2))

Candace Biddle, Des Moines

08/12/2021 – 04/30/2022

Kelly Still, Des Moines

08/11/2021 – 04/30/2025

ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

James Sweeney, Alden

09/24/2021 – 04/30/2023

FLOOD MITIGATION BOARD (Sec. 418.5(3))

Jodi Freet, Tipton

09/07/2021 – 04/30/2024

GREAT PLACES BOARD, IOWA (Sec. 303.3C(2)(B))

Aaron Burnett, Mason City

08/12/2021 – 04/30/2024

Danna Kehm, Council Bluffs

08/26/2021 – 04/30/2024

Angel Wallace, Sioux City

08/12/2021 – 04/30/2024

HEALTH FACILITIES COUNCIL (Sec. 135.62(2)(B))

Kelly Blackford, Marion

07/20/2021 – 04/30/2025

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5(2))

Mary Scieszinski, West Des Moines

08/11/2021 – 04/30/2023

Michael Stopulos, Bettendorf

09/16/2021 – 04/30/2023

HUMAN SERVICES, COUNCIL ON (Sec. 217.2)

Eldora (Kay) Fisk, Mt. Vernon

08/18/2021 – 04/30/2023

Monika Jindal, Tiffin

08/18/2021 – 04/30/2025

Skylar Mayberry-Mayes, Des Moines

08/26/2021 – 04/30/2027

Samuel Wallace, Des Moines

08/26/2021 – 04/30/2027

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, INVESTMENT BOARD OF THE (Sec. 97B.8A(4)(2)(D))

William Bemis, Waukee

09/07/2021 – 04/30/2027

JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.1)

William (Bill) Anderson II, Cherokee

09/03/2021 – 04/30/2026

JUSTICE ADVISORY BOARD (Sec. 216A.132(1)(A))		
Maria Valdez Guerrero, West Des Moines	12/08/2021 – 04/30/2023	
LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)		
Jose Ayala, Williamsburg	09/27/2021 – 04/30/2022	
Juan Himar Hernandez, Ottumwa	12/08/2021 – 04/30/2022	
MEDICINE, BOARD OF (Sec. 147.14(1)(B))		
Patricia Fasbender, Des Moines	08/11/2021 – 04/30/2024	
Dalton Hayes, Des Moines	09/07/2021 – 04/30/2024	
Chad Stadsvold, Sioux City	08/11/2021 – 04/30/2023	
MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5)		
Sarah Berndt, Mount Pleasant	07/01/2021 – 04/30/2024	
Donald Kass, Remsen	07/01/2021 – 04/30/2024	
June Klein-Bacon, Waterloo	07/01/2021 – 04/30/2023	
Jeffrey Sorensen, Muscatine	07/01/2021 – 04/30/2023	
Richard Whitaker, Jr., Davenport	07/01/2021 – 04/30/2024	
Russell Wood, Hampton	07/01/2021 – 04/30/2024	
NATIVE AMERICAN AFFAIRS, COMMISSION OF (Sec. 216A.162)		
Taylor Beyal, Iowa City	12/08/2021 – 04/30/2025	
Patrick Bigsby, Coralville	08/16/2021 – 04/30/2025	
Calvin Harlan, Sioux City	08/31/2021 – 04/30/2023	
T. JoAn Schlotman, Sioux City	08/26/2021 – 04/30/2025	
NATURAL RESOURCE COMMISSION (Sec. 455A.5)		
Tammi Kircher, Keokuk	07/01/2021 – 04/30/2027	
NURSING, BOARD OF (Sec. 147.14(1)(C))		
Ryan Stuck, Jewell	12/08/2021 – 04/30/2023	
NURSING HOME ADMINISTRATORS, BOARD OF (Sec. 147.14(1)(W))		
Karen Bentzen, Sioux Center	12/08/2021 – 04/30/2024	
Cindy Dozark, Denison	08/18/2021 – 04/30/2024	
Theresa Nielsen, Camanche	08/18/2021 – 04/30/2024	
Billy Meyers, Lamoni	12/08/2021 – 04/30/2024	
OPTOMETRY, BOARD OF (Sec. 147.14(1)(F))		
Brian Kirschling, Iowa City	12/08/2021 – 04/30/2023	
PAROLE, CHAIRPERSON OF THE BOARD OF (Sec. 904A.3)		
Andrew Boettger, Des Moines	07/16/2021 – Pleasure of the Governor	
PAROLE, BOARD OF (Sec. 904A.3)		
Meredith Lamberti, Ankeny	11/01/2021 – 04/30/2022	
PAROLE - ALTERNATE, BOARD OF (Sec. 904A.3)		
Carolyn Schulte, Urbandale	09/09/2021 – 04/30/2025	

PHARMACY, BOARD OF (Sec. 147.14(1)(E))

James Mennen, Coralville 06/29/2021 – 04/30/2024

PLUMBING AND MECHANICAL SYSTEMS BOARD (Sec. 105.3(3))Curt Baker, Indianola 08/11/2021 – 04/30/2023
Toni Knight, Ankeny 08/18/2021 – 04/30/2024**PODIATRY, BOARD OF (Sec. 147.14(1)(S))**Andrew Steele, Waterloo 09/07/2021 – 04/30/2024
Kelsey Sukovaty Cain, Marshalltown 09/07/2021 – 04/30/2022**PUBLIC EMPLOYMENT RELATIONS BOARD, CHAIR & MEMBER OF THE (Sec. 20.5(1)(C))**

Erik Helland, Des Moines 07/16/2021 – 04/30/2022

PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5(1)(A))

Jane Dufoe, Center Point 10/01/2021 – 04/30/2024

RACING AND GAMING COMMISSION, STATE (Sec. 99D.5)

Amy Burkhardt, Burlington 12/13/2021 – Pleasure of the Governor

SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Susan Battani, Johnston 08/26/2021 – 04/30/2024

SOIL CONSERVATION AND WATER QUALITY COMMITTEE, STATE (Sec. 161A.4(4)(A))

Judy Loonan, Corning 07/01/2021 – 04/30/2027

SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF (Sec. 147.14(1)(I))Nancy Almasi, Robins 09/24/2021 – 04/30/2024
Caitlin McKenney, West Des Moines 09/24/2021 – 04/30/2024**STATE-FEDERAL RELATIONS, DIRECTOR OF OFFICE FOR (Sec. 7F.1(3))**

Meaghan O'Brien, Des Moines 08/01/2021 – Pleasure of the Governor

TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3(3)(A))

Chad Jensen, Marion 09/24/2021 – 04/30/2024

TRANSPORTATION COMMISSION, STATE (Sec. 307A.1A)

Sally Stutsman, Riverside 07/01/2021 – 06/30/2025

VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

George Mosby, Boone 08/11/2021 – 04/30/2022

VETERANS HOME, COMMANDANT OF THE IOWA (Sec. 35D.13)

Matthew Peterson, Liberty Hill 07/27/2021 – Pleasure of the Governor

WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A(A)(8))Kelly Barrick, Johnston 12/08/2021 – 04/30/2023
Brad Elliott, Mount Ayr 09/27/2021 – 04/30/2025
Mary Landhuis, Clarinda 09/27/2021 – 04/30/2025

Deborah Mauricio, Sioux Center	11/15/2021 – 04/30/2022
Ofelia Rumbo, Lakeside	09/07/2021 – 04/30/2025
Alexander Severn, Urbandale	09/07/2021 – 04/30/2025
Jason Shanks, Ankeny	09/07/2021 – 04/30/2025
Alicia Stafford, Creston	10/13/2021 – 04/30/2025

The appointments were referred to the committee on **Rules and Administration**.

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate:

I am withdrawing the name of Melanie Cleveringa for confirmation as a member of the Children's Behavioral Health System State Board from further consideration by the Senate.

I am withdrawing the name of Kelly Still for confirmation as a member of the Elevator Safety Board from further consideration by the Senate.

I am withdrawing the name of Theresa Nielsen for confirmation as a member of the Board of Nursing Home Administrators from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on February 8, 2022:

AGRICULTURE

Judy Loonan – State Soil Conservation and Water Quality Committee

COMMERCE

Bobbi Terrell – Credit Union Review Board

EDUCATION

Darci Alt – Children’s Behavioral Health System State Board
Scott Hobart – Children’s Behavioral Health System State Board
Carol Meade – Children’s Behavioral Health System State Board

Rodney Bradley – State Board of Education

Michael Cavin – Executive Director of the Board of Educational Examiners

Pamela Bleam – Board of Educational Examiners

Susan Battani – School Budget Review Committee

HUMAN RESOURCES

Joel Wulf – Commission on Aging

Erica Boer – Board of Athletic Training

Kevin Allemagne – Board of Behavioral Science
Cody Samec – Board of Behavioral Science
Mary Wink – Board of Behavioral Science

Timothy Dowie – Commission of Persons with Disabilities
Adam Koch – Commission of Persons with Disabilities

Kelly Blackford – Health Facilities Council

Mary Scieszinski – Healthy and Well Kids in Iowa (HAWK-I) Board
Michael Stopulos – Healthy and Well Kids in Iowa (HAWK-I) Board

Eldora (Kay) Fisk – Council on Human Services
Monika Jindal – Council on Human Services
Skylar Mayberry-Mayes – Council on Human Services
Samuel Wallace – Council on Human Services

Jose Ayala – Commission of Latino Affairs
Juan Himar Hernandez – Commission of Latino Affairs

Sarah Berndt – Mental Health and Disability Services Commission
Donald Kass – Mental Health and Disability Services Commission
June Klein-Bacon – Mental Health and Disability Services Commission
Jeffrey Sorensen – Mental Health and Disability Services Commission
Richard Whitaker, Jr. – Mental Health and Disability Services Commission
Russell Wood – Mental Health and Disability Services Commission

Chad Jensen – Commission on Tobacco Use Prevention and Control

JUDICIARY

Stanley Thompson – Director of the Iowa State Civil Rights Commission

Gina Battani – Iowa State Civil Rights Commission

Brenna Bird – Drug Policy Advisory Council

Patrick Coughlin – Drug Policy Advisory Council

William (Bill) Anderson II – State Judicial Nominating Commission

Maria Valdez Guerrero – Justice Advisory Board

Andrew Boettger – Chairperson of the Board of Parole

Meredith Lamberti – Board of Parole

Carolyn Schulte Parole – Board of Parole, Alternate

LABOR AND BUSINESS RELATIONS

Curt Baker – Plumbing and Mechanical Systems Board

Toni Knight – Plumbing and Mechanical Systems Board

Erik Helland – Public Employment Relations Board, Chair & member of the

Jane Dufoe – Public Employment Relations Board

Kelly Barrick – Iowa Workforce Development Board

Brad Elliott – Iowa Workforce Development Board

Mary Landhuis – Iowa Workforce Development Board

Deborah Mauricio – Iowa Workforce Development Board

Ofelia Rumbo – Iowa Workforce Development Board

Alexander Severn – Iowa Workforce Development Board

Jason Shanks – Iowa Workforce Development Board

Alicia Stafford – Iowa Workforce Development Board

NATURAL RESOURCES AND ENVIRONMENT

Jodi Freet – Flood Mitigation Board

Tammi Kircher – Natural Resource Commission

STATE GOVERNMENT

Adam Steen – Director of the Department of Administrative Services

Wendell Talley – Commission on the Status of African Americans

Rebecca Brockmann – Board of Barbering

Kirby Connell – Board of Chiropractic

Nicole Conrad – Commission on Community Action Agencies

Brian Gongol – Commission of Deaf Services

Telina McKenna-Quintana – Commission of Deaf Services

Janet Rydberg – Board of Dietetics

Sara Fasching – Electrical Examining Board

Tim Gerald – Electrical Examining Board

Luke Maloney – Electrical Examining Board

Dan Wood – Electrical Examining Board

Candace Biddle – Elevator Safety Board

James Sweeney – Engineering and Land Surveying Examining Board

William Bemis – Investment Board of the Iowa Public Employees' Retirement System

Patricia Fasbender – Board of Medicine

Dalton Hayes – Board of Medicine

Chad Stadsvold – Board of Medicine

Taylor Beyal – Commission of Native American Affairs

Patrick Bigsby – Commission of Native American Affairs

Calvin Harlan – Commission of Native American Affairs

T. JoAn Schlotman – Commission of Native American Affairs

Ryan Stuck – Board of Nursing

Karen Bentsen – Board of Nursing Home Administrators

Cindy Dozark – Board of Nursing Home Administrators

Billy Meyers – Board of Nursing Home Administrators

Brian Kirschling – Board of Optometry

James Mennen – Board of Pharmacy

Andrew Steele – Board of Podiatry

Kelsey Sukovaty Cain – Board of Podiatry

Amy Burkhart – State Racing and Gaming Commission

Nancy Almasi – Board of Speech Pathology and Audiology

Caitlin McKenney – Board of Speech Pathology and Audiology

Meaghan O'Brien – Director of Office for State-Federal Relations

TRANSPORTATION

Sally Stutsman – State Transportation Commission

VETERANS AFFAIRS

George Mosby –Commission of Veterans Affairs

Matthew Peterson – Commandant of the Iowa Veterans Home

WAYS AND MEANS

Samuel Eathington – Economic Development Authority

Aaron Burnett – Iowa Great Places Board

Danna Kehm – Iowa Great Places Board

Angel Wallace – Iowa Great Places Board

AMENDMENT FILED

S-5001 S.R. 101 Carrie Koelker

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 9, 2022

The Senate met in regular session at 9:01 a.m., Senator Rozenboom presiding.

Prayer was offered by the Honorable Sarah Trone Garriott, member of the Senate from Dallas County, West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Tuesday, February 8, 2022, was approved.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:10 a.m. until the completion of a meeting of the committee on Natural Resources and Environment.

RECONVENED

The Senate reconvened at 3:52 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Carlin, Dawson, Johnson, and Sinclair, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2197 and 2190.

Senate File 2197

On motion of Senator Cournoyer, **Senate File 2197**, a bill for an act providing for the establishment of a task force related to special education support for students at nonpublic schools, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2197), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whittver	Williams
Zaun	Zumbach		

Nays, none.

Absent, 4:

Carlin	Dawson	Johnson	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2190

On motion of Senator Rowley, **Senate File 2190**, a bill for an act relating to the use of child labor for certain bakery machine occupations utilizing pizza dough rollers, was taken up for consideration.

Senator Rowley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2190), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, 4:

Carlin	Dawson	Johnson	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2190 and 2197** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2130.

Senate File 2130

On motion of Senator J. Taylor, **Senate File 2130**, a bill for an act relating to schools that are required to register with the college student aid commission, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2130), the vote was:

Yeas, 46:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, 4:

Carlin	Dawson	Johnson	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2130** be **immediately messaged** to the House.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 101.

Senate Resolution 101

On motion of Senator Koelker, **Senate Resolution 101**, a resolution relating to the requirements under the Senate Code of Ethics for filing personal financial disclosure forms by senators and candidates for senate, was taken up for consideration.

Senator Koelker offered amendment S-5001, filed by her on February 8, 2022, to page 3 of the bill.

Senator Hogg offered amendment S-5002, filed by him from the floor to page 1 of amendment S-5001, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5002 to amendment S-5001 be adopted?” (S.R. 101), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nay, 28:

Brown	Chapman	Costello	Cournoyer
Dickey	Driscoll	Edler	Garrett
Goodwin	Green	Guth	Klimesh
Koelker	Kraayenbrink	Lofgren	Nunn

Reichman	Rowley	Rozenboom	Schultz
Shipley	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, 4:

Carlin	Dawson	Johnson	Sinclair
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Amendment S-5002 to amendment S-5001 lost.

Senator Koelker moved the adoption of amendment S-5001.

Amendment S-5001 was adopted by a voice vote.

Senator Koelker moved the adoption of Senate Resolution 101, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Brown, the Senate adjourned at 4:27 p.m. until 9:00 a.m., Thursday, February 10, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

JUDICIAL BRANCH

Judicial Nominating Commissioners Elections Results Report, pursuant to Iowa Code section 46.9. Report received on February 9, 2022.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 8, 2022, 3:10 p.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Bisignano, Brown, Chapman, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams.

Members Absent: Goodwin and Johnson (both excused).

Committee Business: SF 2137, SSB 3062, SF 2092, SSB 3056.

Adjourned: 3:25 p.m.

HUMAN RESOURCES

Convened: Wednesday, February 9, 2022, 1:40 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: Johnson (excused).

Committee Business: Consideration and passage of the following bills: SSB 3102, SSB 3105, and SSB 3065.

Adjourned: 2:15 p.m.

JUDICIARY

Convened: Tuesday, February 8, 2022, 3:30 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: Dawson and Johnson (both excused).

Committee Business: SSB 3061, SSB 3020, SSB 3018, SSB 3014, SSB 3017, SCR 101, SF 2103, SSB 3086, SSB 3073, SSB 3026.

Adjourned: 4:45 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 9, 2022, 10:00 a.m.

Members Present: Dickey, Chair; Green, Vice Chair; Boulton, Ranking Member; Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor.

Members Absent: None.

Committee Business: SF 2143; SF 2148 (w/amendments); SSB 3097; SSB 3096.

Adjourned: 11:45 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, February 9, 2022, 2:30 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach.

Members Absent: None.

Committee Business: Iowa Nutrient Reduction Strategy Presentation.

Adjourned: 3:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 102, by committee on Judiciary, a concurrent resolution urging the United States Drug Enforcement Administration to grant an exception to the classification of cannabis under schedule I of the federal Controlled Substances Act in Iowa.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

Senate File 2228, by committee on Transportation, a bill for an act relating to the transfer of ownership of certain foreign vehicles.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2229, by committee on Transportation, a bill for an act relating to the display of a county name on vehicle registration plates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2230, by committee on Agriculture, a bill for an act providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2231, by committee on Commerce, a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2232, by committee on Commerce, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2233, by committee on Commerce, a bill for an act relating to terms used in the context of land surveying.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2234, by committee on Judiciary, a bill for an act relating to the establishment of a cold case investigation unit within the department of public safety.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2235, by committee on Judiciary, a bill for an act relating to excuse from jury service for persons at least seventy-two years of age.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2236, by committee on Judiciary, a bill for an act relating to post-arrest release after an initial appearance for persons taken into custody or arrested for certain sexual abuse offenses and no-contact orders.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2237, by committee on Commerce, a bill for an act relating to financial reporting by insurance holding company systems.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2238, by Zaun, a bill for an act requiring primary elections for the nomination of candidates for city, school district, and merged area elections, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2239, by R. Smith, a bill for an act relating to high school event admission fees for people eighteen years of age or younger, making appropriations, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2240, by committee on Judiciary, a bill for an act relating to wills, including witness requirements for the execution of a will and procedure for wills to be admitted into probate.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2241, by committee on Judiciary, a bill for an act relating to the apportionment of district associate judges.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2242, by committee on Judiciary, a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2243, by Giddens and Dotzler, a bill for an act relating to an experiential learning competitive grant program in the department of education, making an appropriation, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2244, by Giddens, a bill for an act establishing the nonprofit employer recruitment and retention loan repayment program within the college student aid commission and making appropriations.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2245, by committee on Agriculture, a bill for an act providing a personal use exemption from licensing requirements of the Meat and Poultry Inspection Act.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2246, by committee on Judiciary, a bill for an act relating to remote testimony in civil and criminal court proceedings.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2247, by Nunn, a bill for an act relating to the trading and holding of certain securities by members of the general assembly and their spouses and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 2248, by Rowley, a bill for an act relating to the state school foundation program and the calculation of minimum state foundation aid for school districts and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2249, by committee on Labor and Business Relations, a bill for an act relating to unemployment benefits and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2250, by committee on Labor and Business Relations, a bill for an act relating to the carrying, transportation, or possession of firearms on real property comprising a person's place of employment.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2251, by committee on Labor and Business Relations, a bill for an act concerning restrictions on workforce advertising by state agencies.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2252, by Bolkcom, a bill for an act relating to identification markings on firearms and firearm parts, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

STUDY BILLS RECEIVED

SSB 3124 Commerce

Relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company.

SSB 3125 Commerce

Relating to the regulation of specified gas and electric utilities.

SSB 3126 Commerce

Relating to milk and associated products, by providing for certain items relating to milk to be transferred directly by operators of dairy farms, providing for the labeling of unpasteurized and ungraded milk and products, and making penalties applicable.

SSB 3127 Commerce

Relating to communication methods regarding the disposition of unclaimed property and including applicability provisions.

SSB 3128 Commerce

Relating to contract pharmacies and covered entities that participate in the 340B drug program.

SSB 3129 Judiciary

Providing for the award of attorney fees and litigation costs in civil actions to prevailing parties and including effective date and applicability provisions.

SSB 3130 Ways and Means

Relating to the assessment and taxation of wind energy conversion property and including effective date and retroactive applicability provisions.

SSB 3131 Judiciary

Relating to the expungement of certain criminal history records of victims of human trafficking, and including penalties.

SSB 3132 Transportation

Relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests.

SSB 3133 Commerce

Relating to electronic delivery of certain insurance notices and documents.

SSB 3134 Natural Resources and Environment

Relating to the acquisition of real property by county conservation boards and the department of natural resources.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2160**

COMMERCE: Klimesh, Chair; Quirmbach and Williams

Senate File 2175

APPROPRIATIONS: Lofgren, Chair; Dotzler and Reichman

Senate File 2187

TRANSPORTATION: Driscoll, Chair; Giddens and Koelker

Senate File 2198

JUDICIARY: Zaun, Chair; Petersen and Schultz

Senate File 2207

COMMERCE: Nunn, Chair; Quirmbach and Williams

Senate File 2208

COMMERCE: Nunn, Chair; Mathis and Williams

Senate File 2209

STATE GOVERNMENT: Schultz, Chair; Bisignano and Brown

Senate File 2210

HUMAN RESOURCES: Costello, Chair; Edler and Trone Garriott

Senate File 2211

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Johnson

Senate File 2212

STATE GOVERNMENT: Brown, Chair; Giddens and Schultz

Senate File 2213

COMMERCE: Koelker, Chair; Bisignano and Johnson

Senate File 2214

HUMAN RESOURCES: Edler, Chair; Costello and Mathis

Senate File 2216

HUMAN RESOURCES: Edler, Chair; Costello and Jochum

Senate File 2217

VETERANS AFFAIRS: Lofgren, Chair; Dotzler and Green

Senate File 2218

JUDICIARY: Sinclair, Chair; Petersen and Schultz

Senate File 2220

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and Johnson

Senate File 2223

LOCAL GOVERNMENT: Driscoll, Chair; Lofgren and T. Taylor

Senate File 2224

COMMERCE: Nunn, Chair; Lykam and Williams

Senate File 2225

JUDICIARY: Zaun, Chair; Bolkcom and Dawson

Senate File 2226

JUDICIARY: Reichman, Chair; Boulton and Dawson

Senate File 2227

LOCAL GOVERNMENT: Klimesh, Chair; Quirmbach and Williams

Senate File 2238

STATE GOVERNMENT: Schultz, Chair; Cournoyer and Jochum

Senate File 2239

STATE GOVERNMENT: R. Smith, Chair; Boulton and Dawson

Senate File 2247

COMMERCE: Nunn, Chair; Giddens and Koelker

SSB 3124

COMMERCE: Williams, Chair; Koelker and Lykam

SSB 3125

COMMERCE: Williams, Chair; Giddens and Klimesh

SSB 3126

COMMERCE: Schultz, Chair; Bisignano and Sinclair

SSB 3127

COMMERCE: Koelker, Chair; Giddens and Williams

SSB 3128

COMMERCE: Koelker, Chair; Johnson and Petersen

SSB 3129

JUDICIARY: Zaun, Chair; Boulton and Schultz

SSB 3130

WAYS AND MEANS: Brown, Chair; Dawson and Dotzler

SSB 3131

JUDICIARY: Reichman, Chair; Petersen and J. Taylor

SSB 3132

TRANSPORTATION: Brown, Chair; Lykam and Rozenboom

SSB 3133

COMMERCE: Williams, Chair; Giddens and Goodwin

SSB 3134

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Hogg and Shipley

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2110, a bill for an act relating to acreage limitations for the production of hemp, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Costello, Driscoll, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2230 (SSB 3095), a bill for an act providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Costello, Driscoll, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2245 (SSB 3051), a bill for an act providing a personal use exemption from licensing requirements of the Meat and Poultry Inspection Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Costello, Driscoll, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2245, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 2128, a bill for an act relating to renewable fuels, including ethanol blended gasoline and biodiesel blended fuel used to power internal combustion engines, by providing for compliance requirements and promotional initiatives that relate to establishing classifications and standards for renewable fuels, advertising and selling renewable fuels, storing and dispensing renewable fuels, using state motor vehicles powered by renewable fuels, and taxes, tax credits, and tax refunds relating to renewable fuels; providing penalties and making penalties applicable; and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Zumbach, Sweeney, Kinney, Costello, Driscoll, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: SENATE FILE 2231 (formerly SF 2092), a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 2: Goodwin and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2232 (SSB 3056), a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 2: Goodwin and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2233 (formerly SF 2137), a bill for an act relating to terms used in the context of land surveying.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 2: Goodwin and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2237 (SSB 3062), a bill for an act relating to financial reporting by insurance holding company systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 2: Goodwin and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE CONCURRENT RESOLUTION 102 (formerly SCR 101), a concurrent resolution urging the United States Drug Enforcement Administration to grant an exception to the classification of cannabis under schedule I of the federal Controlled Substances Act in Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2234 (formerly SF 2103), a bill for an act relating to the establishment of a cold case investigation unit within the department of public safety.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2235 (SSB 3086), a bill for an act relating to excuse from jury service for persons at least seventy-two years of age.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Zaun, Garrett, Kinney, Bisignano, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 2: Bolkcom and Boulton. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2236 (SSB 3017), a bill for an act relating to post-arrest release after an initial appearance for persons taken into custody or arrested for certain sexual abuse offenses and no-contact orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2240 (SSB 3014), a bill for an act relating to wills, including witness requirements for the execution of a will and procedure for wills to be admitted into probate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2240, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2241 (SSB 3020), a bill for an act relating to the apportionment of district associate judges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2241, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2242 (SSB 3073), a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2242, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2246 (SSB 3061), a bill for an act relating to remote testimony in civil and criminal court proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2246, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: SENATE FILE 2249 (SSB 3096), a bill for an act relating to unemployment benefits and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Dickey, Green, Driscoll, Guth, Rowley, Schultz, and J. Taylor. Nays, 4: Boulton, Dotzler, Jochum, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2250 (formerly SF 2143), a bill for an act relating to the carrying, transportation, or possession of firearms on real property comprising a person's place of employment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Dickey, Green, Driscoll, Guth, Rowley, Schultz, and J. Taylor. Nays, 4: Boulton, Dotzler, Jochum, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2251 (SSB 3097), a bill for an act concerning restrictions on workforce advertising by state agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2228 (formerly SF 2070), a bill for an act relating to the transfer of ownership of certain foreign vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Brown, Dickey, J. Smith, Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2229 (SSB 3045), a bill for an act relating to the display of a county name on vehicle registration plates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Brown, Dickey, J. Smith, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and Zumbach. Nays, 2: Bisignano and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5002 S.R. 101 Robert M. Hogg

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 10, 2022

The Senate met in regular session at 9:03 a.m., President Pro Tempore Zaun presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Wednesday, February 9, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:27 a.m. until 1:00 p.m., Monday, February 14, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA HEALTH INFORMATION NETWORK

Iowa Health Information Network (CyncHealth Iowa) Annual Report, pursuant to Iowa Code section 135D.6. Report received on February 10, 2022.

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Thursday, February 10, 2022, 1:20 p.m.

Members Present: Shipley, Chair; Klimesh, Vice Chair; J. Smith, Ranking Member; Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams.

Members Absent: None.

Committee Business: SF 2099, SF 2096, SF 2156, SF 2156.2923.

Adjourned: 1:45 p.m.

VETERANS AFFAIRS

Convened: Thursday, February 10, 2022, 10:00 a.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Costello, Dotzler, Edler, Green, Mathis, and Ragan.

Members Absent: Carlin and Dawson (both excused).

Committee Business: Committee business.

Adjourned: 10:15 a.m.

INTRODUCTION OF BILLS

Senate File 2253, by committee on Judiciary, a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2254, by committee on Judiciary, a bill for an act relating to paternity in certain actions before the juvenile court.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2255, by committee on Human Resources, a bill for an act relating to the application of the certificate of need process only to nursing facilities.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2256, by committee on Labor and Business Relations, a bill for an act regarding donated leave by state employees.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2257, by committee on Human Resources, a bill for an act relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2258, by Costello, a bill for an act relating to the release of nursing facility reimbursement rates under the Medicaid program.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 2259, by Dickey, a bill for an act relating to damages owed by a person at fault in crashes and collisions involving commercial motor vehicles.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2260, by Dawson, a bill for an act providing for the adoption of certain animals confined by research facilities.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2261, by committee on Veterans Affairs, a bill for an act relating to motor vehicle registration fees for disabled veterans.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2262, by Dickey, a bill for an act relating to the annual registration fee for certain vehicles owned by a volunteer fire fighter.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2263, by committee on State Government, a bill for an act relating to the confirmation by the senate of certain appointees.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2264, by committee on Veterans Affairs, a bill for an act appropriating moneys to the Iowa finance authority for the home ownership assistance program for eligible service members.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2265, by committee on State Government, a bill for an act relating to restrictions regarding companies boycotting Israel.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILL RECEIVED

SSB 3135 Agriculture

Establishing a dairy processing and milk production innovation and revitalization fund and program to be administered by the economic development authority, in consultation with the department of agriculture and land stewardship, and creating a task force to explore the feasibility of establishing an artisanal dairy processing program at a community college or at an institution governed by the state board of regents.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2186

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Driscoll and T. Taylor

SSB 3135

AGRICULTURE: Shipley, Chair; Mathis and Sweeney

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: SENATE FILE 2255 (SSB 3105), a bill for an act relating to the application of the certificate of need process only to nursing facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Green, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2257 (SSB 3102), a bill for an act relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, 1: Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 2253 (SSB 3018), a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2253, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2254 (SSB 3026), a bill for an act relating to paternity in certain actions before the juvenile court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2254, and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 2256 (formerly SF 2148), a bill for an act regarding donated leave by state employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Labor and Business Relations Committee on Senate File 2256, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 573, a bill for an act relating to the frequency of meetings of a committee created to establish the minimum rate to be earned on state funds placed in time deposits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Giddens, Goodwin, Guth, Jochum, Koelker, Reichman, and Schultz. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2060, a bill for an act relating to massage therapy, including child and dependent adult abuse reporting and continuing education requirements, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Giddens, Goodwin, Guth, Jochum, Koelker, Reichman, and Schultz. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2119, a bill for an act relating to cosmetology and the practice of threading.

Recommendation: DO PASS.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Giddens, Goodwin, Guth, Jochum, Koelker, Reichman, and Schultz. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2263 (SSB 3075), a bill for an act relating to the confirmation by the senate of certain appointees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: R. Smith, Cournoyer, Brown, Goodwin, Guth, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2265 (SSB 3089), a bill for an act relating to restrictions regarding companies boycotting Israel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Giddens, Goodwin, Guth, Jochum, Koelker, Reichman, and Schultz. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: SENATE FILE 2261 (SSB 3036), a bill for an act relating to motor vehicle registration fees for disabled veterans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Lofgren, Reichman, Giddens, Costello, Dotzler, Edler, Green, Mathis, and Ragan. Nays, none. Excused, 2: Carlin and Dawson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2264 (SSB 3078), a bill for an act appropriating moneys to the Iowa finance authority for the home ownership assistance program for eligible service members.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Lofgren, Reichman, Giddens, Costello, Dotzler, Edler, Green, Mathis, and Ragan. Nays, none. Excused, 2: Carlin and Dawson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMITTEE CHANGE

Senator Lykam is replacing Senator Kinney on Ethics.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 14, 2022

The Senate met in regular session at 1:00 p.m., President Chapman presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Thursday, February 10, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 10, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2315, a bill for an act establishing a school district funding supplement, making appropriations, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

House File 2316, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions.

Read first time and **attached to similar Senate File 2204**.

The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:28 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Giddens, until he arrives, on request of Senator Wahls; and Senator Nunn, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2204.

Senate File 2204

On motion of Senator Sinclair, **Senate File 2204**, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Sinclair offered amendment S-5003, filed by her from the floor to pages 1, 2, and 6 of the bill, and moved its adoption.

Amendment S-5003 was adopted by a voice vote.

Senator Sinclair asked and received unanimous consent that **House File 2316** be substituted for **Senate File 2204**.

House File 2316

On motion of Senator Sinclair, **House File 2316**, a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2022, modifying provisions relating to the regular program state cost per pupil, modifying provisions relating to the property tax replacement payment and the transportation equity payments, and including effective date provisions, was taken up for consideration.

Senator Celsi offered amendment S-5005, filed by her from the floor to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5005 be adopted?” (H.F. 2316), the vote was:

Yea, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Nay, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Absent, 2:

Giddens Nunn

Amendment S-5005 lost.

Senator Trone Garriott offered amendment S-5006, filed by her from the floor to page 1 and amending the title page of the bill.

Senator Sinclair raised the point of order that amendment S-5006 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5006 out of order.

Senator J. Smith offered amendment S-5008, filed by her from the floor to pages 1 and 6 and amending the title page of the bill.

Senator Sinclair raised the point of order that amendment S-5008 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5008 out of order.

Senator Quirmbach offered amendment S-5004, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5004 be adopted?” (H.F. 2316), the vote was:

Yea, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Nay, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green

Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Absent, 2:

Giddens	Nunn
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Amendment S-5004 lost.

Senator Boulton offered amendment S-5007, filed by him from the floor to page 6 and amending the title page of the bill.

Senator Sinclair raised the point of order that amendment S-5007 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5007 out of order.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2316), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Nays, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 2:

Giddens

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sinclair asked and received unanimous consent that **Senate File 2204** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2316** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 4:02 p.m. until 9:00 a.m., Tuesday, February 15, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral, pursuant to Iowa Code section 12C.20. Report received on February 14, 2022.

ECONOMIC DEVELOPMENT AUTHORITY

Historic Preservation Tax Credit Program Progress Report, pursuant to Iowa Code section 404A.5. Report received on February 10, 2022.

DEPARTMENT OF REVENUE

Corporate Income Tax—Research Activities Credit Report, pursuant to Iowa Code section 422.33. Report received on February 14, 2022.

Economic Development Award—Research Activities Credit Report, pursuant to Iowa Code section 15.335. Report received on February 14, 2022.

Individual Income Tax—Research Activities Credit Report, pursuant to Iowa Code section 422.10. Report received on February 14, 2022.

REPORTS OF COMMITTEE MEETINGS

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Monday, January 31, 2022, 12:00 p.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Klimesh, and Trone Garriott.

Members Absent: None.

Committee Business: Zoom presentations by Mark Mendoza, Pear Therapeutics and John McNamara, Texas Pregnancy Care Network.

Adjourned: 1:00 p.m.

ALSO:

Convened: Monday, February 14, 2022, 11:05 a.m.

Members Present: Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Klimesh, and Trone Garriott.

Members Absent: None.

Committee Business: Presentations by: -Safety Net Rx- John Michael Rosmann, CEO-Iowa Association of Community Providers, Shell Chandler, CEO-CYNC Health, Jamie Bland, CEO, and Timoree Klingler, Government Relations Manager-Iowa Medicaid, Liz Matney, Medicaid Director-Marshalltown Police and Community Team (IMPACT), Chief Michael W Tupper and David Hicks.

Adjourned: 12:55 p.m.

ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE

Convened: Monday, February 14, 2022, 12:10 p.m.

Members Present: Koelker, Chair; Hogg, and Lofgren.

Members Absent: Reichman, Vice Chair; and Dotzler, Ranking Member (both excused).

Committee Business: Presentation by Debi Durham.

Adjourned: 12:40 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2004, by committee on State Government, a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States that impose fiscal restraints, limit the power and jurisdiction of the federal government, and impose term limits on federal officials and members of Congress.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

Senate File 2266, by committee on State Government, a bill for an act concerning compensation and benefits limits, relating to the earnings limitation for retirees under the Iowa public employees' retirement system and compensation limits for school corporation board members, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2267, by committee on Local Government, a bill for an act relating to the establishment of emergency response districts.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2268, by committee on Human Resources, a bill for an act relating to child care center staff ratios, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2269, by committee on Local Government, a bill for an act relating to information to be provided, recorded, and reported by health care providers relative to certain vaccinations, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2270, by Mathis, a bill for an act relating to state aid for juvenile detention homes, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 2271, by Guth, Klimesh, Williams, Dickey, Kraayenbrink, Johnson, J. Taylor, and Schultz, a bill for an act relating to the investment of certain public funds in companies that are owned or controlled by Chinese military or government services.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 2272, by J. Smith, a bill for an act codifying a first home buyer program administered by the Iowa finance authority.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 2273, by J. Smith, a bill for an act relating to the future ready Iowa skilled workforce last-dollar scholarship program, making appropriations, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

STUDY BILLS RECEIVED

SSB 3136 Human Resources

Relating to qualifications for maximum benefit amounts from the state food assistance program.

SSB 3137 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

SSB 3138 Transportation

Authorizing certain motor vehicles to display one registration plate.

SSB 3139 Education

Requiring the department of education to convene a working group to study the feasibility of integrating crossbow instruction into the physical education curriculum and extracurricular programs.

SSB 3140 State Government

Relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions.

SSB 3141 Judiciary

Relating to discrimination and disparate treatment by local entities including law enforcement.

SSB 3142 Judiciary

Relating to the sale of certain consumer products by high-volume third-party sellers using online marketplaces and including effective date provisions.

SSB 3143 State Government

Relating to the conduct of elections, including provisions related to absentee ballots, recounts, and contested gubernatorial elections and impeachments, making penalties applicable, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2202**

WAYS AND MEANS: Sinclair, Chair; Dawson and Quirmbach

Senate File 2215

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Driscoll and Hogg

Senate File 2219

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Lykam and J. Taylor

Senate File 2222

APPROPRIATIONS: Edler, Chair; Costello and Ragan

Senate File 2243

EDUCATION: Sinclair, Chair; Giddens and Rozenboom

Senate File 2244

EDUCATION: Sinclair, Chair; Giddens and Rozenboom

Senate File 2248

EDUCATION: Kraayenbrink, Chair; Quirmbach and J. Taylor

Senate File 2252

JUDICIARY: Schultz, Chair; Bolkcom and Rowley

Senate File 2258

HUMAN RESOURCES: Costello, Chair; Green and Ragan

Senate File 2259

TRANSPORTATION: Dickey, Chair; Klimesh and T. Taylor

Senate File 2260

STATE GOVERNMENT: Dawson, Chair; Bisignano and Schultz

Senate File 2262

TRANSPORTATION: Dickey, Chair; Shipley and J. Smith

SSB 3136

HUMAN RESOURCES: Costello, Chair; Edler and Jochum

SSB 3137

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 3138

TRANSPORTATION: Brown, Chair; Driscoll and Lykam

SSB 3139

EDUCATION: Sweeney, Chair; Celsi and Johnson

SSB 3140

STATE GOVERNMENT: Cournoyer, Chair; Boulton and R. Smith

SSB 3141

JUDICIARY: Dawson, Chair; Kinney and Schultz

SSB 3142

JUDICIARY: J. Taylor, Chair; Bolkcom and Rowley

SSB 3143

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: *SENATE FILE 2268 (SSB 3065), a bill for an act relating to child care center staff ratios, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Green, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2268, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2267 (formerly SF 2099), a bill for an act relating to the establishment of emergency response districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2269 (formerly SF 2156), a bill for an act relating to information to be provided, recorded, and reported by health care providers relative to certain vaccinations, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Shipley, Klimesh, Driscoll, Garrett, Guth, Lofgren, and Williams. Nays, 4: J. Smith, Hogg, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on Senate File 2269, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE JOINT RESOLUTION 2004 (formerly SJR 2002), a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States that impose fiscal restraints, limit the power and jurisdiction of the federal government, and impose term limits on federal officials and members of Congress.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: R. Smith, Cournoyer, Brown, Goodwin, Guth, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate Joint Resolution 2004, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2266 (formerly SF 2166), a bill for an act concerning compensation and benefits limits, relating to the earnings limitation for retirees under the Iowa public employees' retirement system and compensation limits for school corporation board members, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Giddens, Goodwin, Guth, Jochum, Koelker, Reichman, and Schultz. Nays, none. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2266, and they were attached to the committee report.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 14, 2022, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the State Soil Conservation and Water Quality Committee:

Judy Loonan – Sweeney, Chair; Mathis and Shipley

COMMERCE

As a member of the Credit Union Review Board:

Bobbi Terrell – Williams, Chair; Johnson and Petersen

EDUCATION

As members of the Children's Behavioral Health System State Board:

Darci Alt – Sweeney, Chair; Celsi and Johnson

Scott Hobart – Sweeney, Chair; Celsi and Johnson

Carol Meade – Sweeney, Chair; Celsi and Johnson

As a member of the State Board of Education:

Rodney Bradley – J. Taylor, Chair; Quirmbach and Rozenboom

As Executive Director of the Board of Educational Examiners:

Michael Cavin – Sinclair, Chair; Goodwin and Quirmbach

As a member of the Board of Educational Examiners:

Pamela Bleam – Sinclair, Chair; Giddens and Goodwin

As a member of the School Budget Review Committee:

Susan Battani – Cournoyer, Chair; Kraayenbrink and J. Smith

HUMAN RESOURCES

As a member of the Commission on Aging:

Joel Wulf – Johnson, Chair; Green and Trone Garriott

As a member of the Board of Athletic Training:

Erica Boer – Green, Chair; Jochum and Johnson

As members of the Board of Behavioral Science:

Kevin Allemagne – Lofgren, Chair; Costello and Trone Garriott

Cody Samec – Rowley, Chair; Green and Trone Garriott

Mary Wink – Rowley, Chair; Green and Trone Garriott

As members of the Commission of Persons with Disabilities:

Timothy Dowie – Sweeney, Chair; Johnson and Trone Garriott

Adam Koch – Garrett, Chair; Green and Jochum

As a member of the Health Facilities Council:

Kelly Blackford – Costello, Chair; Green and Mathis

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

Mary Scieszinski – Rowley, Chair; Johnson and Trone Garriott

Michael Stopulos – Sweeney, Chair; Green and Jochum

As members of the Council on Human Services:

Eldora (Kay) Fisk – Sweeney, Chair; Jochum and Rowley

Monika Jindal – Costello, Chair; Bolkcom and Johnson

Skylar Mayberry-Mayes – Green, Chair; Ragan and Rowley

Samuel Wallace – Lofgren, Chair; Ragan and Sweeney

As members of the Commission of Latino Affairs:

Jose Ayala – Lofgren, Chair; Bolkcom and Rowley
Juan Himar Hernandez – Green, Chair; Bolkcom and Costello

As members of the Mental Health and Disability Services Commission:

Sarah Berndt – Costello, Chair; Bolkcom and Rowley
Donald Kass – Costello, Chair; Ragan and Sweeney
June Klein-Bacon – Johnson, Chair; Costello and Ragan
Jeffrey Sorensen – Lofgren, Chair; Bolkcom and Green
Richard Whitaker, Jr. – Lofgren, Chair; Jochum and Johnson
Russell Wood – Edler, Chair; Costello and Ragan

As a member of the Commission on Tobacco Use Prevention and Control:

Chad Jensen – Costello, Chair; Johnson and Mathis

JUDICIARY

As Director of the Iowa State Civil Rights Commission:

Stanley Thompson – Zaun, Chair; Boulton and Shipley

As a member of the Iowa State Civil Rights Commission:

Gina Battani – Schultz, Chair; Bisignano and Dawson

As members of the Drug Policy Advisory Council:

Brenna Bird – Zaun, Chair; Bolkcom and Shipley
Patrick Coughlin – J. Taylor, Chair; Bisignano and Reichman

As a member of the State Judicial Nominating Commission:

William (Bill) Anderson II – Zaun, Chair; Garrett and Kinney

As a member of the Justice Advisory Board:

Maria Valdez Guerrero – Johnson, Chair; Garrett and Petersen

As Chairperson of the Board of Parole:

Andrew Boettger – Zaun, Chair; Kinney and J. Taylor

As a member of the Board of Parole:

Meredith Lamberti – Schultz, Chair; Bolkcom and Shipley

As a member of the Board of Parole, Alternate:

Carolyn Schulte Parole – Reichman, Chair; Bolkcom and Rowley

LABOR AND BUSINESS RELATIONS

As members of the Plumbing and Mechanical Systems Board:

Curt Baker – Green, Chair; Jochum and J. Taylor
Toni Knight – Driscoll, Chair; Jochum and Rowley

As Chair and a member of the Public Employment Relations Board:

Erik Helland – Dickey, Chair; Schultz and T. Taylor

As a member of the Public Employment Relations Board:

Jane Dufoe – J. Taylor, Chair; Guth and T. Taylor

As members of the Iowa Workforce Development Board:

Kelly Barrick – Dickey, Chair; Dotzler and Driscoll
Brad Elliott – Guth, Chair; Dotzler and Driscoll
Mary Landhuis – Dickey, Chair; Dotzler and Schultz
Deborah Mauricio – Green, Chair; Dotzler and Guth
Ofelia Rumbo – Schultz, Chair; Dotzler and Guth
Alexander Severn – Schultz, Chair; Dotzler and Rowley
Jason Shanks – Driscoll, Chair; Boulton and J. Taylor
Alicia Stafford – Rowley, Chair; Dotzler and Green

NATURAL RESOURCES AND ENVIRONMENT

As a member of the Flood Mitigation Board:

Jodi Freet – Sweeney, Chair; Hogg and Shipley

As a member of the Natural Resource Commission:

Tammi Kircher – Sweeney, Chair; Celsi and Driscoll

STATE GOVERNMENT

As Director of the Department of Administrative Services:

Adam Steen – R. Smith, Chair; Dawson and Jochum

As a member of the Commission on the Status of African Americans:

Wendell Talley – Koelker, Chair; Bisignano and Cournoyer

As a member of the Board of Barbering:

Rebecca Brockmann – Koelker, Chair; Bisignano and Cournoyer

As a member of the Board of Chiropractic:

Kirby Connell – Koelker, Chair; Bisignano and Cournoyer

As a member of the Commission on Community Action Agencies:

Nicole Conrad – Koelker, Chair; Bisignano and Cournoyer

As members of the Commission of Deaf Services:

Brian Gongol – Koelker, Chair; Bisignano and Cournoyer

Telina McKenna-Quintana – Koelker, Chair; Bisignano and Cournoyer

As a member of the Board of Dietetics:

Janet Rydberg – Koelker, Chair; Bisignano and Cournoyer

As members of the Electrical Examining Board:

Sara Fasching – Reichman, Chair; Giddens and Guth

Tim Gerald – Reichman, Chair; Giddens and Guth

Luke Maloney – Reichman, Chair; Giddens and Guth

Dan Wood – Reichman, Chair; Giddens and Guth

As a member of the Elevator Safety Board:

Candace Biddle – Reichman, Chair; Giddens and Guth

As a member of the Engineering and Land Surveying Examining Board:

James Sweeney – Reichman, Chair; Guth and Jochum

As a member of the Investment Board of the Iowa Public Employees' Retirement System:

William Bemis – Goodwin, Chair; Boulton and Brown

As members of the Board of Medicine:

Patricia Fasbender – Goodwin, Chair; Boulton and Brown

Dalton Hayes – Goodwin, Chair; Boulton and Brown

Chad Stadsvold – Goodwin, Chair; Boulton and Brown

As members of the Commission of Native American Affairs:

Taylor Beyal – Johnson, Chair; Celsi and Schultz

Patrick Bigsby – Johnson, Chair; Celsi and Schultz

Calvin Harlan – Johnson, Chair; Celsi and Schultz

T. JoAn Schlotman – Johnson, Chair; Celsi and Schultz

As a member of the Board of Nursing:

Ryan Stuck – Johnson, Chair; Celsi and Schultz

As members of the Board of Nursing Home Administrators:

Karen Bentsen – Johnson, Chair; Celsi and Schultz

Cindy Dozark – Johnson, Chair; Celsi and Schultz

Billy Meyers – Johnson, Chair; Celsi and Schultz

As a member of the Board of Optometry:

Brian Kirschling – Guth, Chair; Bisignano and Reichman

As a member of the Board of Pharmacy:

James Mennen – Guth, Chair; Bisignano and Reichman

As members of the Board of Podiatry:

Andrew Steele – Guth, Chair; Bisignano and Reichman

Kelsey Sukovaty Cain – Guth, Chair; Bisignano and Reichman

As a member of the State Racing and Gaming Commission:

Amy Burkhart – R. Smith, Chair; Bisignano and Dawson

As members of the Board of Speech Pathology and Audiology:

Nancy Almasi – Cournoyer, Chair; Bisignano and Koelker

Caitlin McKenney – Cournoyer, Chair; Celsi and Koelker

As Director of Office for State-Federal Relations:

Meaghan O'Brien – R. Smith, Celsi and Dawson

TRANSPORTATION

As a member of the State Transportation Commission:

Sally Stutsman – Driscoll, Chair; J. Smith and Zumbach

VETERANS AFFAIRS

As a member of the Commission of Veterans Affairs:

George Mosby – Green, Chair; Dotzler and Lofgren

As Commandant of the Iowa Veterans Home:

Matthew Peterson – Edler, Chair; Giddens and Lofgren

WAYS AND MEANS

As a member of the Economic Development Authority:

Samuel Eathington – Dawson, Chair; Dotzler and Goodwin

As members of the Iowa Great Places Board:

Aaron Burnett – Dawson, Chair; Dotzler and Goodwin

Danna Kehm – Dawson, Chair; Dotzler and Goodwin

Angel Wallace – Dawson, Chair; Dotzler and Goodwin

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Wednesday, February 9, 2022, when the votes were taken on Senate Files 2197, 2190, 2130, and Senate Resolution 101. Had I been present, I would have voted yea on all.

CRAIG JOHNSON

COMMITTEE CHANGE

Senator Kinney is replacing Senator Lykam on Ethics.

AMENDMENTS FILED

S-5003	S.F.	2204	Amy Sinclair
S-5004	H.F.	2316	Herman C. Quirmbach
S-5005	H.F.	2316	Claire A. Celsi
S-5006	H.F.	2316	Sarah Trone Garriott
S-5007	H.F.	2316	Nate Boulton
S-5008	H.F.	2316	Jackie Smith

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 15, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecilia Redman.

The Journal of Monday, February 14, 2022, was approved.

BILLS REFERRED TO COMMITTEE

President Chapman announced that **Senate File 2261** was referred from the Regular Calendar to the committee on **Ways and Means**; and **Senate File 2264** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:19 a.m. until 9:00 a.m., Wednesday, February 16, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT FOR THE BLIND

Blind Recycling Report, pursuant to Iowa Code section 216B.3. Report received on February 15, 2022.

ECONOMIC DEVELOPMENT AUTHORITY

Renewable Chemical Production Tax Credits Report, pursuant to Iowa Code section 15.320. Report received on February 14, 2022.

Targeted Small Business Report, pursuant to Iowa Code section 15.108. Report received on February 14, 2022.

DEPARTMENT OF EDUCATION

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on February 15, 2022.

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Comprehensive Public Safety Answering Point Cost and Expenditure Data, pursuant to Iowa Code section 34A.7A. Report received on February 15, 2022.

LEGISLATIVE SERVICES AGENCY

Urban Renewal Report–Tax Increment Financing (TIF), pursuant to Iowa Code section 331.403. Report received on February 15, 2022.

DEPARTMENT OF TRANSPORTATION

Replacement and Repair of Structurally Deficient Secondary Bridges, pursuant to Iowa Code section 307.32. Report received on February 15, 2022.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 15, 2022, 2:20 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Costello, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls.

Members Absent: Driscoll (excused).

Committee Business: SSB 3135 passed 12 yeas 0 nays, SF 2127 passed 7 yeas 5 nays (Kinney, Ragan, Mathis, J. Smith, and Wahls).

Adjourned: 2:35 p.m.

COMMERCE

Convened: Monday, February 14, 2022, 4:40 p.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Bisignano, Brown, Goodwin, Johnson, Klimesh, Lykam, Mathis, Petersen, Quirmbach, Sinclair, R. Smith, and Williams.

Members Absent: Giddens, Ranking Member; Chapman, and Nunn (all excused).

Committee Business: SSB 3069, SSB 3071, SSB 3088, and SSB 3093.

Adjourned: 5:20 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, February 15, 2022, 11:25 a.m.

Members Present: Dickey, Chair; Green, Vice Chair; Boulton, Ranking Member; Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor.

Members Absent: None.

Committee Business: SF 2051 with amendment SF 2051.3139.

Adjourned: 11:35 a.m.

LOCAL GOVERNMENT

Convened: Tuesday, February 15, 2022, 10:30 a.m.

Members Present: Shipley, Chair; Klimesh, Vice Chair; J. Smith, Ranking Member; Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams.

Members Absent: None.

Committee Business: SSB 3087, SF 2170, SF 2153, SF 2096, SSB 3120, SSB 3119, SF 2227, SF 2223, SSB 3121, and SSB 3117.

Adjourned: 11:10 a.m.

VETERANS AFFAIRS

Convened: Tuesday, February 15, 2022, 1:00 p.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan.

Members Absent: Giddens, Ranking Member (excused).

Committee Business: Committee business.

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2005, by Sweeney, a joint resolution designating the American cream draft horse as the official state horse of the State of Iowa.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 2274, by committee on State Government, a bill for an act relating to the records of the Iowa public broadcasting board.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2275, by committee on Commerce, a bill for an act relating to matters under the purview of the state, including unemployment benefits and civil torts.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2276, by committee on Commerce, a bill for an act relating to direct health care agreements, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2277, by committee on Local Government, a bill for an act relating to certain emergency services provided by a city.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2278, by committee on Local Government, a bill for an act relating to disciplinary proceedings under civil service.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2279, by committee on Local Government, a bill for an act regarding electronic submission of bids for public improvement contracts.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2280, by committee on Local Government, a bill for an act relating to certain deadlines relating to the informal review and protest of property assessments in counties declared to be a disaster area.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2281, by committee on Local Government, a bill for an act relating to the authority of a county treasurer to postpone or cancel an annual tax sale.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2282, by committee on Local Government, a bill for an act providing for the removal of municipal utility board members under specified circumstances and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2283, by committee on Local Government, a bill for an act relating to required considerations by a county compensation board.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2284, by committee on Local Government, a bill for an act prohibiting the burdening of a person's free exercise of religion.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 3144 Human Resources

Relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program.

SSB 3145 Human Resources

Relating to pregnancy support including by creating the more options for maternal support program and expanding Medicaid postpartum coverage and making appropriations.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2001 (Reassigned)

STATE GOVERNMENT: Johnson, Chair; Bisignano and Koelker

Senate File 2224 (Reassigned)

COMMERCE: Nunn, Chair; Lykam and R. Smith

Senate File 2264

APPROPRIATIONS: Costello, Chair; Lofgren and Ragan

Senate File 2271

STATE GOVERNMENT: Guth, Chair; Celsi and Johnson

Senate File 2273

EDUCATION: Sinclair, Chair; Rozenboom and J. Smith

SSB 3144

HUMAN RESOURCES: Edler, Chair; Costello and Trone Garriott

SSB 3145

HUMAN RESOURCES: Costello, Chair; Edler and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 2275 (SSB 3093), a bill for an act relating to matters under the purview of the state, including unemployment benefits and civil torts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Schultz, Koelker, Brown, Goodwin, Johnson, Klimesh, Sinclair, R. Smith, and Williams. Nays, 5: Bisignano, Lykam, Mathis, Petersen, and Quirmbach. Excused, 3: Giddens, Chapman, and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2276 (SSB 3071), a bill for an act relating to direct health care agreements, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Schultz, Koelker, Brown, Goodwin, Johnson, Klimesh, Sinclair, R. Smith, and Williams. Nays, 5: Bisignano, Lykam, Mathis, Petersen, and Quirmbach. Excused, 3: Giddens, Chapman, and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 2277 (formerly SF 2227), a bill for an act relating to certain emergency services provided by a city.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Shipley, Klimesh, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, and Williams. Nays, 2: J. Smith and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2278 (formerly SF 2223), a bill for an act relating to disciplinary proceedings under civil service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Shipley, Klimesh, Driscoll, Garrett, Guth, Lofgren, and Williams. Nays, 4: J. Smith, Hogg, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2279 (SSB 3119), a bill for an act regarding electronic submission of bids for public improvement contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2280 (SSB 3120), a bill for an act relating to certain deadlines relating to the informal review and protest of property assessments in counties declared to be a disaster area.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2281 (SSB 3121), a bill for an act relating to the authority of a county treasurer to postpone or cancel an annual tax sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2282 (SSB 3087), a bill for an act providing for the removal of municipal utility board members under specified circumstances and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Shipley, Klimesh, Driscoll, Garrett, Guth, Lofgren, and Williams. Nays, 4: J. Smith, Hogg, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2283 (SSB 3117), a bill for an act relating to required considerations by a county compensation board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Shipley, Klimesh, Driscoll, Garrett, Guth, Lofgren, and Williams. Nays, 4: J. Smith, Hogg, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2284 (formerly SF 2170), a bill for an act prohibiting the burdening of a person's free exercise of religion.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Shipley, Klimesh, Driscoll, Garrett, Guth, Lofgren, and Williams. Nays, 4: J. Smith, Hogg, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 2274 (SSB 3028), a bill for an act relating to the records of the Iowa public broadcasting board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: R. Smith, Cournoyer, Bisignano, Brown, Goodwin, Guth, Koelker, Reichman, and Schultz. Nays, 4: Boulton, Celsi, Giddens, and Jochum. Excused, 2: Dawson and Johnson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2274, and they were attached to the committee report.

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

VETERANS AFFAIRS

Matthew Peterson – Commandant of the Iowa Veterans Home

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 16, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Williams, member of the Senate from Carroll County, Manning, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Tuesday, February 15, 2022, was approved.

BILL REFERRED TO COMMITTEE

President Chapman announced that **House File 2128** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Cournoyer, the Senate adjourned at 9:09 a.m. until 9:00 a.m., Thursday, February 17, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Businesses and Community-Based Seed Capital Funds Tax Credits Report, pursuant to Iowa Code section 15E.46. Report received on February 15, 2022.

DEPARTMENT OF TRANSPORTATION

Replacement and Repair of Structurally Deficient Secondary Bridges, pursuant to Iowa Code section 307.32. Report received on February 16, 2022.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, February 16, 2022, 11:00 a.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirnbach, Sinclair, R. Smith, and Williams.

Members Absent: Giddens, Ranking Member (excused).

Committee Business: SSB 3126, SSB 3070, SSB 3125, SSB 3032, SSB 3124, SSB 3127, SF 2213, and SF 2224.

Adjourned: 12:40 p.m.

HUMAN RESOURCES

Convened: Wednesday, February 16, 2022, 1:30 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolckom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Consideration and passage of the following bills: SF 2169, SF 2210, SF 2214, and SSB 3116.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: Tuesday, February 15, 2022, 3:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: SSB 3021, SSB 3024, SF 2111, SF 2091, SSB 3016, SSB 3083, SF 241, SF 2173, SF 2159, SSB 3109, and SSB 3110.

Adjourned: 4:20 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, February 16, 2022, 2:30 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Shipley, J. Taylor, and Zumbach.

Members Absent: Rozenboom (excused).

Committee Business: Consider eligible bills.

Adjourned: 3:05 p.m.

INTRODUCTION OF BILLS

Senate File 2285, by committee on Local Government, a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2286, by committee on Labor and Business Relations, a bill for an act relating to railroad train length limits, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2287, by committee on Commerce, a bill for an act relating to scrap metal transactions, including by regulating the sale of catalytic converters to scrap metal dealers and providing for recordkeeping requirements, providing penalties, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2288, by committee on Commerce, a bill for an act relating to life insurance company or association investments in foreign countries other than Canada, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2289, by committee on Veterans Affairs, a bill for an act relating to requirements for veteran special registration plates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2290, by committee on Agriculture, a bill for an act establishing a dairy processing and milk production innovation and revitalization fund and program to be administered by the economic development authority, in consultation with the department of agriculture and land stewardship, and creating a task force to explore the feasibility of establishing an artisanal dairy processing program at a community college or at an institution governed by the state board of regents.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2291, by Administrative Rules Review Committee, a bill for an act relating to para-educators holding substitute authorizations and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2292, by committee on Judiciary, a bill for an act relating to application of specific penalties to an assault on a social worker under certain circumstances.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2293, by committee on Judiciary, a bill for an act relating to the Iowa drug policy coordinator and the Iowa drug policy advisory council.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2294, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections, and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2295, by committee on Judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2296, by committee on Judiciary, a bill for an act relating to a peace officer's search of garbage placed outside of a person's residence for waste collection in a publicly accessible area.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2297, by committee on Judiciary, a bill for an act relating to jury service disqualification for certain felons.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2298, by committee on Local Government, a bill for an act authorizing a local emergency management commission to assume the duties of a joint 911 service board.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2299, by Boulton, a bill for an act relating to the disabled veteran homestead tax credit and the military service property tax exemption and credit and including effective date, applicability, and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 2300, by Boulton, a bill for an act including the loss of or lost use of a shoulder as a compensable injury for second injury fund benefits.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2301, by Boulton, a bill for an act relating to temporary, seasonal layoffs that may waive or alter work search requirements for unemployment benefits.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2302, by Boulton, a bill for an act relating to prohibitions on noncompete covenants and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 2303, by committee on Judiciary, a bill for an act relating to corporations by providing for the use of electronic mail and other electronic transmissions, and shareholders' lists.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2304, by T. Taylor, a bill for an act relating to providing family and medical leave for railroad employees and providing a penalty.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

STUDY BILLS RECEIVED

SSB 3146 Education

Relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex.

SSB 3147 Ways and Means

Relating to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, the assessment of property, the collection of debt, and the taxation of pass-through entities, reducing inheritance taxes for unknown heirs, establishing salaries, providing for a fee, making appropriations, and providing penalties, and including effective date, applicability, and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2261

WAYS AND MEANS: Goodwin, Chair; Dawson and Dotzler

SSB 3146

EDUCATION: Goodwin, Chair; Celsi, Cournoyer, Quirmbach, and Sinclair

SSB 3147

WAYS AND MEANS: Dawson, Chair; Goodwin and Petersen

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 2290 (SSB 3135), a bill for an act establishing a dairy processing and milk production innovation and revitalization fund and program to be administered by the economic development authority, in consultation with the department of agriculture and land stewardship, and creating a task force to explore the feasibility of establishing an artisanal dairy processing program at a community college or at an institution governed by the state board of regents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Zumbach, Sweeney, Kinney, Costello, Edler, Green, Mathis, Ragan, Rozenboom, Shipley, J. Smith, and Wahls. Nays, none. Excused, 1: Driscoll.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *SENATE FILE 2287 (SSB 3088), a bill for an act relating to scrap metal transactions, including by regulating the sale of catalytic converters to scrap metal dealers and providing for recordkeeping requirements, providing penalties, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Schultz, Koelker, Brown, Goodwin, Johnson, Klimesh, Sinclair, R. Smith, and Williams. Nays, 5: Bisignano, Lykam, Mathis, Petersen, and Quirmbach. Excused, 3: Giddens, Chapman, and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2287, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2288 (SSB 3069), a bill for an act relating to life insurance company or association investments in foreign countries other than Canada, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Schultz, Koelker, Bisignano, Brown, Goodwin, Johnson, Klimesh, Lykam, Mathis, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 3: Giddens, Chapman, and Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2288, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: SENATE FILE 2169, a bill for an act relating to assisted reproduction fraud, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2210, a bill for an act relating to health care employment agencies, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2214, a bill for an act establishing a therapeutic foster care services study committee.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 241, a bill for an act relating to the dissemination and exhibition of obscene material to a minor by the parent or guardian of the minor, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2292 (formerly SF 2159), a bill for an act relating to application of specific penalties to an assault on a social worker under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2293 (SSB 3024), a bill for an act relating to the Iowa drug policy coordinator and the Iowa drug policy advisory council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2294 (SSB 3110), a bill for an act relating to nonsubstantive Code corrections, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2295 (SSB 3109), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2296 (formerly SF 2111), a bill for an act relating to a peace officer's search of garbage placed outside of a person's residence for waste collection in a publicly accessible area.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2297 (formerly SF 2091), a bill for an act relating to jury service disqualification for certain felons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2303 (SSB 3083), a bill for an act relating to corporations by providing for the use of electronic mail and other electronic transmissions, and shareholders' lists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkecom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: *SENATE FILE 2286 (formerly SF 2051), a bill for an act relating to railroad train length limits, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Labor and Business Relations Committee on Senate File 2286, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 2285 (formerly SF 2096), a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on Senate File 2285, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2298 (formerly SF 2153), a bill for an act authorizing a local emergency management commission to assume the duties of a joint 911 service board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Hogg, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on Senate File 2298, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2093, a bill for an act relating to accommodations in housing provided to persons with a disability-related need for assistance animals and service animals, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: *SENATE FILE 2289 (formerly SF 2217), a bill for an act relating to requirements for veteran special registration plates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Lofgren, Reichman, Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on Senate File 2289, and they were attached to the committee report.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 17, 2022

The Senate met in regular session at 9:02 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Wednesday, February 16, 2022, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 2022, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2317, a bill for an act relating to state revenue and finance by modifying the individual income tax, making appropriations, and including effective date and applicability provisions.

Read first time and attached to **similar Senate File 2206**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced to the Senate chamber Stanley Thompson, the Governor's appointee to be the Director of the Iowa State Civil Rights Commission.

BILLS MOVED TO UNFINISHED BUSINESS CALENDAR

Senator Whitver asked and received unanimous consent that **House File 2317** and **attached Senate File 2206** be placed on the Unfinished Business Calendar.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, February 21, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Energy Center Annual Report, pursuant to Iowa Code section 15.120. Report received on February 17, 2022.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Gerald "Bud" Claude, Alden—For celebrating his 90th birthday. Senator Sweeney.

Alice Mae Williams, New Providence—For celebrating her 90th birthday. Senator Sweeney.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Thursday, February 17, 2022, 11:40 a.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: Giddens (excused).

Committee Business: Consideration and passage of the following bills: SF 89, SF 2107, SF 2112, SF 2203, SF 2248, SSB 3103, SSB 3104, SSB 3080, SSB 3082, SSB 3085, and SSB 3146.

Adjourned: 12:25 p.m.

HUMAN RESOURCES

Convened: Thursday, February 17, 2022, 9:20 a.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Consideration and passage of the following bills: SF 2216, SSB 3144, SF 2028, SF 2258, SSB 3122, and SSB 3145.

Adjourned: 10:15 a.m.

JUDICIARY

Convened: Wednesday, February 16, 2022, 3:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: SSB 3060, SF 2090, SF 513, SSB 3091, SSB 3111, SSB 3012, SF 2198, SSB 3025, and SF 2226.

Adjourned: 5:00 p.m.

TRANSPORTATION

Convened: Thursday, February 17, 2022, 10:20 a.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Bisignano, Driscoll, Klimesh, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach.

Members Absent: Giddens and Koelker (both excused).

Committee Business: SF 2078, SF 2144, SSB 3106, SSB 3059, SSB 3132, and SSB 3138.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILLS

Senate File 2305, by committee on Commerce, a bill for an act regarding port authorities, including by allowing port authorities to enter into certain loan agreements and lease contracts.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2306, by committee on State Government, a bill for an act relating to high school event admission fees for people eighteen years of age or younger, making appropriations, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2307, by committee on State Government, a bill for an act relating to professional licensing boards, including requirements related to the submission of official transcripts or diplomas.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2308, by committee on Commerce, a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing civil penalties, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2309, by committee on Commerce, a bill for an act relating to milk and associated products, by providing for certain items relating to milk to be transferred directly by operators of dairy farms, providing for the labeling of unpasteurized and ungraded milk and products, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2310, by committee on Commerce, a bill for an act relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2311, by committee on Natural Resources and Environment, a bill for an act relating to the adoption and use of certain general permits issued by the department of natural resources.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2312, by committee on Natural Resources and Environment, a bill for an act relating to the acquisition of real property by county conservation boards and the department of natural resources.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2313, by committee on Commerce, a bill for an act relating to communication methods regarding the disposition of unclaimed property and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2314, by committee on Human Resources, a bill for an act increasing the amount of cash reserves mental health and disability services regions may have before affecting quarterly payment amounts and incentive fund eligibility.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2315, by committee on Judiciary, a bill for an act relating to probate indigent defense fees and trial transcript fees.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2316, by committee on Judiciary, a bill for an act relating to trusts, including optional notices to creditors when a will has been admitted to probate without administration and the trust is the beneficiary of the estate, trust accounting, specific powers of a trustee, and representation of holders of power and similar interests.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2317, by committee on Natural Resources and Environment, a bill for an act relating to the conveyance of guns in or on vehicles on public highways.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2318, by T. Taylor, a bill for an act relating to the solar energy system tax credit available against the individual or corporate income tax, the franchise tax, and the moneys and credits tax, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2319, by committee on Judiciary, a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, including prohibiting the sharing of related information and requiring the removal of existing systems, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2320, by committee on Commerce, a bill for an act relating to the delivery of restaurant food pursuant to a third-party food delivery service.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2321, by committee on Agriculture, a bill for an act relating to utility-scale solar energy facilities installation on agricultural land.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2322, by committee on State Government, a bill for an act relating to the assessment of fees when a person requests examination and copying of public records.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2323, by committee on Natural Resources and Environment, a bill for an act relating to the inventory of state lands managed or owned by the department of natural resources.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2324, by committee on State Government, a bill for an act relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2325, by committee on Commerce, a bill for an act related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2326, by Klimesh, Driscoll, Johnson, and Reichman, a bill for an act relating to the solar energy system tax credit, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 2327, by committee on Judiciary, a bill for an act relating to the appointment of counsel for indigent persons by the court in certain cases.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2328, by committee on Judiciary, a bill for an act relating to criminal law including the disclosure of a defendant's privileged records in a criminal action, permanent no-contact orders, penalties for domestic abuse assault, limitations on criminal actions involving certain sexual offenses, criminal sentencing and corrections, parole and work release, crime victim rights, discovery in criminal actions, postconviction relief procedure, and certain reporting requirements, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2329, by committee on Judiciary, a bill for an act relating to evidence, including spousal privilege and confidential communications between spouses, and the admissibility of evidence in a prosecution for physical abuse or a sexual offense upon or against a child, person with an intellectual disability, person with a cognitive impairment, or person with a developmental disability.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2330, by committee on Natural Resources and Environment, a bill for an act relating to the submission of a groundwater hazard statement.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2331, by committee on Human Resources, a bill for an act relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2332, by committee on Judiciary, a bill for an act relating to pretrial bond amounts for certain felonies.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2333, by committee on Judiciary, a bill for an act relating to the uniform commercial code by providing for controllable electronic records.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2334, by committee on Natural Resources and Environment, a bill for an act relating to shotguns that may be used to hunt turkey.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2335, by committee on Human Resources, a bill for an act relating to required documented consent prior to immunization or vaccination of a minor.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2336, by committee on Transportation, a bill for an act authorizing certain motor vehicles to display one registration plate.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2337, by committee on Transportation, a bill for an act relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2338, by committee on Transportation, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2339, by Celsi, a bill for an act relating to excused absences for public school district student mental health days.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2340, by Celsi, a bill for an act relating to education, including responsibilities of the board of educational examiners with respect to background checks, endorsements, and authorizations, requiring the boards of directors of school districts to make payments to certain specified student teachers and full-time employees, requiring the boards of directors of school districts to hire a certain specified amount of substitute teachers, making appropriations, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2341, by Celsi, a bill for an act establishing a school mental health staff supplement, making appropriations, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 2342, by committee on Education, a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2343, by committee on State Government, a bill for an act relating to the conduct of elections, including provisions related to absentee ballots, recounts, and contested gubernatorial elections and impeachments, making penalties applicable, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED**SSB 3148 Appropriations**

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for properly related matters.

SSB 3149 Appropriations

Relating to appropriations to the justice system.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2005**

STATE GOVERNMENT: Johnson, Chair; Celsi and Guth

Senate File 2270

APPROPRIATIONS: Edler, Chair; Costello and Ragan

Senate File 2272

VETERANS AFFAIRS: Edler, Chair; Costello and Ragan

Senate File 2291

EDUCATION: Cournoyer, Chair; Johnson and J. Smith

Senate File 2299

VETERANS AFFAIRS: Edler, Chair; Costello and Giddens

House File 2128

WAYS AND MEANS: Brown, Chair; Dawson, Petersen, Sweeney, and T. Taylor

House File 2315

APPROPRIATIONS: Kraayenbrink, Chair; Cournoyer and J. Smith

SSB 3148

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

SSB 3149

APPROPRIATIONS: Kraayenbrink, Chair; Bolkeom and Lofgren

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: *SENATE FILE 2321 (formerly SF 2127), a bill for an act relating to utility-scale solar energy facilities installation on agricultural land.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Zumbach, Sweeney, Costello, Edler, Green, Rozenboom, and Shipley. Nays, 5: Kinney, Mathis, Ragan, J. Smith, and Wahls. Excused, 1: Driscoll.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2321, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 2305 (SSB 3070), a bill for an act regarding port authorities, including by allowing port authorities to enter into certain loan agreements and lease contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2308 (formerly SF 2224), a bill for an act relating to utility service cost disclosures in connection with certain rental properties, providing civil penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, 1: Lykam. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2309 (SSB 3126), a bill for an act relating to milk and associated products, by providing for certain items relating to milk to be transferred directly by operators of dairy farms, providing for the labeling of unpasteurized and ungraded milk and products, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Nunn, Sinclair, and Williams. Nays, 3: Mathis, Petersen, and Quirmbach. Excused, 2: Giddens and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2310 (SSB 3124), a bill for an act relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and Williams. Nays, none. Excused, 2: Giddens and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2313 (SSB 3127), a bill for an act relating to communication methods regarding the disposition of unclaimed property and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and Williams. Nays, none. Excused, 2: Giddens and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2320 (formerly SF 2213), a bill for an act relating to the delivery of restaurant food pursuant to a third-party food delivery service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and Williams. Nays, none. Excused, 2: Giddens and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2325 (SSB 3032), a bill for an act related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Schultz, Koelker, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, and Williams. Nays, none. Excused, 2: Giddens and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2325, and they were attached to the committee report.

EDUCATION

Bill Title: SENATE FILE 2342 (SSB 3146), a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, J. Taylor, Carlin, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 4: Quirmbach, Celsi, J. Smith, and Trone Garriott. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: SENATE FILE 2216, a bill for an act relating to the establishment of state intensive psychiatric units at the state mental health institutes.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Edler, Costello, Mathis, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, 1: Bolkcom. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2258, a bill for an act relating to the release of nursing facility reimbursement rates under the Medicaid program.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2314 (SSB 3116), a bill for an act increasing the amount of cash reserves mental health and disability services regions may have before affecting quarterly payment amounts and incentive fund eligibility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2331 (SSB 3144), a bill for an act relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2335 (formerly SF 2028), a bill for an act relating to required documented consent prior to immunization or vaccination of a minor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Edler, Costello, Garrett, Green, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2335, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 513, a bill for an act relating to the confidentiality of certain law enforcement information involving a person experiencing a mental health crisis, substance-related disorder crisis, or housing crisis.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2315 (SSB 3060), a bill for an act relating to probate indigent defense fees and trial transcript fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2316 (SSB 3111), a bill for an act relating to trusts, including optional notices to creditors when a will has been admitted to probate without administration and the trust is the beneficiary of the estate, trust accounting, specific powers of a trustee, and representation of holders of power and similar interests.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2319 (SSB 3012), a bill for an act prohibiting the use of automated or remote systems for traffic law enforcement, including prohibiting the sharing of related information and requiring the removal of existing systems, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Garrett, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 6: Kinney, Bisignano, Bolkcom, Boulton, Dawson, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2327 (SSB 3021), a bill for an act relating to the appointment of counsel for indigent persons by the court in certain cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2327, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2328 (formerly SF 2226), a bill for an act relating to criminal law including the disclosure of a defendant's privileged records in a criminal action, permanent no-contact orders, penalties for domestic abuse assault, limitations on criminal actions involving certain sexual offenses, criminal sentencing and corrections, parole and work release, crime victim rights, discovery in criminal actions, postconviction relief procedure, and certain reporting requirements, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2329 (SSB 3016), a bill for an act relating to evidence, including spousal privilege and confidential communications between spouses, and the admissibility of evidence in a prosecution for physical abuse or a sexual offense upon or against a child, person with an intellectual disability, person with a cognitive impairment, or person with a developmental disability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2329, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2332 (formerly SF 2090), a bill for an act relating to pretrial bond amounts for certain felonies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2332, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2333 (SSB 3091), a bill for an act relating to the uniform commercial code by providing for controllable electronic records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2333, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 2311 (SSB 3052), a bill for an act relating to the adoption and use of certain general permits issued by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sweeney, Driscoll, Trone Garriott, Boulton, Cournoyer, Green, Lykam, Shipley, J. Taylor, and Zumbach. Nays, 2: Celsi and Hogg. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2312 (SSB 3134), a bill for an act relating to the acquisition of real property by county conservation boards and the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Sweeney, Driscoll, Cournoyer, Green, Shipley, J. Taylor, and Zumbach. Nays, 5: Trone Garriott, Boulton, Celsi, Hogg, and Lykam. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2317 (formerly SF 2145), a bill for an act relating to the conveyance of guns in or on vehicles on public highways.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Sweeney, Driscoll, Cournoyer, Green, Shipley, J. Taylor, and Zumbach. Nays, 5: Trone Garriott, Boulton, Celsi, Hogg, and Lykam. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2323 (formerly SF 2152), a bill for an act relating to the inventory of state lands managed or owned by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sweeney, Driscoll, Trone Garriott, Boulton, Cournoyer, Green, Lykam, Shipley, J. Taylor, and Zumbach. Nays, 2: Celsi and Hogg. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2323, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2330 (SSB 3076), a bill for an act relating to the submission of a groundwater hazard statement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2330, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2334 (formerly SF 2138), a bill for an act relating to shotguns that may be used to hunt turkey.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2334, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2260, a bill for an act providing for the adoption of certain animals confined by research facilities.

Recommendation: DO PASS.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Goodwin, Guth, Jochum, Johnson, Reichman, and Schultz. Nays, none. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2271, a bill for an act relating to the investment of certain public funds in companies that are owned or controlled by Chinese military or government services.

Recommendation: DO PASS.

Final Vote: Yeas, 12: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Goodwin, Guth, Jochum, Johnson, Reichman, and Schultz. Nays, 1: Celsi. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2306 (formerly SF 2239), a bill for an act relating to high school event admission fees for people eighteen years of age or younger, making appropriations, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, 1: Goodwin. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2306, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2307 (SSB 3114), a bill for an act relating to professional licensing boards, including requirements related to the submission of official transcripts or diplomas.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 2: Celsi and Jochum. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2307, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2322 (formerly SF 480), a bill for an act relating to the assessment of fees when a person requests examination and copying of public records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2322, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2324 (SSB 3115), a bill for an act relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2324, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2343 (SSB 3143), a bill for an act relating to the conduct of elections, including provisions related to absentee ballots, recounts, and contested gubernatorial elections and impeachments, making penalties applicable, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: R. Smith, Cournoyer, Brown, Dawson, Goodwin, Guth, Johnson, Reichman, and Schultz. Nays, 4: Bisignano, Boulton, Celsi, and Jochum. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 2336 (SSB 3138), a bill for an act authorizing certain motor vehicles to display one registration plate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Brown, Dickey, Bisignano, Driscoll, Klimesh, Rozenboom, Shipley, and Zumbach. Nays, 3: J. Smith, Lykam, and T. Taylor. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2337 (SSB 3132), a bill for an act relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Brown, Dickey, J. Smith, Bisignano, Driscoll, Klimesh, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2338 (SSB 3059), a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Brown, Dickey, J. Smith, Bisignano, Driscoll, Klimesh, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5009	S.F.	2295	Judiciary
S-5010	S.F.	2294	Judiciary

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 21, 2022

The Senate met in regular session at 1:04 p.m., President Chapman presiding.

Prayer was offered by the Honorable Eric Giddens, member of the Senate from Black Hawk County, Cedar Falls, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Thursday, February 17, 2022, was approved.

BILLS REFERRED TO COMMITTEE

President Chapman announced that the following bills were referred from the Regular Calendar to committee under Senate Rule 38:

Senate File 2230	Ways and Means
Senate File 2280	Ways and Means
Senate File 2281	Ways and Means
Senate File 2306	Appropriations
Senate File 2349	Appropriations
Senate File 2350	Ways and Means
Senate File 2353	Ways and Means
Senate File 2354	Appropriations
Senate File 2361	Ways and Means

The Senate stood at ease at 1:12 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:12 p.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hogg, until he arrives, on request of Senator Wahls.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2011, 2232, 2233, and 2245.

Senate File 2011

On motion of Senator Rozenboom, **Senate File 2011**, a bill for an act relating to the purchasing of a youth deer hunting license and tag, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2011), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2232

On motion of Senator Klimesh, **Senate File 2232**, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions, was taken up for consideration.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2232), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2233

On motion of Senator Brown, **Senate File 2233**, a bill for an act relating to terms used in the context of land surveying, was taken up for consideration.

Senator Brown offered amendment S-5011, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5011 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2233), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2245

On motion of Senator Zumbach, **Senate File 2245**, a bill for an act providing a personal use exemption from licensing requirements of the Meat and Poultry Inspection Act, was taken up for consideration.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2245), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2011, 2232, 2233, and 2245** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2266, 2268, 2288, and 2295.

Senate File 2266

On motion of Senator Goodwin, **Senate File 2266**, a bill for an act concerning compensation and benefits limits, relating to the earnings limitation for retirees under the Iowa public employees' retirement system and compensation limits for school corporation board members, and including effective date provisions, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2266), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2268

On motion of Senator Edler, **Senate File 2268**, a bill for an act relating to child care center staff ratios, and including effective date provisions, was taken up for consideration.

Senator Jochum asked and received unanimous consent that action on **Senate File 2268** be **deferred**.

Senate File 2288

On motion of Senator Goodwin, **Senate File 2288**, a bill for an act relating to life insurance company or association investments in foreign countries other than Canada, and including applicability provisions, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2288), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2295

On motion of Senator Zaun, **Senate File 2295**, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions, was taken up for consideration.

Senator Zaun offered amendment S-5009, filed by the committee on Judiciary on February 17, 2022, to pages 68–69 of the bill, and moved its adoption.

Amendment S-5009 was adopted by a voice vote.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2295), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2266, 2288, and 2295** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2268

The Senate resumed consideration of **Senate File 2268**, a bill for an act relating to child care center staff ratios, and including effective date provisions, previously deferred.

Senator Jochum offered amendment S-5012, filed by her from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5012 be adopted?” (S.F. 2268), the vote was:

Yea, 19:

Bisignano	Bolkcom	Boulton	Carlin
Celsi	Dotzler	Giddens	Hogg
Jochum	Kinney	Lykam	Mathis
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Nay, 31:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Absent, none.

Amendment S-5012 lost.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2268), the vote was:

Yea, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2268** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:14 p.m. until 9:00 a.m., Tuesday, February 22, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Industrial New Jobs Training Program Review, pursuant to Iowa Code section 260E.7. Report received on February 21, 2022.

DEPARTMENT OF HUMAN SERVICES

Department of Human Services Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on February 21, 2022.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 103, by Whitver, a concurrent resolution to approve and confirm the appointment of Bernardo Granwehr as Ombudsman.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 2344, by committee on Natural Resources and Environment, a bill for an act relating to deer hunting licenses available to nonresident hunters.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2345, by committee on Human Resources, a bill for an act relating to the newborn screening.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2346, by committee on Transportation, a bill for an act relating to flashing lights equipped on motor vehicles, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2347, by committee on Transportation, a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2348, by committee on Education, a bill for an act relating to supplemental aid and modified supplemental amounts for certain school districts relating to open enrollment and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2349, by committee on Education, a bill for an act relating to education, including establishing a student first scholarship program and a student first enrollment supplement fund, requiring the boards of directors of school districts to publish certain specified information, modifying provisions related to required social studies instruction, open enrollment, teacher librarian endorsements, competent private instruction, and special education, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2350, by committee on State Government, a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2351, by committee on Education, a bill for an act requiring cursive instruction for students enrolled in public elementary schools.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2352, by committee on Transportation, a bill for an act relating to automated or remote systems for traffic law enforcement, including by requiring data and alternative measures prior to implementation of such systems and by regulating the use and calibration of certain systems, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2353, by committee on Natural Resources and Environment, a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2354, by committee on Human Resources, a bill for an act relating to pregnancy support including by creating the more options for maternal support program and expanding Medicaid postpartum coverage and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2355, by committee on Commerce, a bill for an act relating to the regulation of specified gas and electric utilities.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2356, by committee on Education, a bill for an act authorizing the boards of directors of school districts to engage certain specified individuals to serve without compensation as substitute teachers.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2357, by committee on Education, a bill for an act relating to voting during meetings of the boards of directors of school districts and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2358, by committee on Education, a bill for an act directing the department of education to convene an achievement gap working group.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2359, by committee on Education, a bill for an act directing the department of education to convene a working group to study the impact of technology on the cognitive function of students.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2360, by committee on Judiciary, a bill for an act relating to the use of a simulated firearm or simulated explosive when committing certain criminal offenses, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2361, by committee on State Government, a bill for an act relating to various matters under the purview of the state, including city and county zoning, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and the state building code, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2362, by committee on Education, a bill for an act relating to entities supported in whole or in part by public moneys, including the sale of public bonds, the duties and responsibilities of school boards, school districts, the department of education, accredited nonpublic schools, charter schools, and children's residential facilities, and the membership and voting units of county and city conference boards.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2363, by committee on Judiciary, a bill for an act relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2364, by committee on Judiciary, a bill for an act relating to the dissemination of certain specified materials, including the prohibition of certain specified materials in schools and school libraries, civil actions to determine obscenity, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 2365, by Giddens, a bill for an act relating to domestic abuse risk assessment and deterrence.

Read first time under Rule 28 and referred to committee on **Judiciary**.

STUDY BILL RECEIVED

SSB 3150 Appropriations

Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2339

EDUCATION: Sinclair, Chair; Celsi and Rozenboom

Senate File 2340

EDUCATION: Sinclair, Chair; Celsi and Rozenboom

Senate File 2341

EDUCATION: Sinclair, Chair; Celsi and Rozenboom

SSB 3150

APPROPRIATIONS: Kraayenbrink, Chair; Bolckom and Lofgren

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: *SENATE FILE 2355 (SSB 3125), a bill for an act relating to the regulation of specified gas and electric utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Schultz, Koelker, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Quirmbach, Sinclair, and Williams. Nays, 2: Bisignano and Petersen. Excused, 2: Giddens and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 2355, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 2348 (SSB 3103), a bill for an act relating to supplemental aid and modified supplemental amounts for certain school districts relating to open enrollment and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2348, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2349 (SSB 3080), a bill for an act relating to education, including establishing a student first scholarship program and a student first enrollment supplement fund, requiring the boards of directors of school districts to publish certain specified information, modifying provisions related to required social studies instruction, open enrollment, teacher librarian endorsements, competent private instruction, and special education, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, J. Taylor, Carlin, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 4: Quirmbach, Celsi, J. Smith, and Trone Garriott. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 2351 (formerly SF 89), a bill for an act requiring cursive instruction for students enrolled in public elementary schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, J. Taylor, Carlin, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 4: Quirmbach, Celsi, J. Smith, and Trone Garriott. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2356 (SSB 3085), a bill for an act authorizing the boards of directors of school districts to engage certain specified individuals to serve without compensation as substitute teachers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Sinclair, J. Taylor, Quirmbach, Carlin, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, Sweeney, and Zaun. Nays, 3: Celsi, J. Smith, and Trone Garriott. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2356, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2357 (formerly SF 2203), a bill for an act relating to voting during meetings of the boards of directors of school districts and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2357, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2358 (formerly SF 2112), a bill for an act directing the department of education to convene an achievement gap working group.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2358, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2359 (formerly SF 2107), a bill for an act directing the department of education to convene a working group to study the impact of technology on the cognitive function of students.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2359, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2362 (SSB 3104), a bill for an act relating to entities supported in whole or in part by public moneys, including the sale of public bonds, the duties and responsibilities of school boards, school districts, the department of education, accredited nonpublic schools, charter schools, and children's residential facilities, and the membership and voting units of county and city conference boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, 1: Giddens.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2362, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 2345 (SSB 3122), a bill for an act relating to the newborn screening.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2345, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2354 (SSB 3145), a bill for an act relating to pregnancy support including by creating the more options for maternal support program and expanding Medicaid postpartum coverage and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Edler, Costello, Garrett, Green, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 2354, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 2360 (formerly SF 2173), a bill for an act relating to the use of a simulated firearm or simulated explosive when committing certain criminal offenses, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Zaun, Garrett, Kinney, Bisignano, Boulton, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 2: Bolkcom and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2360, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2363 (SSB 3025), a bill for an act relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Zaun, Garrett, Kinney, Bisignano, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 1: Bolkcom. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2363, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2364 (formerly SF 2198), a bill for an act relating to the dissemination of certain specified materials, including the prohibition of certain specified materials in schools and school libraries, civil actions to determine obscenity, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolckom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2364, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 2344 (formerly SF 2142), a bill for an act relating to deer hunting licenses available to nonresident hunters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Sweeney, Driscoll, Cournoyer, Green, Shipley, J. Taylor, and Zumbach. Nays, 5: Trone Garriott, Boulton, Celsi, Hogg, and Lykam. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2344, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2353 (formerly SF 2181), a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Hogg, Lykam, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 1: Rozenboom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2353, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 2350 (SSB 3140), a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Goodwin, Guth, Jochum, Johnson, Reichman, and Schultz. Nays, none. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2361 (SSB 3123), a bill for an act relating to various matters under the purview of the state, including city and county zoning, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and the state building code, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: R. Smith, Cournoyer, Brown, Dawson, Goodwin, Guth, Johnson, Reichman, and Schultz. Nays, 4: Bisignano, Boulton, Celsi, and Jochum. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 2361, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 2346 (formerly SF 2144), a bill for an act relating to flashing lights equipped on motor vehicles, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Brown, Dickey, J. Smith, Bisignano, Driscoll, Klimesh, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2346, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2347 (SSB 3106), a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Brown, Dickey, J. Smith, Bisignano, Driscoll, Klimesh, Lykam, Rozenboom, Shipley, T. Taylor, and Zumbach. Nays, none. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2347, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2352 (formerly SF 2078), a bill for an act relating to automated or remote systems for traffic law enforcement, including by requiring data and alternative measures prior to implementation of such systems and by regulating the use and calibration of certain systems, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 7: Brown, Dickey, Driscoll, Klimesh, Rozenboom, Shipley, and Zumbach. Nays, 4: J. Smith, Bisignano, Lykam, and T. Taylor. Excused, 2: Giddens and Koelker.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2352, and they were attached to the committee report.

AMENDMENTS FILED

S-5011	S.F.	2233	Waylon Brown
S-5012	S.F.	2268	Pam Jochum
S-5013	S.F.	2285	Mike Klimesh
S-5014	S.F.	2279	Mike Klimesh

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 22, 2022

The Senate met in regular session at 9:09 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jesse Green, member of the Senate from Boone County, Boone, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Monday, February 21, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2078, a bill for an act relating to the provision of certified copies of wills.

Read first time and attached to **similar Senate File 2240**.

House File 2080, a bill for an act relating to school districts that share operational functions, including operational functions in the areas of superintendent management and special education director, and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

House File 2097, a bill for an act relating to forfeiture of bail.

Read first time and referred to committee on **Judiciary**.

House File 2123, a bill for an act authorizing a criminal or juvenile justice agency to redistribute driver's license photos in missing persons cases, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 2124, a bill for an act relating to airport registration and site approval by the department of transportation.

Read first time and attached to **companion Senate File 2140**.

House File 2126, a bill for an act relating to the comprehensive financial report of the state and including effective date provisions.

Read first time and attached to **companion Senate File 2087**.

House File 2152, a bill for an act relating to the duties of the revenue estimating conference, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

House File 2155, a bill for an act relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions.

Read first time and attached to **companion Senate File 2194**.

House File 2416, a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, regent institution, community college, and certain other institution of higher education athletics based on sex, and including effective date provisions.

Read first time and attached to **similar Senate File 2342**.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced to the Senate chamber Michael Cavin, the Governor's appointee to be the Executive Director of the Board of Educational Examiners. He was the guest of the committee on Education.

The Secretary of the Senate introduced to the Senate chamber Andrew Boettger, the Governor's appointee to be the Chair of the Board of Parole. He was the guest of the committee on Judiciary.

The Secretary of the Senate introduced to the Senate chamber Erik Helland, the Governor's appointee to be the Chair and a member of the Public Employment Relations Board. He was the guest of the committee on Labor and Business Relations.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:05 a.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2119, 2279, 2285, and 2176.

Senate File 2119

On motion of Senator Cournoyer, **Senate File 2119**, a bill for an act relating to cosmetology and the practice of threading, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2119), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2279

On motion of Senator Klimesh, **Senate File 2279**, a bill for an act regarding electronic submission of bids for public improvement contracts, was taken up for consideration.

Senator Klimesh offered amendment S-5014, filed by him on February 21, 2022, to page 1 of the bill, and moved its adoption.

Amendment S-5014 was adopted by a voice vote.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2279), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2285

On motion of Senator Klimesh, **Senate File 2285**, a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction, was taken up for consideration.

Senator Klimesh offered amendment S-5013, filed by him on February 21, 2022, to pages 1–2 of the bill, and moved its adoption.

Amendment S-5013 was adopted by a voice vote.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2285), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2176

On motion of Senator Shipley, **Senate File 2176**, a bill for an act relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2176), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2119, 2176, 2279, and 2285** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2296 and 2311.

Senate File 2296

On motion of Senator Dawson, **Senate File 2296**, a bill for an act relating to a peace officer's search of garbage placed outside of a person's residence for waste collection in a publicly accessible area, was taken up for consideration.

The Senate stood at ease at 10:24 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 10:46 a.m., President Chapman presiding.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2296), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zumbach			

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2311

On motion of Senator Driscoll, **Senate File 2311**, a bill for an act relating to the adoption and use of certain general permits issued by the department of natural resources, was taken up for consideration.

Senator Driscoll moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2311), the vote was:

Yeas, 36:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Driscoll	Edler	Garrett
Goodwin	Green	Guth	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Nunn	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zumbach

Nays, 13:

Bolkcom	Celsi	Dotzler	Giddens
Hogg	Jochum	Mathis	Petersen
Quirmbach	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2296 and 2311 be immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:10 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:33 p.m., President Chapman presiding.

QUORUM CALL

Senator Goodwin requested a nonrecord roll call to determine that a quorum was present. The Chair declared a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mathis, until she returns, on request of Senator Wahls.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2324, 2334, and 2128.

Senate File 2324

On motion of Senator R. Smith, **Senate File 2324**, a bill for an act relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions, was taken up for consideration.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2324), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Mathis Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2334

On motion of Senator Cournoyer, **Senate File 2334**, a bill for an act relating to shotguns that may be used to hunt turkey, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2334), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Mathis Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2128

On motion of Senator Sweeney, **Senate File 2128**, a bill for an act relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty, was taken up for consideration.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2128), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Mathis Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2128, 2324, and 2334** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Cournoyer, the Senate adjourned at 1:51 p.m. until 9:00 a.m., Wednesday, February 23, 2022.

APPENDIX

INTRODUCTION OF RESOLUTION

Senate Resolution 102, by Koelker, a resolution designating February 23, annually, as Utility Worker Appreciation Day.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED

SSB 3151 Ways and Means

Relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, the repeal of the manufactured home community and mobile home tax, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions.

SSB 3152 Ways and Means

Relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales and use tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2230

WAYS AND MEANS: Sweeney, Chair; Green and Petersen

Senate File 2280

WAYS AND MEANS: Green, Chair; Goodwin and Quirmbach

Senate File 2281

WAYS AND MEANS: Goodwin, Chair; Dickey and Quirmbach

Senate File 2306

APPROPRIATIONS: Koelker, Chair; Celsi and Johnson

Senate File 2318

WAYS AND MEANS: Dawson, Chair; Goodwin and T. Taylor

Senate File 2326

WAYS AND MEANS: Goodwin, Chair; Dawson and T. Taylor

Senate File 2349

APPROPRIATIONS: Rozenboom, Chair; Celsi and Cournoyer

Senate File 2350

WAYS AND MEANS: R. Smith, Chair; Dawson and Jochum

Senate File 2353

WAYS AND MEANS: Dawson, Chair; Dotzler and Zaun

Senate File 2354

APPROPRIATIONS: Costello, Chair; Edler and Petersen

Senate File 2361

WAYS AND MEANS: Brown, Chair; Jochum and R. Smith

House File 2080

EDUCATION: Rozenboom, Chair; Kraayenbrink and J. Smith

House File 2097

(Reassigned)

JUDICIARY: Rowley, Chair; Bisignano and J. Taylor

House File 2123

JUDICIARY: Reichman, Chair; Johnson and Kinney

SSB 3151

WAYS AND MEANS: Sinclair, Chair; Dawson and Quirmbach

SSB 3152

WAYS AND MEANS: Dawson, Chair; Dotzler and R. Smith

AMENDMENTS FILED

S-5015	S.F.	2329	Tom Shipley
S-5016	S.F.	2277	Mike Klimesh

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 23, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Tuesday, February 22, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2153, a bill for an act relating to county jurisdiction over portions of certain cemeteries.

Read first time and referred to committee on **Local Government**.

House File 2154, a bill for an act relating to release of certain records maintained by the statewide fire and police retirement system.

Read first time and referred to committee on **State Government**.

House File 2166, a bill for an act designating certain county flood mitigation activities as an essential county purpose.

Read first time and referred to committee on **Local Government**.

House File 2167, a bill for an act relating to the definition of autism spectrum disorder for purposes of certain health care coverage, making conforming changes, and including applicability provisions.

Read first time and referred to committee on **Commerce**.

House File 2169, a bill for an act relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies.

Read first time and attached to **companion Senate File 2088**.

House File 2171, a bill for an act relating to the release of nursing facility reimbursement rates under the Medicaid program.

Read first time and attached to **companion Senate File 2258**.

House File 2172, a bill for an act relating to violations by a health care facility.

Read first time and attached to **companion Senate File 2168**.

House File 2201, a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions.

Read first time and attached to **companion Senate File 2242**.

House File 2202, a bill for an act relating to Medicaid program reporting requirements.

Read first time and referred to committee on **Human Resources**.

House File 2217, a bill for an act relating to financial reporting by insurance holding company systems.

Read first time and attached to **companion Senate File 2237**.

House File 2222, a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel.

Read first time and attached to **companion Senate File 2185**.

House File 2239, a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse.

Read first time and attached to **companion Senate File 2253**.

House File 2252, a bill for an act relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry.

Read first time and attached to **similar Senate File 2171**.

House File 2258, a bill for an act relating to the membership, procedures, and functions of the Iowa council on homelessness.

Read first time and attached to **similar Senate File 2086**.

House File 2259, a bill for an act authorizing licensed occupational therapists, licensed physical therapists, and certain medical professionals licensed in other states to provide a statement for purposes of persons with disabilities special registration plates or parking permits, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

House File 2288, a bill for an act modifying the definitions of essential county purpose and essential corporate purpose to include cybersecurity purposes.

Read first time and referred to committee on **Commerce**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced to the Senate chamber Adam Steen, the Governor's appointee to be the Director of the Department of Administrative Services. He was the guest of the committee on State Government.

BILLS REFERRED TO COMMITTEE

President Chapman announced that **Senate File 2314** and **Senate File 2347** were referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:09 a.m. until 10:00 a.m.

RECONVENED

The Senate reconvened at 10:06 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Zaun and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2322 and 2337.

Senate File 2322

On motion of Senator Brown, **Senate File 2322**, a bill for an act relating to the assessment of fees when a person requests examination and copying of public records, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2322), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, none.

Absent, 2:

Zaun Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2337

On motion of Senator Brown, **Senate File 2337**, a bill for an act relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2337), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, none.

Absent, 2:

Zaun Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2322 and 2337** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2081, 2297, and 2362.

Senate File 2081

On motion of Senator Cournoyer, **Senate File 2081**, a bill for an act relating to disbursements from the computer science professional development incentive fund and including applicability provisions, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2081), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, none.

Absent, 2:

Zaun	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2297

On motion of Senator Dawson, **Senate File 2297**, a bill for an act relating to jury service disqualification for certain felons, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2297), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler

Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, none.

Absent, 2:

Zaun	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2362

On motion of Senator Cournoyer, **Senate File 2362**, a bill for an act relating to entities supported in whole or in part by public moneys, including the sale of public bonds, the duties and responsibilities of school boards, school districts, the department of education, accredited nonpublic schools, charter schools, and children's residential facilities, and the membership and voting units of county and city conference boards, was taken up for consideration.

Senator Cournoyer offered amendment S-5017, filed by her from the floor to pages 8–9 of the bill, and moved its adoption.

Amendment S-5017 was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2362), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens

Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, none.

Absent, 2:

Zaun	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2081, 2297, and 2362** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 103.

Senate Concurrent Resolution 103

On motion of Senator Whitver, **Senate Concurrent Resolution 103**, a concurrent resolution to approve and confirm the appointment of Bernardo Granwehr as Ombudsman, with report of committee recommending passage, was taken up for consideration.

A record roll call was requested.

On the question “Shall the resolution be adopted? (S.C.R. 103), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, none.

Absent, 2:

Zaun Zumbach

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Concurrent Resolution 103** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:26 a.m. until 9:00 a.m., Thursday, February 24, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on February 23, 2022.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Wednesday, February 23, 2022, 9:10 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Brown, Jochum, Ragan, Sinclair, and R. Smith.

Members Absent: Bolkcom, Zaun, and Zumbach (all excused).

Committee Business: Consider SCR 103.

Adjourned: 9:15 a.m.

WAYS AND MEANS

Convened: Wednesday, February 23, 2022, 1:40 p.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and T. Taylor.

Members Absent: Zaun (excused).

Committee Business: Governor appointments SF 590—Dawson SSB 3147 w/amendment—Dawson (pulled from agenda) SSB 3063 w/amendment—Dawson SSB 3130 w/amendment—Brown HF 419—Goodwin.

Adjourned: 2:00 p.m.

STUDY BILL RECEIVED**SSB 3153 Appropriations**

Relating to appropriations to the judicial branch.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2300**

LABOR AND BUSINESS RELATIONS: J. Taylor, Chair; Boulton and Guth

Senate File 2301

LABOR AND BUSINESS RELATIONS: Rowley, Chair; Boulton and Schultz

Senate File 2302

LABOR AND BUSINESS RELATIONS: Rowley, Chair; Boulton and Green

Senate File 2304

LABOR AND BUSINESS RELATIONS: Green, Chair; Driscoll and T. Taylor

Senate File 2314

WAYS AND MEANS: Goodwin, Chair; Dawson and Jochum

Senate File 2347

WAYS AND MEANS: Brown, Chair; Sweeney and T. Taylor

House File 2152

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

House File 2153

LOCAL GOVERNMENT: Driscoll, Chair; Hogg and Lofgren

SSB 3153

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

FINAL COMMITTEE REPORTS OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: SENATE CONCURRENT RESOLUTION 103, a concurrent resolution to approve and confirm the appointment of Bernardo Granwehr as Ombudsman.

Recommendation: DO PASS.

Final Vote: Yeas, 8: Whitver, Chapman, Wahls, Brown, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Excused, 3: Bolkcom, Zaun, and Zumbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 590, a bill for an act relating to the creation of land banks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and T. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 419, a bill for an act allowing counties to collect a fee for the issuance and renewal of driver's licenses and nonoperator's identification cards to persons who reside outside the county.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Dawson, Goodwin, Jochum, Brown, Dickey, Dotzler, Green, Schultz, Sinclair, R. Smith, Sweeney, and J. Taylor. Nays, 4: Bolkcom, Petersen, Quirmbach, and T. Taylor. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

WAYS AND MEANS

Samuel Eathington – Economic Development Authority

Aaron Burnett – Iowa Great Places Board

Danna Kehm – Iowa Great Places Board

Angel Wallace – Iowa Great Places Board

AMENDMENTS FILED

S-5017	S.F.	2362	Chris Cournoyer
S-5018	S.F.	493	Jeff Taylor
S-5019	S.F.	2086	Carrie Koelker
S-5020	S.F.	2323	Tom Shipley

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 24, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Wednesday, February 23, 2022, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced to the Senate chamber Matthew Peterson, the Governor's appointee to be the Commandant of the Iowa Veterans Home. He was the guest of the committee on Veterans Affairs.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 23, 2022, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 2005, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession.

Read first time and attached to **companion Senate Joint Resolution 15**.

ALSO: That the House has on February 23, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2083, a bill for an act relating to matters under the purview of the college student aid commission, including grant programs and the definition of accredited private institutions.

Read first time and referred to committee on **Education**.

House File 2160, a bill for an act relating to assisted reproduction and providing penalties.

Read first time and attached to **similar Senate File 2169**.

House File 2220, a bill for an act relating to antisemitism in the state of Iowa.

Read first time and attached to **similar Senate File 2183**.

House File 2221, a bill for an act relating to the admissibility of evidence in a prosecution for physical abuse or a sexual offense upon or against a child, person with an intellectual disability, person with a cognitive impairment, or person with a developmental disability.

Read first time and attached to **similar Senate File 2329**.

House File 2282, a bill for an act relating to spousal privilege and confidential communication between spouses.

Read first time and referred to committee on **Judiciary**.

House File 2293, a bill for an act increasing the amount the commission of veterans affairs may use from certain designated sources for the benefit of veterans.

Read first time and referred to committee on **Veterans Affairs**.

House File 2296, a bill for an act relating to broadband infrastructure installation pursuant to a public road right-of-way or municipality-owned conduit.

Read first time and attached to **similar Senate File 2189**.

House File 2299, a bill for an act relating to fire insurance policies and to appraisals of insured losses, and including applicability provisions.

Read first time and referred to committee on **Commerce**.

House File 2300, a bill for an act relating to protections for certain members of the military concerning employment and insurance coverage and making penalties applicable.

Read first time and referred to committee on **Veterans Affairs**.

House File 2330, a bill for an act relating to electronic delivery of certain insurance notices and documents.

Read first time and referred to committee on **Commerce**.

House File 2337, a bill for an act relating to underground storage tanks, including by creating the Iowa tanks fund and Iowa tanks fund financing program, repealing the Iowa comprehensive petroleum underground storage tank fund, and eliminating the Iowa comprehensive petroleum underground storage tank fund board, requiring a study, making appropriations, and including effective date and transition provisions.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 2338, a bill for an act relating to the apportionment of district associate judges.

Read first time and attached to **companion Senate File 2241**.

House File 2341, a bill for an act relating to the transfer of ownership of certain foreign vehicles.

Read first time and attached to **companion Senate File 2228**.

House File 2346, a bill for an act requiring vehicle identification information to be provided in a no-contact or protective order, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 2348, a bill for an act relating to the registration of antique snowmobiles.

Read first time and referred to committee on **Transportation**.

House File 2357, a bill for an act relating to sessions of the local board of review and including effective date provisions.

Read first time and referred to committee on **Local Government**.

House File 2358, a bill for an act relating to the Iowa law enforcement academy.

Read first time and referred to committee on **Judiciary**.

House File 2359, a bill for an act relating to the authority of a county treasurer to postpone or cancel an annual tax sale.

Read first time and referred to committee on **Ways and Means**.

House File 2360, a bill for an act relating to the salary of the state court administrator.

Read first time and attached to **similar Senate File 2134**.

House File 2367, a bill for an act relating to the Iowa drug policy coordinator and the Iowa drug policy advisory council.

Read first time and attached to **companion Senate File 2293**.

House File 2372, a bill for an act relating to the nonconsensual termination of a human pregnancy, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2373, a bill for an act relating to restrictions regarding companies boycotting Israel.

Read first time and attached to **companion Senate File 2265**.

House File 2374, a bill for an act providing for membership in a protection occupation under the Iowa public employees' retirement system and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **State Government**.

House File 2375, a bill for an act relating to petitions to change the form of management of a drainage or levee district to a board of trustees.

Read first time and referred to committee on **State Government**.

House File 2378, a bill for an act relating to pari-mutuel wagering, concerning distribution of horse racing purse moneys and establishing a fund for certain race horse organizations.

Read first time and referred to committee on **State Government**.

House File 2390, a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board.

Read first time and attached to **similar Senate File 2174**.

House File 2401, a bill for an act relating to the disclosure of specified information in connection with designated online marketplace transactions and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 2411, a bill for an act relating to replacements of permanent prosthetic devices for injured workers.

Read first time and referred to committee on **Labor and Business Relations**.

House File 2427, a bill for an act relating to certifications on applications for veteran special registration plates.

Read first time and referred to committee on **Veterans Affairs**.

House File 2428, a bill for an act relating to compensation for county hospital trustees.

Read first time and referred to committee on **Local Government**.

House File 2429, a bill for an act providing for the conduct of licensed veterinarians when involved in certain legal matters involving the alleged mistreatment of animals, including by providing for immunity from administrative, civil, or criminal liability when acting in good faith; providing for administrative, civil, or criminal liability when not acting in good faith; and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 2436, a bill for an act relating to public safety answering point cost and expense data collected from county joint 911 service boards.

Read first time and referred to committee on **Local Government**.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:11 a.m. until the completion of a meeting of the committee on State Government.

RECONVENED

The Senate reconvened at 11:42 a.m., President Chapman presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2206.

Senate File 2206

On motion of Senator Dawson, **Senate File 2206**, a bill for an act relating to state and local revenue and finances by modifying sales and use taxes, individual and corporate income taxes, the franchise tax, the insurance premiums tax, the equipment tax, the automobile rental excise tax, the water service tax, and local option taxes, crediting moneys to the natural resources and outdoor recreation trust fund, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on February 17, 2022, was taken up for consideration.

Senator Dawson offered amendment S-5021, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5021 was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that **House File 2317** be substituted for **Senate File 2206**.

House File 2317

On motion of Senator Dawson, **House File 2317**, a bill for an act relating to state and local revenue and finances by modifying sales and use taxes, individual and corporate income taxes, the franchise tax, the insurance premiums tax, the equipment tax, the automobile rental excise tax, the water service tax, and local option taxes, crediting moneys to the natural resources and outdoor recreation trust fund, and including effective date and applicability provisions, was taken up for consideration.

Senator Dawson offered amendment S-5022, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Wahls asked and received unanimous consent that action on amendment S-5022 and **House File 2317** be deferred.

The Senate stood at ease at 11:46 a.m. until the fall of the gavel.

The Senate resumed session at 2:22 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Zaun and Zumbach, until they arrive, on request of Senator Whitver.

BUSINESS PENDING

House File 2317

The Senate resumed consideration of **House File 2317**, a bill for an act relating to state revenue and finance by modifying the individual income tax, making appropriations, and including effective date and applicability provisions, previously deferred.

Senator Mathis offered amendment S-5024, filed by Senators Mathis and Kinney from the floor to pages 3 and 4 of amendment S-5022, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5024 to amendment S-5022 be adopted?” (H.F. 2317), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nay, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams		

Absent, 2:

Zaun Zumbach

Amendment S-5024 to amendment S-5022 lost.

Senator J. Smith offered amendment S-5027, filed by her from the floor to pages 9–15 of amendment S-5022, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5027 to amendment S-5022 be adopted?” (H.F. 2317), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nay, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams		

Absent, 2:

Zaun Zumbach

Amendment S-5027 to amendment S-5022 lost.

Senator Giddens offered amendment S-5023, filed by him from the floor to page 38 of amendment S-5022.

Senator Dawson raised the point of order that amendment S-5023 to amendment S-5022 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5023 to amendment S-5022 out of order.

Senator Trone Garriott offered amendment S-5025, filed by her from the floor to page 38 of amendment S-5022.

Senator Dawson raised the point of order that amendment S-5025 to amendment S-5022 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5025 to amendment S-5022 out of order.

Senator Wahls raised the point of order that amendment S-5022 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-5022 in order.

Senator Dawson moved the adoption of amendment S-5022.

A record roll call was requested.

On the question “Shall amendment S-5022 be adopted?” (H.F. 2317), the vote was:

Yea, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams		

Nay, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 2:

Zaun	Zumbach
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Amendment S-5022 was adopted.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2317), the vote was:

Yea, 32:

Bisignano	Brown	Carlin	Chapman
Costello	Cournoyer	Dawson	Dickey
Driscoll	Edler	Garrett	Goodwin
Green	Guth	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams

Nays, 16:

Bolkcom	Boulton	Celsi	Dotzler
Giddens	Hogg	Jochum	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 2:

Zaun	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Dawson asked and received unanimous consent that **Senate File 2206** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2317** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 24, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 825, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders.

Read first time and referred to committee on **Judiciary**.

House File 2246, a bill for an act relating to provisional licensing of interns enrolled in a doctoral degree program in psychology.

Read first time and referred to committee on **Human Resources**.

House File 2247, a bill for an act relating to the sale of native distilled spirits for on-premises consumption by certain manufacturers of native wine.

Read first time and referred to committee on **State Government**.

House File 2297, a bill for an act relating to the medical assistance and hawk-i programs, and managed care organizations.

Read first time and referred to committee on **Human Resources**.

House File 2380, a bill for an act relating to acreage limitations for the production of hemp, and including effective date provisions.

Read first time and attached to **similar Senate File 2110**.

House File 2399, a bill for an act relating to reimbursement for health care services provided after receipt of a prior authorization, and including applicability provisions.

Read first time and referred to committee on **Commerce**.

House File 2419, a bill for an act relating to the expungement of domestic abuse and sexual abuse dismissals.

Read first time and referred to committee on **Judiciary**.

House File 2446, a bill for an act relating to sexual exploitation of a minor, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on February 24, 2022, **passed** the following bill in which the concurrence of the House was asked:

Senate File 183, a bill for an act relating to a construction manager-at-risk commercial construction alternative delivery method and prohibiting certain other alternative delivery methods in the public sector and including effective date and applicability provisions.

ADJOURNMENT

On motion of Senator Dawson, the Senate adjourned at 3:57 p.m. until 1:00 p.m., Monday, February 28, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF MANAGEMENT

Early Childhood Iowa State Board, pursuant to Iowa Code section 256I.4. Report received on February 24, 2022.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Brett Handsaker—For receiving the Iowa Department of Agriculture and Land Stewardship Leader in Conservation Award. Senator Sweeney.

Brian Handsaker—For receiving the Iowa Department of Agriculture and Land Stewardship Leader in Conservation Award. Senator Sweeney.

David Handsaker—For receiving the Iowa Department of Agriculture and Land Stewardship Leader in Conservation Award. Senator Sweeney.

Jacob Handsaker—For receiving the Iowa Department of Agriculture and Land Stewardship Leader in Conservation Award. Senator Sweeney.

Kurt and Arliss Kelsey—For celebrating their 50th wedding anniversary. Senator Sweeney.

Roger and Arenda Maxwell—In gratitude for their legacy and ongoing commitment to enhancing education and opportunity for all people. Senator Trone Garriott.

Evelyn Reifschneider—For celebrating her 90th birthday. Senator Sweeney.

LaRita Rose—For celebrating her 90th birthday. Senator Sweeney.

Ryan Shclarmann, Hopkinton—For achieving the rank of Eagle Scout, Troop #60. Senator Koelker.

Tom and Pam Schutt—For celebrating their 50th wedding anniversary. Senator Sweeney.

Doug See—For celebrating his 80th birthday. Senator Sweeney.

Jane Taylor—For celebrating her 18th birthday. Senator J. Taylor.

Charles Warren, Leon—For celebrating his 92nd birthday. Senator Sinclair.

Douglas M. Woods—In recognition of his community leadership, inspiring others through his own generosity to raise nearly \$600,000 to feed hungry neighbors over nine years. Senator Trone Garriott.

INTRODUCTION OF RESOLUTION

Senate Resolution 103, by Koelker, a resolution designating March 8, annually, as Utility Worker Appreciation Day.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 2366, by committee on Ways and Means, a bill for an act relating to the assessment and taxation of wind energy conversion property and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2367, by committee on Ways and Means, a bill for an act relating to sales, use, and motor vehicle fuel taxes administered by the department of revenue including distributions to local governments and school districts, the liability of sellers, tax refund and tax credit incentives, and motor fuel tax reporting modifications, and providing penalties, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2122 (Reassigned)

WAYS AND MEANS: Schultz, Chair; Dawson and Dotzler

House File 2154

STATE GOVERNMENT: R. Smith, Chair; Boulton and Goodwin

House File 2166

LOCAL GOVERNMENT: Shipley, Chair; J. Smith and Williams

House File 2167

COMMERCE: Sinclair, Chair; Johnson and Quirmbach

House File 2202

HUMAN RESOURCES: Costello, Chair; Johnson and Trone Garriott

House File 2259

TRANSPORTATION: Driscoll, Chair; Koelker and J. Smith

House File 2282

JUDICIARY: Garrett, Chair; Boulton and Schultz

House File 2288

COMMERCE: Williams, Chair; Giddens and Klimesh

House File 2293

VETERANS AFFAIRS: Green, Chair; Giddens and Lofgren

House File 2300

VETERANS AFFAIRS: Lofgren, Chair; Dotzler and Green

House File 2346

JUDICIARY: Johnson, Chair; Kinney and Sinclair

House File 2348

TRANSPORTATION: Klimesh, Chair; Giddens and Shipley

House File 2357

LOCAL GOVERNMENT: Klimesh, Chair; Garrett and Quirmbach

House File 2358

JUDICIARY: J. Taylor, Chair; Kinney and Reichman

House File 2359

WAYS AND MEANS: Goodwin, Chair; Dickey and Quirmbach

House File 2372

JUDICIARY: J. Taylor, Chair; Johnson and Petersen

House File 2374

STATE GOVERNMENT: Goodwin, Chair; Boulton and Johnson

House File 2375

STATE GOVERNMENT: Guth, Chair; Brown and Celsi

House File 2378

STATE GOVERNMENT: R. Smith, Chair; Dawson and Jochum

House File 2401

JUDICIARY: Johnson, Chair; Bolkcom and Rowley

House File 2427

VETERANS AFFAIRS: Reichman, Chair; Dotzler and Lofgren

House File 2428

LOCAL GOVERNMENT: Klimesh, Chair; Hogg and Lofgren

House File 2436

LOCAL GOVERNMENT: Klimesh, Chair; Driscoll and T. Taylor

FINAL COMMITTEE REPORTS OF BILL ACTION**STATE GOVERNMENT**

Bill Title: HOUSE FILE 803, a bill for an act relating to duties performed by physician assistants.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5026.

Final Vote: Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, Celsi.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 2366 (SSB 3130), a bill for an act relating to the assessment and taxation of wind energy conversion property and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and T. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2366, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2367 (SSB 3063), a bill for an act relating to sales, use, and motor vehicle fuel taxes administered by the department of revenue including distributions to local governments and school districts, the liability of sellers, tax refund and tax credit incentives, and motor fuel tax reporting modifications, and providing penalties, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and T. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2367, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

STATE GOVERNMENT

Adam Steen – Director of the Department of Administrative Services

Wendell Talley – Commission on the Status of African Americans

Rebecca Brockmann – Board of Barbering

Kirby Connell – Board of Chiropractic

Nicole Conrad – Commission on Community Action Agencies

Brian Gongol – Commission of Deaf Services

Telina McKenna-Quintana – Commission of Deaf Services

Janet Rydberg – Board of Dietetics

Sara Fasching – Electrical Examining Board

Tim Gerald – Electrical Examining Board

Luke Maloney – Electrical Examining Board

Dan Wood – Electrical Examining Board

Candace Biddle – Elevator Safety Board

James Sweeney – Engineering and Land Surveying Examining Board

William Bemis – Investment Board of the Iowa Public Employees' Retirement System

Patricia Fasbender – Board of Medicine

Dalton Hayes – Board of Medicine

Chad Stadsvold – Board of Medicine

Taylor Beyal – Commission of Native American Affairs

Patrick Bigsby – Commission of Native American Affairs

Calvin Harlan – Commission of Native American Affairs

T. JoAn Schlotman – Commission of Native American Affairs

Ryan Stuck – Board of Nursing

Karen Bentzen – Board of Nursing Home Administrators

Cindy Dozark – Board of Nursing Home Administrators

Billy Meyers – Board of Nursing Home Administrators

Brian Kirschling – Board of Optometry

James Mennen – Board of Pharmacy

Andrew Steele – Board of Podiatry

Kelsey Sukovaty Cain – Board of Podiatry

Amy Burkhart – State Racing and Gaming Commission

Nancy Almasi – Board of Speech Pathology and Audiology

Caitlin McKenney – Board of Speech Pathology and Audiology

Meaghan O'Brien – Director of Office for State-Federal Relations

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on February 23, 2022:

I am withdrawing the name of Gina Battani for confirmation as a member of the Iowa State Civil Rights Commission from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5021	S.F.	2206	Dan Dawson
S-5022	H.F.	2317	Dan Dawson
S-5023	H.F.	2317	Eric Giddens
S-5024	H.F.	2317	Liz Mathis Kevin Kinney
S-5025	H.F.	2317	Sarah Trone Garriott
S-5026	H.F.	803	State Government
S-5027	H.F.	2317	Jackie Smith

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 28, 2022

The Senate met in regular session at 1:06 p.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Thursday, February 24, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 24, 2022, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2317, a bill for an act relating to state revenue and finance by modifying individual income tax rates, exemptions, and credits, corporate income tax rates and credits, credits against the franchise tax, the insurance premiums tax, and the moneys and credits tax, and the tax expenditure committee, making contingent transfers from the taxpayer relief fund, and including effective date and applicability provisions.

ALSO: That the House has on February 24, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2443, a bill for an act relating to contract enforceability regarding smart contracts and distributed ledger technology.

Read first time and referred to committee on **Judiciary**.

House File 2468, a bill for an act relating to statutes of limitations on arbitration proceedings and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

The Senate stood at ease at 1:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:03 p.m., President Chapman presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2356 and 2325.

Senate File 2356

On motion of Senator Sinclair, **Senate File 2356**, a bill for an act authorizing the boards of directors of school districts to engage certain specified individuals to serve without compensation as substitute teachers, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2356), the vote was:

Yea, 38:

Bisignano	Boulton	Brown	Chapman
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth

Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Quirmbach	Ragan	Reichman
Rowley	Rozemberg	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, T.
Whitver	Williams		

Nays, 7:

Bolkcom	Celsi	Jochum	Petersen
Smith, J.	Trone Garriott	Wahls	

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2325

On motion of Senator Koelker, **Senate File 2325**, a bill for an act related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2325), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman

Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams			

Nays, none.

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2325 and 2356** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2323, 2265, and 2193.

Senate File 2323

On motion of Senator Shipley, **Senate File 2323**, a bill for an act relating to the inventory of lands managed or owned by the department of natural resources or a county conservation board, and including applicability provisions, was taken up for consideration.

Senator Shipley offered amendment S-5029, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5029 was adopted by a voice vote.

With the passage of amendment S-5029 the Chair ruled amendment S-5020, filed by Senator Shipley on February 23, 2020, to page 1 and amending the title page of the bill, out of order.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2323), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozemberg	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams			

Nays, none.

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2265

On motion of Senator Guth, **Senate File 2265**, a bill for an act relating to restrictions regarding companies boycotting Israel, was taken up for consideration.

Senator Guth asked and received unanimous consent that **House File 2373** be substituted for **Senate File 2265**.

House File 2373

On motion of Senator Guth, **House File 2373**, a bill for an act relating to restrictions regarding companies boycotting Israel, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2373), the vote was:

Yeas, 40:

Boulton	Brown	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, 5:

Bisignano	Bolkcom	Celsi	Kinney
Petersen			

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Guth asked and received unanimous consent that **Senate File 2265** be **withdrawn** from further consideration of the Senate.

Senate File 2193

On motion of Senator Brown, **Senate File 2193**, a bill for an act relating to cognitive screenings by audiologists and speech pathologists, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2193), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams			

Nays, none.

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2193 and 2323 and House File 2373** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2139 and 2022.

Senate File 2139

On motion of Senator Brown, **Senate File 2139**, a bill for an act relating to wrecked or salvage vehicles with cosmetic damage, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2139), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams

Nays, 1:

Smith, J.

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2022

On motion of Senator Schultz, **Senate File 2022**, a bill for an act relating to the practice of cosmetology and barbering in certain locations, with report of committee recommending passage, was taken up for consideration.

Senator Schultz offered amendment S-5028, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5028 was adopted by a voice vote.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2022), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams			

Nays, none.

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 728.

House File 728

On motion of Senator Sweeney, **House File 728**, a bill for an act relating to noncompliance with rules adopted by a county sanitarian regarding septic tank pumping, with report of committee recommending passage, was taken up for consideration.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 728), the vote was:

Yeas, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Whitver

Nays, 17:

Bisignano	Bolkcom	Boulton	Celsi
Giddens	Jochum	Kinney	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls
Williams			

Absent, 5:

Carlin	Hogg	Taylor, J.	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2022 and 2139** and **House File 728** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:41 p.m. until 9:00 a.m., Tuesday, March 1, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2. Report received on February 28, 2022.

DEPARTMENT OF HUMAN SERVICES

Financial Condition of the Mental Health and Disability Services Regional Service Fund Report, pursuant to Iowa Code section 225C.7A. Report received on February 25, 2022.

INTRODUCTION OF BILL

Senate File 2368, by Mathis, Boulton, Lykam, Kinney, J. Smith, Dotzler, Bisignano, Hogg, Petersen, Jochum, Trone Garriott, Bolkcom, Ragan, T. Taylor, Giddens, Wahls, and Celsi, a bill for an act relating to education, including examinations administered to students by higher education institutions providing practitioner preparation, obligations of the department of education increasing the salary of initial teachers, modifying provisions related to endorsements issued by the board of educational examiners, and the use of certain specified school district moneys, and making appropriations.

Read first time under Rule 28 and referred to committee on **Education**.

SUBCOMMITTEE ASSIGNMENTS

House File 2083

EDUCATION: Sinclair, Chair; Kraayenbrink and Quirmbach

House File 2337

NATURAL RESOURCES AND ENVIRONMENT: Green, Chair; Driscoll and Lykam

AMENDMENTS FILED

S-5028	S.F.	2022	Jason Schultz
S-5029	S.F.	2323	Tom Shipley
S-5030	S.F.	2251	Adrian Dickey

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 1, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecilia Redman.

The Journal of Monday, February 28, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 2022, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2176, a bill for an act relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act.

ALSO: That the House has on February 28, 2022, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 463, a bill for an act establishing the occupational therapy licensure compact. (S-5031)

ALSO: That the House has on February 28, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2081, a bill for an act relating to teachers, including the assessments administered to practitioner preparation program admission candidates and to practitioner preparation program students prior to students' completion of a practitioner preparation program, field experiences, and certain specified licenses for teachers created by the board of educational examiners, and including notice, effective date, and applicability provisions.

Read first time and referred to committee on **Education**.

House File 2248, a bill for an act relating to the information to be provided by a health care provider as part of a referral of a patient to an ambulatory surgical center, and providing for licensee discipline.

Read first time and referred to committee on **Human Resources**.

House File 2298, a bill for an act relating to immunization against COVID-19 requirements for enrollment in any licensed child care center, elementary or secondary school, or postsecondary school in Iowa.

Read first time and referred to committee on **Judiciary**.

House File 2340, a bill for an act relating to public safety nuisances concerning licensed premises where alcoholic beverages, wine, or beer is sold or consumed.

Read first time and referred to committee on **State Government**.

House File 2345, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions.

Read first time and attached to **similar Senate File 2338**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:18 a.m. until 9:00 a.m., Wednesday, March 2, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Erica Brewer, Dubuque—For receiving the America's SBDC Iowa Deb Dalziel Woman Entrepreneur of the Year Award. Senator Jochum.

Dorothy Glew, Ackley—For celebrating her 95th birthday. Senator Sweeney.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, February 28, 2022, 2:45 p.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Mathis, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

Members Absent: None.

Committee Business: SF 2349.

Adjourned: 3:30 p.m.

EDUCATION

Convened: Tuesday, March 1, 2022, 2:30 p.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: Carlin (excused).

Committee Business: Consideration for confirmation: Darci Alt, Scott Hobart, Carol Meade, Rodney Bradley, Pamela Bleam, Michael Cavin , Susan Battani, consideration and passage of the following bills: SF 2291

Adjourned: 3:00 p.m.

HUMAN RESOURCES

Convened: Tuesday, March 1, 2022, 1:35 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Consideration of Governor Appointments: Erica Boer, Kevin Allemagne, Cody Samec, Mary Wink, Timothy Dowie, Adam Koch, Kelly Blackford, Mary Scieszinski, Michael Stopoulos, Eldora (Kay) Fisk, Skylar MayberryMayes, Samuel Wallace, Monika Jindal, Jose Ayala, Juan Himar Hernandez, Sarah Berndt, Donald Kass, June KleinBacon, Jeffrey Sorensen, Richard Whitaker Jr., Russell Wood, Chad Jensen, and Joel Wulf.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: Tuesday, March 1, 2022, 11:00 a.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: Confirmation of Governor Appointments En Bloc Confirmation Calendar: William (Bill) Anderson II, Judicial Nominating Commission, State Carolyn Schulte, Parole – Alternate, Board of Meredith Lamberti, Parole, Board of Maria Valdez Guerrero, Justice Advisory Board Stanley Thompson, Civil Rights Commission, Director of the Iowa State Andrew Boettger, Parole, Chairperson of the Board of Patrick Coughlin, Drug Policy Advisory Council Individual Confirmation Calendar: Brenna Bird, Drug Policy Advisory Council HF 2123.

Adjourned: 11:15 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, March 1, 2022, 2:00 p.m.

Members Present: Dickey, Chair; Green, Vice Chair; Boulton, Ranking Member; Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor.

Members Absent: None.

Committee Business: Gubernatorial Appointments – En Bloc Jason Shanks – Iowa Workforce Development Board Alicia Stafford – Iowa Workforce Development Board Mary Landhuis – Iowa Workforce Development Board Kelly Barrick – Iowa Workforce Development Board Brad Elliott – Iowa Workforce Development Board Deborah Mauricio – Iowa Workforce Development Board Alexander Severn – Iowa Workforce Development Board Ofelia Rumbo – Iowa Workforce Development Board Curt Baker – Plumbing and Mechanical Systems Board Toni Knight – Plumbing and Mechanical Systems Board Gubernatorial Appointments – Individual Jane Dufoe – Public Employment Relations Board Erik Helland – Public Employment Relations Board

Adjourned: 2:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 1, 2022, 1:20 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Lykam, Rozenboom, Shipley, and J. Taylor.

Members Absent: Hogg and Zumbach (both excused).

Committee Business: Vote to confirm governor's appointees.

Adjourned: 1:25 p.m.

TRANSPORTATION

Convened: Tuesday, March 1, 2022, 3:30 p.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and T. Taylor.

Members Absent: Zumbach (excused).

Committee Business: Governor appointee.

Adjourned: 3:35 p.m.

VETERANS AFFAIRS

Convened: Tuesday, March 1, 2022, 3:00 p.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Costello, Dawson, Dotzler, Edler, Green, and Ragan.

Members Absent: Carlin and Mathis (both excused).

Committee Business: Committee business.

Adjourned: 3:10 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 104, by Rozenboom, a resolution honoring the achievements and contributions of Gene Elliott.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 105, by Nunn, Wahls, Bisignano, Bolkcom, Boulton, Brown, Carlin, Celsi, Chapman, Costello, Cournoyer, Dawson, Dickey, Dotzler, Driscoll, Edler, Garrett, Giddens, Goodwin, Green, Guth, Hogg, Jochum, Johnson, Kinney, Klimesh, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Petersen, Quirmbach, Ragan, Reichman, Rowley, Rozenboom, Schultz, Shipley, Sinclair, J. Smith, R. Smith, Sweeney, T. Taylor, Trone Garriott, Williams, and Zaun, a resolution reaffirming Iowa's commitment to its relationship with the Ukrainian people and supporting Ukraine's efforts to remain an independent and autonomous nation.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILL

Senate File 2369, by committee on Appropriations, a bill for an act relating to education, including establishing a student first scholarship program and a student first enrollment supplement fund, requiring the boards of directors of school districts to publish certain specified information, modifying provisions related to required social studies instruction, open enrollment, teacher librarian endorsements, competent private instruction, and special education, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 825

JUDICIARY: J. Taylor, Chair; Petersen and Sinclair

House File 2246

HUMAN RESOURCES: Edler, Chair; Costello and Trone Garriott

House File 2247

STATE GOVERNMENT: Cournoyer, Chair; Boulton and R. Smith

House File 2297

HUMAN RESOURCES: Costello, Chair; Green and Jochum

House File 2298

JUDICIARY: Schultz, Chair; Bisignano and Zaun

House File 2299

COMMERCE: Nunn, Chair; Johnson and Quirmbach

House File 2330

COMMERCE: Williams, Chair; Giddens and Klimesh

House File 2399

COMMERCE: Klimesh, Chair; Bisignano and Williams

House File 2419

JUDICIARY: Johnson, Chair; Petersen and Reichman

House File 2429

JUDICIARY: Shipley, Chair; Kinney and Schultz

House File 2443

JUDICIARY: Garrett, Chair; Boulton and Shipley

House File 2446

JUDICIARY: Dawson, Chair; Kinney and J. Taylor

House File 2468

JUDICIARY: Schultz, Chair; Bolkcom and Rowley

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2369 (formerly SF 2349), a bill for an act relating to education, including establishing a student first scholarship program and a student first enrollment supplement fund, requiring the boards of directors of school districts to publish certain specified information, modifying provisions related to required social studies instruction, open enrollment, teacher librarian endorsements, competent private instruction, and special education, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 8: Bolkcom, Celsi, Dotzler, Mathis, Petersen, Ragan, J. Smith, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: SENATE FILE 2291, a bill for an act relating to para-educators holding substitute authorizations and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Sinclair, J. Taylor, Quirmbach, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, 1: Carlin.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 2123, a bill for an act authorizing a criminal or juvenile justice agency to redistribute driver's license photos in missing persons cases, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 2300, a bill for an act relating to protections for certain members of the military concerning employment and insurance coverage and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Lofgren, Reichman, Giddens, Costello, Dawson, Dotzler, Edler, Green, and Ragan. Nays, none. Excused, 2: Carlin and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Darci Alt – Children's Behavioral Health System State Board
Scott Hobart – Children's Behavioral Health System State Board
Carol Meade – Children's Behavioral Health System State Board

Pamela Bleam – Board of Educational Examiners

Susan Battani – School Budget Review Committee

HUMAN RESOURCES

Joel Wulf – Commission on Aging

Erica Boer – Board of Athletic Training

Kevin Allemande – Board of Behavioral Science
Cody Samec – Board of Behavioral Science
Mary Wink – Board of Behavioral Science

Timothy Dowie – Commission of Persons with Disabilities
Adam Koch – Commission of Persons with Disabilities

Kelly Blackford – Health Facilities Council

Mary Scieszinski – Healthy and Well Kids in Iowa (HAWK-I) Board
Michael Stopulos – Healthy and Well Kids in Iowa (HAWK-I) Board

Eldora (Kay) Fisk – Council on Human Services
Monika Jindal – Council on Human Services
Skylar Mayberry-Mayes – Council on Human Services
Samuel Wallace – Council on Human Services

Jose Ayala – Commission of Latino Affairs
Juan Himar Hernandez – Commission of Latino Affairs

Sarah Berndt – Mental Health and Disability Services Commission
Donald Kass – Mental Health and Disability Services Commission
June Klein-Bacon – Mental Health and Disability Services Commission
Jeffrey Sorensen – Mental Health and Disability Services Commission
Richard Whitaker, Jr. – Mental Health and Disability Services Commission
Russell Wood – Mental Health and Disability Services Commission

Chad Jensen – Commission on Tobacco Use Prevention and Control

JUDICIARY

Stanley Thompson – Director of the Iowa State Civil Rights Commission

Patrick Coughlin – Drug Policy Advisory Council

William (Bill) Anderson II – State Judicial Nominating Commission

Maria Valdez Guerrero – Justice Advisory Board

Andrew Boettger – Chairperson of the Board of Parole

Meredith Lamberti – Board of Parole

Carolyn Schulte Parole – Board of Parole, Alternate

LABOR AND BUSINESS RELATIONS

Curt Baker – Plumbing and Mechanical Systems Board
Toni Knight – Plumbing and Mechanical Systems Board

Kelly Barrick – Iowa Workforce Development Board
Brad Elliott – Iowa Workforce Development Board
Mary Landhuis – Iowa Workforce Development Board
Deborah Mauricio – Iowa Workforce Development Board
Ofelia Rumbo – Iowa Workforce Development Board
Alexander Severn – Iowa Workforce Development Board
Jason Shanks – Iowa Workforce Development Board
Alicia Stafford – Iowa Workforce Development Board

NATURAL RESOURCES AND ENVIRONMENT

Jodi Freet – Flood Mitigation Board

Tammi Kircher – Natural Resource Commission

TRANSPORTATION

Sally Stutsman – State Transportation Commission

VETERANS AFFAIRS

George Mosby – Commission of Veterans Affairs

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

EDUCATION

Rodney Bradley – State Board of Education

Michael Cavin – Executive Director of the Board of Educational Examiners

JUDICIARY

Brenna Bird – Drug Policy Advisory Council

LABOR AND BUSINESS RELATIONS

Erik Helland – Public Employment Relations Board, Chair & member of the

Jane Dufoe – Public Employment Relations Board

AMENDMENTS FILED

S-5031	S.F.	463	House
S-5032	S.F.	2255	Jeff Edler
S-5033	S.F.	2309	Jason Schultz

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 2, 2022

The Senate met in regular session at 9:07 a.m., President Chapman presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Tuesday, March 1, 2022, was approved.

RECESS

On motion of Senator Brown, the Senate recessed at 9:10 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:05 p.m., President Chapman presiding.

QUORUM CALL

Senator Sweeney requested a nonrecord roll call to determine that a quorum was present. The Chair declared a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver; and Senator Kinney, until he arrives, on request of Senator Wahls.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2342.

Senate File 2342

On motion of Senator Goodwin, **Senate File 2342**, a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex, was taken up for consideration.

Senator Goodwin offered amendment S-5034, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5034 was adopted by a voice vote.

Senator Goodwin asked and received unanimous consent that **House File 2416** be substituted for **Senate File 2342**.

House File 2416

On motion of Senator Goodwin, **House File 2416**, a bill for an act relating to student eligibility requirements in school district, accredited nonpublic school, charter school, community college, and regent institution athletics based on sex, was taken up for consideration.

President Pro Tempore Zaun took the chair at 1:38 p.m.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2416), the vote was:

Yea, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	

Nays, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Goodwin asked and received unanimous consent that **Senate File 2342** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2416** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2169 and 2183.

Senate File 2169

On motion of Senator Sweeney, **Senate File 2169**, a bill for an act relating to assisted reproduction fraud, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Sweeney offered amendment S-5035, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5035 was adopted by a voice vote.

Senator Sweeney asked and received unanimous consent that **House File 2160** be substituted for **Senate File 2169**.

House File 2160

On motion of Senator Sweeney, **House File 2160**, a bill for an act relating to assisted reproduction fraud, and providing penalties, was taken up for consideration.

Senator Sweeney offered amendment S-5036, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5036 was adopted by a voice vote.

President Chapman took the chair at 3:07 p.m.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2160), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Sweeney asked and received unanimous consent that **Senate File 2169** be **withdrawn** from further consideration of the Senate.

Senate File 2183

On motion of Senator Schultz, **Senate File 2183**, a bill for an act relating to antisemitism in the state of Iowa, was taken up for consideration.

Senator Schultz asked and received unanimous consent that **House File 2220** be **substituted** for **Senate File 2183**.

House File 2220

On motion of Senator Schultz, **House File 2220**, a bill for an act relating to antisemitism in the state of Iowa, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2220), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Loftgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schultz asked and received unanimous consent that **Senate File 2183** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2160** and **2220** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2287, 2305, and 2310.

Senate File 2287

On motion of Senator Brown, **Senate File 2287**, a bill for an act relating to used catalytic converter transactions, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Brown offered amendment S-5038, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5038 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2287), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Mathis	Nunn	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, 4:

Dotzler	Lykam	Petersen	Smith, J.
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Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2305

On motion of Senator Koelker, **Senate File 2305**, a bill for an act regarding port authorities, including by allowing port authorities to enter into certain loan agreements and lease contracts, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2305), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2310

On motion of Senator Williams, **Senate File 2310**, a bill for an act relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2310), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 2:

Kinney Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2287, 2305, and 2310** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2128, a bill for an act relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty.

Senate File 2130, a bill for an act relating to schools that are required to register with the college student aid commission.

Senate File 2279, a bill for an act regarding electronic submission of bids for public improvement contracts.

Senate File 2325, a bill for an act related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program, and including effective date and retroactive applicability provisions.

ALSO: That the House has on March 2, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2147, a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

House File 2165, a bill for an act relating to employment, including modifying provisions related to the list of high-demand jobs created by community colleges and students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund.

Read first time and attached to **similar Senate File 2129**.

House File 2200, a bill for an act relating to direct health care agreements, and including effective date and applicability provisions.

Read first time and attached to **similar Senate File 2276**.

House File 2302, a bill for an act relating to affirmative defenses for entities using cybersecurity programs.

Read first time and referred to committee on **Commerce**.

House File 2408, a bill for an act relating to the delivery of restaurant food pursuant to a food delivery platform, providing civil penalties, and including applicability provisions.

Read first time and attached to **similar Senate File 2320**.

House File 2414, a bill for an act relating to waiver of the placement investigations and reports related to the adoption of a minor by a minor's legal guardian.

Read first time and referred to committee on **Judiciary**.

House File 2415, a bill for an act relating to private land available for public use for recreational purposes.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 2420, a bill for an act relating to the newborn safe haven Act.

Read first time and referred to committee on **State Government**.

House File 2445, a bill for an act relating to the uniform commercial code by providing for controllable electronic records.

Read first time and attached to **companion Senate File 2333**.

House File 2461, a bill for an act relating to ransomware and providing penalties.

Read first time and referred to committee on **Commerce**.

House File 2463, a bill for an act relating to nonsubstantive Code corrections, and including retroactive applicability provisions.

Read first time and attached to **companion Senate File 2294**.

House File 2470, a bill for an act adopting and implementing the recommendations of the artisanal butchery task force.

Read first time and referred to committee on **Commerce**.

House File 2472, a bill for an act relating to tampering with witnesses or jurors, and providing penalties.

Read first time and referred to committee on **Judiciary**.

House File 2493, a bill for an act relating to para-educators holding substitute authorizations and including effective date provisions.

Read first time and attached to **companion Senate File 2291**.

House File 2495, a bill for an act establishing the comprehensive transition and postsecondary program scholarship program.

Read first time and referred to committee on **Education**.

House File 2521, a bill for an act relating to health care employment agencies, and providing penalties.

Read first time and attached to **companion Senate File 2210**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:24 p.m. until 9:00 a.m., Thursday, March 3, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Kennedy Bigwood, Camanche High School—For winning the Class 1A Individual State Championship. Senator Cournoyer.

Eric Kinkaid, Camanche High School—For winning the 145lb, 2A 2022 Iowa High School State Wrestling Championship. Senator Cournoyer.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, March 2, 2022, 10:10 a.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams.

Members Absent: None.

Committee Business: HF 2167.

Adjourned: 10:20 a.m.

STATE GOVERNMENT

Convened: Wednesday, March 2, 2022, 3:30 p.m.

Members Present: R. Smith, Chair; Cournoyer, Vice Chair; Boulton, Brown, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, and Reichman.

Members Absent: Bisignano, Ranking Member; Celsi, and Schultz (all excused).

Committee Business: Distribution of committee assignments.

Adjourned: 3:35 p.m.

WAYS AND MEANS

Convened: Tuesday, March 2, 2022, 11:25 a.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun.

Members Absent: None.

Committee Business: SSB 3147 w/amendment SSB 3152 w/amendment SSB 3151 w/amendment (pulled from agenda).

Adjourned: 11:40 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 106, by Nunn and Boulton, a resolution honoring the nation of Taiwan.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS

House File 2340

STATE GOVERNMENT: Cournoyer, Chair; Bisignano, Boulton, Dawson, and R. Smith

House File 2411

LABOR AND BUSINESS RELATIONS: Dickey, Chair; Boulton and Driscoll

FINAL COMMITTEE REPORT OF BILL ACTION

COMMERCE

Bill Title: HOUSE FILE 2167, a bill for an act relating to the definition of autism spectrum disorder for purposes of certain health care coverage, making conforming changes, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 2, 2022:

I am withdrawing the name of Judy Loonan for confirmation as a member of the State Soil Conservation and Water Quality Committee from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

**GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Bobbi Terrell – Credit Union Review Board

AMENDMENTS FILED

S-5034	S.F.	2342	Tim Goodwin
S-5035	S.F.	2169	Annette Sweeney
S-5036	H.F.	2160	Annette Sweeney
S-5037	S.F.	2260	Dan Dawson
S-5038	S.F.	2287	Waylon Brown
S-5039	S.F.	2251	Adrian Dickey

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 3, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Wednesday, March 2, 2022, was approved.

SPECIAL GUESTS

Senator Jochum introduced to the Senate chamber the recipient of the Deb Dalziel Woman Entrepreneurial Award, Erica Brewer, owner of Belle Allure Minkz and Boutique.

The Senate rose and expressed its congratulations.

Senator Ragan introduced to the Senate chamber the recipient of the Neal Smith Entrepreneurs of the Year Award, Matt Curtis, owner of Wayne's Ski and Cycle.

The Senate rose and Expressed its congratulations.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2119, a bill for an act relating to cosmetology and the practice of threading.

Senate File 2266, a bill for an act concerning compensation and benefits limits, relating to the earnings limitation for retirees under the Iowa public employees' retirement system and compensation limits for school corporation board members, and including effective date provisions.

ALSO: That the House has on March 2, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2127, a bill for an act relating to payments to child care providers from families participating in the state child care assistance program.

Read first time and referred to committee on **Human Resources**.

House File 2198, a bill for an act relating to the minimum age requirements for employees and substitutes working at a child care center.

Read first time and referred to committee on **Human Resources**.

House File 2203, a bill for an act relating to health care including protections for health care providers against disciplinary actions for acts or omissions related to COVID-19 and to experimental treatments for terminally ill persons, and including effective date provisions.

Read first time and referred to committee on **Human Resources**.

House File 2398, a bill for an act relating to certain specified employees of school districts, accredited nonpublic schools, and charter schools, including renewal requirements associated with licenses issued by the board of educational examiners to practitioners with master's or doctoral degrees, fees associated with the review of certain specified records, and background checks for employees of school districts, accredited nonpublic schools, and charter schools.

Read first time and referred to committee on **Education**.

House File 2462, a bill for an act relating to penalties for the manufacture, delivery, or possession with the intent to manufacture or deliver heroin.

Read first time and attached to **companion Senate File 2179**.

House File 2497, a bill for an act relating to gambling regulation and wagering, concerning cashless wagering, forfeiture and withholding of certain gaming winnings, sports wagering, occupational licenses, and providing penalties.

Read first time and referred to committee on **State Government**.

House File 2501, a bill for an act relating to the investment and use of funds in the veterans trust fund.

Read first time and referred to committee on **Veterans Affairs**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:19 a.m. until 1:00 p.m., Monday, March 7, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Preferred Drug List Program Report, pursuant to Iowa Code section 249A.20A.
Report received on March 3, 2022.

INTRODUCTION OF BILLS

Senate File 2370, by committee on Ways and Means, a bill for an act relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2371, by committee on Ways and Means, a bill for an act relating to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, the assessment of property, the collection of debt, the refunds of certain fuel taxes, and the taxation of pass-through entities, reducing inheritance taxes for unknown heirs, establishing salaries, providing for a fee, making appropriations, and providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2122
(Reassigned)

WAYS AND MEANS: Schultz, Chair; Brown and Dotzler

House File 2501

VETERANS AFFAIRS: Lofgren, Chair; Giddens and Reichman

FINAL COMMITTEE REPORTS OF BILL ACTION**WAYS AND MEANS**

Bill Title: *SENATE FILE 2370 (SSB 3152), a bill for an act relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, 1: Quirmbach. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2370, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2371 (SSB 3147), a bill for an act relating to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, the assessment of property, the collection of debt, the refunds of certain fuel taxes, and the taxation of pass-through entities, reducing inheritance taxes for unknown heirs, establishing salaries, providing for a fee, making appropriations, and providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dawson, Goodwin, Brown, Dickey, Green, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, 6: Jochum, Bolkcom, Dotzler, Petersen, Quirmbach, and T. Taylor. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2371, and they were attached to the committee report.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 7, 2022

The Senate met in regular session at 1:03 p.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Thursday, March 3, 2022, was approved.

ADJOURNMENT

On motion of Senator Brown, the Senate adjourned at 1:10 p.m. until 9:00 a.m., Tuesday, March 8, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lisa Hoerschelmann, 1st Gateway Credit Union in Clinton—For receiving the Consumer Protection Hero Award. Senator Cournoyer.

Jacob Ludwig, Ankeny—For being elected Student Body President of Iowa State University. Senator Nunn.

REPORT OF COMMITTEE MEETING

HUMAN RESOURCES

Convened: Monday, March 7, 2022, 2:10 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Consideration and passage of bills: HF 2202, HF 2297, and HF 2246.

Adjourned: 2:20 p.m.

STUDY BILL RECEIVED

SSB 3154 Ways and Means

Relating to state taxation and administration by modifying sales and use taxes, individual and corporate income taxes, the automobile rental excise tax, the franchise tax, and the insurance premiums tax, and including effective date, applicability, and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2302

COMMERCE: Johnson, Chair; Mathis and Williams

House File 2415

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Green and Hogg

House File 2470

COMMERCE: Johnson, Chair; Bisignano and Koelker

SSB 3154

WAYS AND MEANS: Dawson, Chair; Bolkcom and Goodwin

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: HOUSE FILE 2202, a bill for an act relating to Medicaid program reporting requirements.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2246, a bill for an act relating to provisional licensing of interns enrolled in a doctoral degree program in psychology.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2297, a bill for an act relating to the medical assistance and hawk-i programs, and managed care organizations.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Edler, Costello, Mathis, Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5040	S.F.	2329	Tom Shipley
S-5041	H.F.	2221	Tom Shipley

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 8, 2022

The Senate met in regular session at 9:10 a.m., President Chapman presiding.

Prayer was offered by the Honorable Zach Nunn, member of the Senate from Polk County, Altoona, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Monday, March 7, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2281, a bill for an act relating to video conferences in judicial proceedings and certified shorthand reporter audio and video recordings, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 2331, a bill for an act establishing daylight saving time as the official time in this state throughout the year and including effective date provision.

Read first time and referred to committee on **State Government**.

House File 2412, a bill for an act requiring radon testing and mitigation in public schools, and including applicability provisions.

Read first time and referred to committee on **Education**.

House File 2520, a bill for an act exempting from the state sales and use tax the purchase price of specified digital products, prewritten computer software, and related services sold to public utilities, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2547, a bill for an act relating to midwife licensure, providing for fees, and making penalties applicable.

Read first time and referred to committee on **State Government**.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:18 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:20 a.m., President Chapman presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 103.

Senate Resolution 103

On motion of Senator Koelker, **Senate Resolution 103**, a resolution designating March 8, annually, as Utility Worker Appreciation Day, was taken up for consideration.

Senator Koelker moved the adoption of Senate Resolution 103, which motion prevailed by a voice vote.

The Senate stood at ease at 9:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:48 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kinney and Hogg, until they arrive, on request of Senator Wahls; and Senator Dickey, until he arrives, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Whitver called up the following eligible appointees on the En Bloc Confirmation Calendar:

Wendell Talley, Commission on the Status of African Americans

Joel Wulf, Commission on Aging

Erica Boer, Board of Athletic Training

Rebecca Brockmann, Board of Barbering

Kevin Allemagne, Board of Behavioral Science

Cody Samec, Board of Behavioral Science

Mary Wink, Board of Behavioral Science

Darci Alt, Children's Behavioral Health System State Board

Scott Hobart, Children's Behavioral Health System State Board

Carol Meade, Children's Behavioral Health System State Board

Kirby Connell, Board of Chiropractic

Nicole Conrad, Commission on Community Action Agencies

Bobbi Terrell, Credit Union Review Board

Brian Gongol, Commission of Deaf Services

Telina McKenna-Quintana, Commission of Deaf Services

Janet Rydberg, Board of Dietetics

Timothy Dowie, Commission of Persons with Disabilities

Adam Koch, Commission of Persons with Disabilities

Patrick Coughlin, Drug Policy Advisory Council

Samuel Eathington, Economic Development Authority

Pamela Bleam, Board of Educational Examiners

Sara Fasching, Electrical Examining Board

Tim Gerald, Electrical Examining Board

Luke Maloney, Electrical Examining Board

Dan Wood, Electrical Examining Board

Candace Biddle, Elevator Safety Board

James Sweeney, Engineering and Land Surveying Examining Board

Jodi Freet, Flood Mitigation Board

Aaron Burnett, Iowa Great Places Board

Danna Kehm, Iowa Great Places Board

Angel Wallace, Iowa Great Places Board

Kelly Blackford, Health Facilities Council

Mary Scieszinski, Healthy and Well Kids in Iowa (HAWK-I) Board

Michael Stopulos, Healthy and Well Kids in Iowa (HAWK-I) Board

Eldora (Kay) Fisk, Council on Human Services
Monika Jindal, Council on Human Services
Skylar Mayberry-Mayes, Council on Human Services
Samuel Wallace, Council on Human Services

William Bemis, Investment Board of the Iowa Public Employees' Retirement System

William (Bill) Anderson II, State Judicial Nominating Commission

Maria Valdez Guerrero, Justice Advisory Board

Jose Ayala, Commission of Latino Affairs
Juan Himar Hernandez, Commission of Latino Affairs

Patricia Fasbender, Board of Medicine
Dalton Hayes, Board of Medicine
Chad Stadsvold, Board of Medicine

Sarah Berndt, Mental Health and Disability Services Commission
Donald Kass, Mental Health and Disability Services Commission
June Klein-Bacon, Mental Health and Disability Services Commission
Jeffrey Sorensen, Mental Health and Disability Services Commission
Richard Whitaker, Jr., Mental Health and Disability Services Commission
Russell Wood, Mental Health and Disability Services Commission

Taylor Beyal, Commission of Native American Affairs
Patrick Bigsby, Commission of Native American Affairs
Calvin Harlan, Commission of Native American Affairs
T. JoAn Schlotman, Commission of Native American Affairs

Tammi Kircher, Natural Resource Commission

Ryan Stuck, Board of Nursing

Karen Bentsen, Board of Nursing Home Administrators
Cindy Dozark, Board of Nursing Home Administrators
Billy Meyers, Board of Nursing Home Administrators

Brian Kirschling, Board of Optometry

Andrew Boettger, Chairperson of the Board of Parole

Meredith Lamberti, Board of Parole

Carolyn Schulte Parole, Board of Parole, Alternate

James Mennen, Board of Pharmacy

Curt Baker, Plumbing and Mechanical Systems Board
Toni Knight, Plumbing and Mechanical Systems Board

Andrew Steele, Board of Podiatry

Kelsey Sukovaty Cain, Board of Podiatry

Amy Burkhart, State Racing and Gaming Commission

Susan Battani, School Budget Review Committee

Nancy Almasi, Board of Speech Pathology and Audiology
Caitlin McKenney, Board of Speech Pathology and Audiology

Meaghan O'Brien, Director of Office for State-Federal Relations

Chad Jensen, Commission on Tobacco Use Prevention and Control

Sally Stutsman, State Transportation Commission

George Mosby, Commission of Veterans Affairs

Kelly Barrick, Iowa Workforce Development Board

Brad Elliott, Iowa Workforce Development Board

Mary Landhuis, Iowa Workforce Development Board

Deborah Mauricio, Iowa Workforce Development Board

Ofelia Rumbo, Iowa Workforce Development Board

Alexander Severn, Iowa Workforce Development Board

Jason Shanks, Iowa Workforce Development Board

Alicia Stafford, Iowa Workforce Development Board

Senator Whitver moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Dickey	Hogg	Kinney
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The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2196 and 2291.

Senate File 2196

On motion of Senator Koelker, **Senate File 2196**, a bill for an act relating to fees charged to employees by employers for copies of personnel files, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2196), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Dickey Hogg Kinney

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2291

On motion of Senator Cournoyer, **Senate File 2291**, a bill for an act relating to para-educators holding substitute authorizations and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer offered amendment S-5042, filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5042 was adopted by a voice vote.

Senator Cournoyer asked and received unanimous consent that **House File 2493** be substituted for **Senate File 2291**.

House File 2493

On motion of Senator Cournoyer, **House File 2493**, a bill for an act relating to para-educators holding substitute authorizations and including effective date provisions, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2493), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Dickey	Hogg	Kinney
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Cournoyer asked and received unanimous consent that **Senate File 2291** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2196** and **House File 2493** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2307, 2329, and 2345.

Senate File 2307

On motion of Senator Koelker, **Senate File 2307**, a bill for an act relating to professional licensing boards, including requirements related to the submission of official transcripts or diplomas, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2307), the vote was:

Yea, 37:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Reichman
Rowley	Rozemberg	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, 10:

Bolkcom	Celsi	Dotzler	Jochum
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott		

Absent, 3:

Dickey	Hogg	Kinney
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2329

On motion of Senator Shipley, **Senate File 2329**, a bill for an act relating to evidence, including spousal privilege and confidential communications between spouses, and the admissibility of evidence in a prosecution for physical abuse or a sexual offense upon or against a child, person with an intellectual disability, person with a cognitive impairment, or person with a developmental disability, was taken up for consideration.

Senator Shipley offered amendment S-5040, filed by him on March 7, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5040 was adopted by a voice vote.

With the adoption of amendment S-5040, the Chair ruled amendment S-5015, filed by Senator Shipley on February 22, 2022, to page 3 of the bill, out of order.

Senator Shipley asked and received unanimous consent that **House File 2221** be **substituted** for **Senate File 2329**.

House File 2221

On motion of Senator Shipley, **House File 2221**, a bill for an act relating to evidence, including spousal privilege and confidential communications between spouses, and the admissibility of evidence in a prosecution for physical abuse or a sexual offense upon or against a child, person with an intellectual disability, person with a cognitive impairment, or person with a developmental disability, was taken up for consideration.

Senator Shipley offered amendment S-5041, filed by him on March 7, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5041 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2221), the vote was:

Yeas, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Dickey	Hogg	Kinney
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2329** be **withdrawn** from further consideration of the Senate.

Senate File 2345

On motion of Senator Costello, **Senate File 2345**, a bill for an act relating to the newborn screening, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2345), the vote was:

Yeas, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Dickey	Hogg	Kinney
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2307 and 2345 and House File 2221** be **immediately messaged** to the House.

President Pro Tempore Zaun took the chair at 11:18 a.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2263.

Senate File 2263

On motion of Senator R. Smith, **Senate File 2263**, a bill for an act relating to the confirmation by the senate of certain appointees, was taken up for consideration.

Senator Boulton asked and received unanimous consent that action on **Senate File 2263** be deferred.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:19 a.m. until 12:30 p.m.

RECONVENED

The Senate reconvened at 12:42 p.m., President Pro Tempore Zaun presiding.

QUORUM CALL

Senator Goodwin requested a nonrecord roll call to determine that a quorum was present. The Chair declared a quorum present.

BUSINESS PENDING

Senate File 2263

The Senate resumed consideration of **Senate File 2263**, a bill for an act relating to the confirmation by the senate of certain appointees, previously deferred.

Senator R. Smith offered amendment S-5043, filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5043 be adopted?” (S.F. 2263), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman

Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Dickey	Hogg
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Amendment S-5043 was adopted.

The Senate stood at ease at 12:53 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 1:03 p.m., President Pro Tempore Zaun presiding.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2263), the vote was:

Yea, 33:

Bolkcom	Brown	Carlin	Chapman
Costello	Cournoyer	Dawson	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Quirmbach
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun
Zumbach			

Nays, 15:

Bisignano	Boulton	Celsi	Dotzler
Giddens	Jochum	Kinney	Lykam
Mathis	Petersen	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 2:

Dickey Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2263** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2260, 2346, and 2357.

Senate File 2260

On motion of Senator Dawson, **Senate File 2260**, a bill for an act providing for the adoption of certain animals confined by research facilities, with report of committee recommending passage, was taken up for consideration.

Senator Dawson offered amendment S-5037, filed by him on March 2, 2022, to page 1 of the bill, and moved its adoption.

Amendment S-5037 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2260), the vote was:

Yeas, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren

Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, 1:

Edler

Absent, 2:

Dickey	Hogg
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2346

On motion of Senator Shipley, **Senate File 2346**, a bill for an act relating to flashing lights equipped on motor vehicles, and making penalties applicable, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2346), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Dickey Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2357

On motion of Senator Goodwin, **Senate File 2357**, a bill for an act relating to voting during meetings of the boards of directors of school districts and including effective date provisions, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2357), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Dickey Hogg

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2260, 2346, and 2357** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dawson, the Senate adjourned at 1:52 p.m. until 9:00 a.m., Wednesday, March 9, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Span of Control Policy Report, pursuant to 262.9C. Report received on March 7, 2022.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, March 8, 2022, 1:15 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Green, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach.

Members Absent: Hogg (excused).

Committee Business: HF 2337.

Adjourned: 1:20 p.m.

VETERANS AFFAIRS

Convened: Tuesday, March 8, 2022, 2:25 p.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan.

Members Absent: None.

Committee Business: Committee business.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: Tuesday, March 8, 2022, 3:35 p.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun.

Members Absent: Dickey (excused).

Committee Business: SSB 3154 – Sales, Insurance Premium, Franchise Taxes – Dawson w/amendment SF 2353 – Nonresident user fee – Dawson w/amendment SF 2350 – Alcohol Beverage Division Smith w/amendment.

Adjourned: 4:05 p.m.

INTRODUCTION OF BILL

Senate File 2372, by committee on Ways and Means, a bill for an act relating to state taxation and administration by modifying sales and use taxes, individual and corporate income taxes, the automobile rental excise tax, the franchise tax, and the insurance premiums tax, and including effective date, applicability, and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

STUDY BILL RECEIVED

SSB 3155 Ways and Means

Relating to electric motor vehicle registration fees for antique motor vehicles.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2368

EDUCATION: Johnson, Chair; Carlin and J. Smith

House File 771
(Reassigned)

EDUCATION: Rozenboom, Chair; Celsi and Johnson

House File 2081

EDUCATION: Sinclair, Chair; Giddens and Johnson

House File 2127

HUMAN RESOURCES: Lofgren, Chair; Green and Trone Garriott

House File 2147

APPROPRIATIONS: Lofgren, Chair; Dotzler and Reichman

House File 2198

HUMAN RESOURCES: Johnson, Chair; Jochum and Rowley

House File 2203

HUMAN RESOURCES: Costello, Chair; Bolkcom and Green

House File 2248

HUMAN RESOURCES: Edler, Chair; Costello and Ragan

House File 2281

JUDICIARY: J. Taylor, Chair; Kinney and Shipley

House File 2398

EDUCATION: Sinclair, Chair; Celsi and J. Taylor

House File 2412

EDUCATION: Johnson, Chair; J. Smith and Sweeney

House File 2414

JUDICIARY: Shipley, Chair; Petersen and Rowley

House File 2461

COMMERCE: Johnson, Chair; Quirmbach and Williams

House File 2472

JUDICIARY: Reichman, Chair; Boulton and Shipley

House File 2495

EDUCATION: J. Taylor, Chair; Kraayenbrink and Quirmbach

House File 2520

WAYS AND MEANS: Goodwin, Chair; Dawson and Jochum

SSB 3155

WAYS AND MEANS: Goodwin, Chair; Brown and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION**NATURAL RESOURCES AND ENVIRONMENT**

Bill Title: HOUSE FILE 2337, a bill for an act relating to underground storage tanks, including by creating the Iowa tanks fund and Iowa tanks fund financing program, repealing the Iowa comprehensive petroleum underground storage tank fund, and eliminating the Iowa comprehensive petroleum underground storage tank fund board, requiring a study, making appropriations, and including effective date and transition provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Green, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 2501, a bill for an act relating to the investment and use of funds in the veterans trust fund.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Lofgren, Reichman, Giddens, Carlin, Costello, Dawson, Dotzler, Edler, Green, Mathis, and Ragan. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 2372 (SSB 3154), a bill for an act relating to state taxation and administration by modifying sales and use taxes, individual and corporate income taxes, the automobile rental excise tax, the franchise tax, and the insurance premiums tax, and including effective date, applicability, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, 1: Dickey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2372, and they were attached to the committee report.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Adam Steen to Director of the Department of Administrative Services be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

ZACH WAHLS

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Stanley Thompson to Civil Rights Commission be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

CLAIRE A. CELSI

AMENDMENTS FILED

S-5042	S.F.	2291	Chris Cournoyer
S-5043	S.F.	2263	Roby Smith
S-5044	H.F.	780	Mark Lofgren
S-5045	S.F.	2309	Jason Schultz

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 9, 2022

The Senate met in regular session at 9:08 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Tuesday, March 8, 2022, was approved.

The Senate stood at ease at 9:14 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:26 a.m., President Chapman presiding.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:27 a.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 11:22 a.m., President Chapman presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2328.

Senate File 2328

On motion of Senator Reichman, **Senate File 2328**, a bill for an act relating to criminal law including the disclosure of a defendant's privileged records in a criminal action, permanent no-contact orders, penalties for domestic abuse assault, limitations on criminal actions involving certain sexual offenses, criminal sentencing and corrections, parole and work release, crime victim rights, discovery in criminal actions, postconviction relief procedure, and certain reporting requirements, and making penalties applicable, was taken up for consideration.

Senator Boulton asked and received unanimous consent that action on **Senate File 2328** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zaun, until he arrives, on request of Senator Whitver; and Senator Hogg, until he arrives, on request of Senator Wahls.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 513, 2267, and 2290.

Senate File 513

On motion of Senator Dawson, **Senate File 513**, a bill for an act relating to persons experiencing a mental health crisis, substance-related disorder crisis, or housing crisis, was taken up for consideration.

Senator Dawson offered amendment S-5046, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5046 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 513), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Hogg Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2267

On motion of Senator Driscoll, **Senate File 2267**, a bill for an act relating to the establishment of emergency response districts, was taken up for consideration.

Senator Driscoll moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2267), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Hogg Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2290

On motion of Senator Shipley, **Senate File 2290**, a bill for an act establishing a dairy processing and milk production innovation and revitalization fund and program to be administered by the economic development authority, in consultation with the department of agriculture and land stewardship, and requiring the department to study the feasibility of establishing an artisanal dairy processing program at a community college or at an institution governed by the state board of regents, was taken up for consideration.

Senator Shipley offered amendment S-5047, filed by him from the floor to pages 2–4 and amending the title page of the bill, and moved its adoption.

Amendment S-5047 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2290), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Hogg	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 513, 2267, and 2290** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Goodwin, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2309.

Senate File 2309

On motion of Senator Schultz, **Senate File 2309**, a bill for an act relating to milk and associated products, by providing for certain items relating to milk to be transferred directly to individuals by milk producers owning or operating certain dairy farms, providing for the labeling of raw milk and associated products, and making penalties applicable, was taken up for consideration.

Senator Schultz withdrew amendment S-5033, filed by him on March 1, 2022, to pages 1–5 and amending the title page of the bill.

Senator Schultz offered amendment S-5045, filed by him on March 8, 2022, to pages 1–6 and amending the title page of the bill, and moved its adoption.

Amendment S-5045 was adopted by a voice vote.

Senator Petersen offered amendment S-5049, filed by her from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5049 be adopted?” (S.F. 2309), the vote was:

Yea, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Nay, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zumbach		

Absent, 3:

Goodwin Hogg Zaun

Amendment S-5049 lost.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2309), the vote was:

Yea, 32:

Bisignano	Brown	Carlin	Chapman
Costello	Cournoyer	Dawson	Dickey
Driscoll	Edler	Garrett	Green
Guth	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Nunn
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zumbach

Nays, 15:

Bolkcom	Boulton	Celsi	Dotzler
Giddens	Jochum	Lykam	Mathis
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 3:

Goodwin Hogg Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2309** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2298.

Senate File 2298

On motion of Senator Klimesh, **Senate File 2298**, a bill for an act authorizing a local emergency management commission to assume the duties of a joint 911 service board, was taken up for consideration.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2298), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zumbach	

Nays, none.

Absent, 3:

Goodwin Hogg Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2298** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:26 p.m. until the completion of a meeting of the committee on Judiciary.

RECONVENED

The Senate reconvened at 5:41 p.m., President Chapman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2464, a bill for an act relating to the expungement of certain criminal history records of victims of human trafficking, child abuse and minors engaged in prostitution, and including penalties.

Read first time and referred to committee on **Judiciary**.

House File 2485, a bill for an act relating to access to confidential records of the commission on judicial qualifications by standing committees of the general assembly.

Read first time and referred to committee on **Judiciary**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:43 p.m. until 9:00 a.m., Thursday, March 10, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Korynn Dickey, Packwood—For achieving a 4.0 GPA her freshman year at Carrington College. Senator Dickey.

Kyler Dickey, Packwood—For being named the 2021–2022 Hoosier Arenacross National Championship. Senator Dickey.

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: Wednesday, March 9, 2022, 1:00 p.m.

Members Present: Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: Zaun, Chair (excused).

Committee Business: HF 2097, HF 2401, HF 2346, HF 2468, and HF 2419.

Adjourned: 1:30 p.m.

INTRODUCTION OF BILLS

Senate File 2373, by committee on Ways and Means, a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2374, by committee on Ways and Means, a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILLS RECEIVED

SSB 3156 **Ways and Means**

Exempting the storage of household goods and mini-storage from the sales tax on services.

SSB 3157 Ways and Means

Relating to state and local revenue and finances by modifying sales and use taxes, the charitable conservation contribution tax credit available against individual and corporate income taxes, the automobile rental excise tax, the water service tax, and local option taxes, crediting moneys to the natural resources and outdoor recreation trust fund, making appropriations, and including effective date and applicability provisions.

SSB 3158 Appropriations

Relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 2331**

STATE GOVERNMENT: Reichman, Chair; Giddens and Johnson

House File 2420

STATE GOVERNMENT: R. Smith, Chair; Celsi and Cournoyer

House File 2497

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Johnson

SSB 3156

WAYS AND MEANS: J. Taylor, Chair; Dawson and T. Taylor

SSB 3157

WAYS AND MEANS: Dawson, Chair; Goodwin and Jochum

SSB 3158

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom and Lofgren

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: HOUSE FILE 2097, bill for an act relating to forfeiture of bail.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2346, a bill for an act requiring vehicle identification information to be provided in a no-contact or protective order, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2401, a bill for an act relating to the disclosure of specified information in connection with designated online marketplace transactions and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2419, a bill for an act relating to the expungement of domestic abuse and sexual abuse dismissals.

Recommendation: DO PASS.

Final Vote: Yeas, 14: Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2468, a bill for an act relating to statutes of limitations on arbitration proceedings and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 2373 (formerly SF 2353), a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, 1: Dickey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2373, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2374 (formerly SF 2350), a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, 1: Dickey.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2374, and they were attached to the committee report.

AMENDMENTS FILED

S-5046	S.F.	513	Dan Dawson
S-5047	S.F.	2290	Tom Shipley
S-5048	S.F.	2328	Jeff Reichman
S-5049	S.F.	2309	Janet Petersen
S-5050	S.F.	2328	Nate Boulton

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 10, 2022

The Senate met in regular session at 9:09 a.m., President Chapman presiding.

Prayer was offered by the Honorable Sarah Trone Garriott, member of the Senate from Dallas County, West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Wednesday, March 9, 2022, was approved.

BILL REFERRED TO COMMITTEE

President Chapman announced that **Senate File 2319** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 104.

Senate Resolution 104

On motion of Senator Rozenboom, **Senate Resolution 104**, a resolution honoring the achievements and contributions of Gene Elliott, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom moved the adoption of Senate Resolution 104, which motion prevailed by a voice vote.

The Senate stood at ease at 9:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:22 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hogg, Mathis, and Lykam, until they arrive, on request of Senator Wahls.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2132.

Senate File 2132

On motion of Senator Garrett, **Senate File 2132**, a bill for an act relating to the membership of the district judicial nominating commissions, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2132), the vote was:

Yea, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Nays, 15:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 3:

Hogg	Lykam	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2132** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2080, 2214, and 2216.

Senate File 2080

On motion of Senator Sinclair, **Senate File 2080**, a bill for an act relating to the administration of certain physical examinations and student health screenings by school districts, charter schools, or innovation zone schools, was taken up for consideration.

Senator Trone Garriott offered amendment S-5055, filed by her from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5055 be adopted?” (S.F. 2080), the vote was:

Yea, 15:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Nays, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, 3:

Hogg	Lykam	Mathis
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Amendment S-5055 lost.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2080), the vote was:

Yeas, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Hogg	Lykam	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2214

On motion of Senator Edler, **Senate File 2214**, a bill for an act establishing a therapeutic foster care services study committee, with report of committee recommending passage, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2214), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Hogg	Lykam	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2216

On motion of Senator Edler, **Senate File 2216**, a bill for an act relating to the establishment of state intensive psychiatric units at the state mental health institutes, with report of committee recommending passage, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2216), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Hogg	Lykam	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2080, 2214, and 2216** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2359.

Senate File 2359

On motion of Senator J. Taylor, **Senate File 2359**, a bill for an act directing the department of education to convene a working group to study the impact of technology on the cognitive function of students, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2359), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zumbach		

Nays, none.

Absent, 4:

Hogg	Lykam	Mathis	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2359** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:36 a.m. until the completion of committee meetings.

RECONVENED

The Senate reconvened at 3:19 p.m., President Chapman presiding.

The Senate stood at ease at 3:20 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:38 p.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver.

UNFINISHED BUSINESS
(Deferred March 9, 2022)**Senate File 2328**

The Senate resumed consideration of **Senate File 2328**, a bill for an act relating to criminal law including the disclosure of a defendant's privileged records in a criminal action, permanent no-contact orders, penalties for domestic abuse assault, limitations on criminal actions involving certain sexual offenses, criminal sentencing and corrections, parole and work release, crime victim rights, discovery in criminal actions, postconviction relief procedure, and certain reporting requirements, and making penalties applicable, deferred March 9, 2022.

Senator Quirmbach offered amendment S-5052, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Reichman offered amendment S-5058, filed by him from the floor to pages 1-17 and amending the title page of amendment S-5052, and moved its adoption.

Amendment S-5058 to amendment S-5052 was adopted by a voice vote.

Senator Quirmbach moved the adoption of amendment S-5052, as amended.

A record roll call was requested.

On the question “Shall amendment S-5052 be adopted?” (S.F. 2328), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams			

Nays, none.

Absent, 5:

Hogg	Lykam	Mathis	Zaun
Zumbach			

Amendment S-5052, as amended, was adopted.

With the adoption of amendment S-5052, as amended, the Chair ruled the following amendments out of order:

Amendment S-5048, filed by Senator Reichman on March 9, 2022, to pages 1, 9, 11, 14, 16, 17, 19–21, and amending the title page of the bill;

Amendment S-5050, filed by Senator Boulton on March 9, 2022, to pages 2–3, and amending the title provisions of amendment S-5048; and

Amendment S-5054, filed by Senator Petersen from the floor to page 3 of amendment S-5048.

Senator Reichman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2328), the vote was:

Yea, 35:

Bisignano	Brown	Carlin	Chapman
Costello	Cournoyer	Dawson	Dickey
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Trone Garriott	Whitver	Williams	

Nays, 10:

Bolkcom	Boulton	Celsi	Dotzler
Jochum	Petersen	Quirmbach	Ragan
Taylor, T.	Wahls		

Absent, 5:

Hogg	Lykam	Mathis	Zaun
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2328** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2288, a bill for an act relating to life insurance company or association investments in foreign countries other than Canada, and including applicability provisions.

Senate File 2334, a bill for an act relating to shotguns that may be used to hunt turkey.

Senate File 2337, a bill for an act relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests.

Senate File 2345, a bill for an act relating to the newborn screening.

ALSO: That the House has on March 10, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2209, a bill for an act relating to residents under sixteen years of age accompanying an adult who is hunting or trapping.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 2245, a bill for an act prohibiting certain health carriers from excluding certain out-of-state health care professionals from participating as providers, via telehealth, under the carriers' policies, plans, and contracts, and including effective date and applicability provisions.

Read first time and referred to committee on **Human Resources**.

House File 2369, a bill for an act relating to taking fur-bearing animals without prior permission of the natural resource commission.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 2430, a bill for an act relating to methods of determining compensation for elected county officers.

Read first time and attached to **similar Senate File 2283**.

House File 2431, a bill for an act relating to the regulation of home-based businesses by counties and cities.

Read first time and referred to committee on **Commerce**.

House File 2481, a bill for an act relating to judicial selection, including the nominees to the court of appeals, and the appointments, resignations, and residency requirements of district judges, district associate judges, associate juvenile judges, and associate probate judges.

Read first time and referred to committee on **Judiciary**.

House File 2489, a bill for an act relating to the auditor of state and including effective date and applicability provisions.

Read first time and referred to committee on **State Government**.

House File 2507, a bill for an act relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date provisions.

Read first time and attached to **similar Senate File 2257**.

House File 2518, a bill for an act relating to oversize and overweight permits for cranes.

Read first time and referred to committee on **Transportation**.

House File 2540, a bill for an act relating to the sale of travel insurance.

Read first time and referred to committee on **Commerce**.

ADJOURNMENT

On motion of Senator Brown, the Senate adjourned at 4:13 p.m. until 1:00 p.m., Monday, March 14, 2022.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Thursday, March 10, 2022, 1:10 p.m.

Members Present: Shipley, Chair; Klimesh, Vice Chair; J. Smith, Ranking Member; Driscoll, Garrett, Guth, Lofgren, Quirmbach, T. Taylor, and Williams.

Members Absent: Hogg (excused).

Committee Business: HF 2436, HF 2357, HF 2428, and HF 2153.

Adjourned: 1:25 p.m.

RULES AND ADMINISTRATION

Convened: Monday, March 8, 2022, 9:15 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Brown, Jochum, Ragan, R. Smith, Zaun, and Zumbach.

Members Absent: Sinclair (excused).

Committee Business: SR 103 and SR 104.

Adjourned: 9:20 a.m.

STATE GOVERNMENT

Convened: Thursday, March 10, 2022, 12:20 p.m.

Members Present: R. Smith, Chair; Cournoyer, Vice Chair; Bisignano, Ranking Member; Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz.

Members Absent: None.

Committee Business: HF 2374, HF 2375, and HF 2154.

Adjourned: 12:25 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 104, by Jochum, Trone Garriott, Giddens, Quirmbach, Wahls, Bolkcom, Ragan, Mathis, Boulton, Lykam, Petersen, Celsi, J. Smith, Kinney, Dotzler, and T. Taylor, a concurrent resolution calling upon the President of the United States, the United States Congress, the Governor, the executive branch of Iowa, and the Iowa General Assembly to work to improve communities by bolstering the care workforce.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2083
(Reassigned)

WAYS AND MEANS: Dickey, Chair; Dawson and Dotzler

Senate File 2319

WAYS AND MEANS: Zaun, Chair; Schultz and T. Taylor

House File 604
(Reassigned)

EDUCATION: Rozenboom, Chair; Sweeney and Trone Garriott

House File 626
(Reassigned)

WAYS AND MEANS: Sinclair, Chair; Quirmbach and Schultz

House File 853
(Reassigned)

STATE GOVERNMENT: Brown, Chair; Giddens and R. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

LABOR AND BUSINESS RELATIONS

Bill Title: HOUSE FILE 724, a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2411, a bill for an act relating to replacements of permanent prosthetic devices for injured workers.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Dickey, Green, Boulton, Dotzler, Driscoll, Guth, Jochum, Rowley, Schultz, J. Taylor, and T. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 2153, a bill for an act relating to county jurisdiction over portions of certain cemeteries.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2357, a bill for an act relating to sessions of the local board of review and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2428, a bill for an act relating to compensation for county hospital trustees.

Recommendation: DO PASS.

Final Vote: Yeas, 8: Shipley, Klimesh, Driscoll, Garrett, Guth, Lofgren, T. Taylor, and Williams. Nays, 2: J. Smith and Quirmbach. Excused, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2436, a bill for an act relating to public safety answering point cost and expense data collected from county joint 911 service boards.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Shipley, Klimesh, J. Smith, Driscoll, Garrett, Guth, Lofgren, Quirmbach, T. Taylor, and Williams. Nays, none. Excused, 1: Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 103, a resolution designating March 8, annually, as Utility Worker Appreciation Day.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Chapman, Wahls, Bolkcom, Brown, Jochum, Ragan, R. Smith, Zaun, and Zumbach. Nays, none. Excused, 1: Sinclair.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 104, a resolution honoring the achievements and contributions of Gene Elliott.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Chapman, Wahls, Bolckom, Brown, Jochum, Ragan, R. Smith, Zaun, and Zumbach. Nays, none. Excused, 1: Sinclair.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 2154, a bill for an act relating to release of certain records maintained by the statewide fire and police retirement system.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5057.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2374, a bill for an act providing for membership in a protection occupation under the Iowa public employees' retirement system and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2375, a bill for an act relating to petitions to change the form of management of a drainage or levee district to a board of trustees.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5051	H.F.	2346	Craig Johnson
S-5052	S.F.	2328	Herman C. Quirmbach
S-5053	S.F.	2344	Dawn Driscoll
S-5054	S.F.	2328	Janet Petersen
S-5055	S.F.	2080	Sarah Trone Garriott
S-5056	S.F.	2333	Jeff Taylor
S-5057	H.F.	2154	State Government
S-5058	S.F.	2328	Jeff Reichman

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 14, 2022

The Senate met in regular session at 1:09 p.m., President Chapman presiding.

Prayer was offered by the Honorable Chris Cournoyer, member of the Senate member from Scott County, LeClaire, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Thursday, March 10, 2022, was approved.

BILLS REFERRED TO COMMITTEE

President Chapman announced that **House File 2357** and **House File 2518** were referred from the Regular Calendar to the committee on **Ways and Means**; and **House File 2337** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced to the Senate chamber Brian Ohorilko, the Governor's appointee to be the Administrator of the State Racing and Gaming Commission. He was the guest of the committee on State Government.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:16 p.m. until 9:00 a.m., Tuesday, March 15, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Medicaid Managed Care Oversight Quarterly Meeting Minutes, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on March 14, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

David McGaughy, Fort Dodge—For his exemplary service to his country, state, and community. Senator Kraayenbrink.

REPORT OF COMMITTEE MEETING

TRANSPORTATION

Convened: Monday, March 14, 2022, 2:00 p.m.

Members Present: Brown, Chair; Dickey, Vice Chair; J. Smith, Ranking Member; Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and Zumbach.

Members Absent: T. Taylor (excused).

Committee Business: HF 2259 and HF 2348.

Adjourned: 2:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 2431

COMMERCE: Schultz, Chair; Bisignano and Johnson

House File 2464

JUDICIARY: Zaun, Chair; Dawson and Kinney

House File 2481

JUDICIARY: Garrett, Chair; Boulton and Rowley

House File 2485

JUDICIARY: J. Taylor, Chair; Boulton and Shipley

House File 2540

COMMERCE: Williams, Chair; Giddens and Sinclair

House File 2547

STATE GOVERNMENT: Cournoyer, Chair; Jochum and Schultz

FINAL COMMITTEE REPORTS OF BILL ACTION**TRANSPORTATION**

Bill Title: HOUSE FILE 2259, a bill for an act authorizing licensed occupational therapists, licensed physical therapists, and certain medical professionals licensed in other states to provide a statement for purposes of persons with disabilities special registration plates or parking permits, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Brown, Dickey, J. Smith, Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and Zumbach. Nays, none. Excused, 1: T. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2348, a bill for an act relating to the registration of antique snowmobiles.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Brown, Dickey, J. Smith, Bisignano, Driscoll, Giddens, Klimesh, Koelker, Lykam, Rozenboom, Shipley, and Zumbach. Nays, none. Excused, 1: T. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 15, 2022

The Senate met in regular session at 9:07 a.m., President Chapman presiding.

Prayer was offered by the Honorable Annette Sweeney, member of the Senate from Hardin County, Alden, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecilia Redman.

The Journal of Monday, March 14, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2022, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 103, a concurrent resolution to approve and confirm the appointment of Bernardo Granwehr as Ombudsman.

ALSO: That the House has on March 14, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2079, a bill for an act relating to post-arrest release after an initial appearance for persons taken into custody or arrested for certain sexual abuse offenses and no-contact orders.

Read first time and attached to **companion Senate File 2236**.

House File 2130, a bill for an act relating to registered all-terrain vehicles and off-road utility vehicles, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

House File 2295, a bill for an act concerning state agency response to a proclamation of disaster emergency.

Read first time and attached to **companion Senate File 2192**.

House File 2343, a bill for an act relating to the submission of a groundwater hazard statement.

Read first time and attached to **similar Senate File 2330**.

House File 2379, a bill for an act relating to alcoholic beverage control concerning the sale of beer and liquor for resale.

Read first time and referred to committee on **State Government**.

House File 2442, a bill for an act authorizing the reduction of damages payable to an unresponsive property owner in condemnation proceedings and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

House File 2469, a bill for an act relating to corporations by providing for the use of electronic mail and other electronic transmissions, and shareholders' lists.

Read first time and attached to **similar Senate File 2303**.

House File 2471, a bill for an act relating to the use of inventory checklists upon commencement and termination of residential tenancies and including applicability provisions.

Read first time and referred to committee on **Local Government**.

House File 2474, a bill for an act relating to adoption proceedings by providing for representation of adoptive parents and guardians ad litem by local public defenders for children in certain adoption proceedings and modifying filing requirements for adoption petitions and notice requirements for adoption hearings of adults.

Read first time and referred to committee on **Judiciary**.

House File 2475, a bill for an act providing for the removal of municipal utility board members under specified circumstances and including effective date provisions.

Read first time and attached to **similar Senate File 2282**.

House File 2484, a bill for an act relating to trusts, including optional notices to creditors when a will has been admitted to probate without administration and the trust is the beneficiary of the estate, trust accounting, specific powers of a trustee, and representation of holders of power and similar interests.

Read first time and attached to **companion Senate File 2316**.

House File 2488, a bill for an act relating to public records of the Iowa public broadcasting board.

Read first time and attached to **similar Senate File 2274**.

House File 2496, a bill for an act relating to the procedural requirements for placing an officer's name on a Brady-Giglio list, and for a prosecuting agency disclosing exculpatory evidence.

Read first time and referred to committee on **Judiciary**.

House File 2506, a bill for an act relating to consumer data protection, providing civil penalties, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Wednesday, March 16, 2022.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, March 15, 2022, 10:30 a.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: None.

Committee Business: HF 2080, HF 2495, HF 2412, HF 771, HF 604, HF 2083, HF 2398, and HF 2081.

Adjourned: 11:00 a.m.

JUDICIARY

Convened: Monday, March 14, 2022, 3:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: HF 825, HF 2414, HF 2443, HF 2358, and HF 2281.

Adjourned: 4:00 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 15, 2022, 9:20 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Brown, Jochum, Ragan, Sinclair, R. Smith, and Zumbach.

Members Absent: Zaun (excused).

Committee Business: SR 105 Gubernatorial Appointments.

Adjourned: 9:25 a.m.

STUDY BILL RECEIVED**SSB 3159 Ways and Means**

Exempting certain leases or rentals between affiliates from the sales and use tax and from the fee for new vehicle registration, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 2209**

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Rozenboom

House File 2245

HUMAN RESOURCES: Edler, Chair; Costello and Ragan

House File 2357

WAYS AND MEANS: Goodwin, Chair; Dawson and Quirmbach

House File 2369

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Boulton and Sweeney

House File 2442

JUDICIARY: Schultz, Chair; Boulton and Zaun

House File 2474

JUDICIARY: Schultz, Chair; Petersen and J. Taylor

House File 2489

STATE GOVERNMENT: Dawson, Chair; Boulton and Guth

House File 2496

JUDICIARY: Dawson, Chair; Kinney and Zaun

House File 2506

JUDICIARY: Sinclair, Chair; Boulton and Zaun

House File 2518

WAYS AND MEANS: Brown, Chair; Dickey and T. Taylor

SSB 3159

WAYS AND MEANS: Dawson, Chair; Dotzler and Goodwin

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: HOUSE FILE 604, a bill for an act relating to language and literacy development for deaf and hard-of-hearing children.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 771, a bill for an act relating to the self-administration and storage of bronchodilators and bronchodilator canisters and spacers relative to schools and students.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2080, a bill for an act relating to school districts that share operational functions, including operational functions in the areas of superintendent management and special education director, and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2081, a bill for an act relating to teachers, including the assessments administered to practitioner preparation program admission candidates and to practitioner preparation program students prior to students' completion of a practitioner preparation program, field experiences, and certain specified licenses for teachers created by the board of educational examiners, and including notice, effective date, and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2083, a bill for an act relating to matters under the purview of the college student aid commission, including grant programs and the definition of accredited private institutions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2398, a bill for an act relating to certain specified employees of school districts, accredited nonpublic schools, and charter schools, including renewal requirements associated with licenses issued by the board of educational examiners to practitioners with master's or doctoral degrees, fees associated with the review of certain specified records, and background checks for employees of school districts, accredited nonpublic schools, and charter schools.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2412, a bill for an act requiring radon testing and mitigation in public schools, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2495, a bill for an act establishing the comprehensive transition and postsecondary program scholarship program.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Sinclair, J. Taylor, Quirmbach, Carlin, Celsi, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 825, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2281, a bill for an act relating to video conferences in judicial proceedings and certified shorthand reporter audio and video recordings, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5061.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2358, a bill for an act relating to the Iowa law enforcement academy.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2414, a bill for an act relating to waiver of the placement investigations and reports related to the adoption of a minor by a minor's legal guardian.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2443, a bill for an act relating to contract enforceability regarding smart contracts and distributed ledger technology.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 105, a resolution reaffirming Iowa's commitment to its relationship with the Ukrainian people and supporting Ukraine's efforts to remain an independent and autonomous nation.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Chapman, Wahls, Bolkcom, Brown, Jochum, Ragan, Sinclair, R. Smith, and Zumbach. Nays, none. Excused, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542.4(1)(a))

Allen Kockler, Nevada	05/01/2022 – 04/30/2025
Michelle O'Neill, Waukon	05/01/2022 – 04/30/2025
Jessica Richter, Waukee	05/01/2022 – 04/30/2025

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)

Aaron Sewell, West Des Moines	05/01/2022 – 04/30/2026
Whitney Smith, Altoona	02/18/2022 – 04/30/2024

AGRICULTURAL DEVELOPMENT BOARD (Sec. 16.2C(3))

Lyle Borg, Pella	05/01/2022 – 04/30/2028
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ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5(2))

Sara Winkleman, Bancroft	05/01/2022 – 04/30/2027
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ALCOHOLIC BEVERAGES DIVISION, ADMINISTRATOR OF THE (Sec. 123.7)

Stephen Larson, Polk City	05/01/2022 – 04/30/2026
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ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1(2))

Dan Dutcher, Waukee	05/01/2022 – 04/30/2025
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ASIAN AND PACIFIC ISLANDER AFFAIRS, COMMISSION OF (Sec. 216A.152)

Caleb Lillquist, Des Moines	05/01/2022 – 04/30/2026
Karlai Thornburg, Ames	05/01/2022 – 04/30/2026
Shaochen Yu, West Des Moines	05/01/2022 – 04/30/2026

ATHLETIC TRAINING, BOARD OF (Sec. 147.14(1)(r))

Andrew Jedlicka, Waukee	05/01/2022 – 04/30/2025
Emily Reese, Coralville	03/01/2022 – 04/30/2023
Austin Steil, Ankeny	05/01/2022 – 04/30/2025

AUTISM COUNCIL, IOWA (Sec. 256.35A)

Stephanie Boyle, Ankeny	02/25/2022 – 04/30/2023
Pam Gronau, Urbandale	02/25/2022 – 04/30/2024
Colin Wixted, West Des Moines	05/01/2022 – 04/30/2025
Michael Zehr, West Des Moines	05/01/2022 – 04/30/2025

BARBERING, BOARD OF (Sec. 147.14(1)(a))

Maureen Hardy, Waterloo	05/01/2022 – 04/30/2025
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BEHAVIORAL SCIENCE, BOARD OF (Sec. 147.14(1)(m))

Nolan Byrnes, Des Moines	02/25/2022 – 04/30/2023
Echo Kent, Coralville	05/01/2022 – 04/30/2025
Kerry Lust, Ankeny	05/01/2022 – 04/30/2025
Amy Mooney, Ames	05/01/2022 – 04/30/2025
Blake Stephenson, Cedar Rapids	05/01/2022 – 04/30/2025
Maria Valdovinos, Des Moines	05/01/2022 – 04/30/2025
Laura Wilcke, Clear Lake	05/01/2022 – 04/30/2025

BLIND, COMMISSION FOR THE (Sec. 216B.2)

Geneva Jacobsen, Avoca	05/01/2022 – 04/30/2025
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BOILER AND PRESSURE VESSEL BOARD (Sec. 89.14(2)(b))

Bret Brecke, Cedar Rapids	02/14/2022 – 04/30/2025
Kenneth Lamb, Denver	05/01/2022 – 04/30/2026
Daniel LaPole, West Des Moines	02/14/2022 – 04/30/2025
Lynne Rush, Victor	02/14/2022 – 04/30/2025
Nathan Whipple, Waterloo	02/18/2022 – 04/30/2023

CHILD ADVOCACY BOARD (Sec. 237.16)

Ashley Baker, Des Moines	05/01/2022 – 04/30/2026
Donald Logan, Van Horne	05/01/2022 – 04/30/2026
Rick McIntosh, Altoona	02/14/2022 – 04/30/2025
William Owens, Ottumwa	05/01/2022 – 04/30/2026
Angela Stokes, Sioux City	05/01/2022 – 04/30/2026

CHILDHOOD IOWA STATE BOARD, EARLY (Sec. 256I.3(2)(a))

Jennifer Banta, Iowa City	05/01/2022 – 04/30/2025
Michael Linnenbrink, Donnellson	05/01/2022 – 04/30/2025
Dawn Oliver Wiand, North Liberty	03/01/2022 – 04/30/2024

CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD (Sec. 225C.51(2))

Andrew Allen, Huxley	05/01/2022 – 04/30/2026
Nathan Noble, Clive	05/01/2022 – 04/30/2026
Kari Price, Altoona	02/25/2022 – 04/30/2025
Jason Sandholdt, Knoxville	05/01/2022 – 04/30/2026

CITY DEVELOPMENT BOARD (Sec. 368.9)

Chris McKee, Gilmore City	05/01/2022 – 04/30/2026
Dennis Plautz, Fort Dodge	05/01/2022 – 04/30/2026

COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A)

Bobbi Baker-Maynes, Corning	02/25/2022 – 04/30/2024
Kevin Brown, Spencer	05/01/2022 – 04/30/2025
John Murphy, Dubuque	05/01/2022 – 04/30/2025

CORRECTIONS, BOARD OF (Sec. 904.104)

Denise Bubeck, Grimes	05/01/2022 – 04/30/2026
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COSMETOLOGY ARTS AND SCIENCES, BOARD OF (Sec. 147.14(1)(n))	
Jeremy Kemp, Burlington	05/01/2022 – 04/30/2025
Joshua Spencer, Waukee	02/14/2022 – 04/30/2024
COUNTY FINANCE COMMITTEE (Sec. 333A.2(2))	
Jenny Blankenship, Clive	02/14/2022 – 04/30/2025
CREDIT UNION REVIEW BOARD (Sec. 533.107(2))	
Tyler Campbell, Des Moines	05/01/2022 – 04/30/2025
Jordan Hensley, Webster City	05/01/2022 – 04/30/2025
Jami Weems, Pleasant Hill	05/01/2022 – 04/30/2025
DEAF SERVICES, COMMISSION OF (Sec. 216A.113)	
Tina Caloud, Council Bluffs	02/14/2022 – 04/30/2024
Bruce Kawahara, West Des Moines	02/25/2022 – 04/30/2024
DENTISTRY, BOARD OF (Sec. 147.14(1)(d))	
Gregory Ceraso, Johnston	05/01/2022 – 04/30/2025
Lisa Holst, West Des Moines	05/01/2022 – 04/30/2025
Thomas Peek, Cedar Rapids	05/01/2022 – 04/30/2025
DIETETICS, BOARD OF (Sec. 147.14(1)(k))	
Julie Eichenberger, Iowa City	05/01/2022 – 04/30/2025
Philip Pitzen, Urbandale	02/25/2022 – 04/30/2023
Nicholas Rouse, Urbandale	02/25/2022 – 04/30/2024
DISABILITIES, COMMISSION OF PERSONS WITH (Sec. 216A.74)	
Jessica Fasselius, Clive	05/01/2022 – 04/30/2026
Adam Koch, Grimes (Reappt.)	05/01/2022 – 04/30/2026
Clint Sargent, Missouri Valley	05/01/2022 – 04/30/2026
Beth Wilde, Mitchellville	05/01/2022 – 04/30/2026
DRUG POLICY ADVISORY COUNCIL (Sec. 80E.2(2))	
Jason Feaker, Dike	05/01/2022 – 04/30/2026
David McDaniel, Eldora	05/01/2022 – 04/30/2026
ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105(2))	
Doug Boone, Sioux Center	05/01/2022 – 04/30/2026
Mark Kittrell, Cedar Falls	05/01/2022 – 04/30/2026
Pankaj Monga, Marion	05/01/2022 – 04/30/2026
Jennifer Steffensmeier, Pilot Grove	05/01/2022 – 04/30/2026
EDUCATION, STATE BOARD OF (Sec. 256.3)	
Cindy Dietz, Cedar Rapids	05/01/2022 – 04/30/2028
Cassandra Halls, Carlisle	05/01/2022 – 04/30/2028
Nathan Peterson, Iowa City	02/14/2022 – 04/30/2024
EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3(2))	
Kathy Behrens, Carroll	05/01/2022 – 04/30/2026
Timothy McKinney, St. Charles	05/01/2022 – 04/30/2026

ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Colby Black, Rhodes	05/01/2022 – 04/30/2025
Sara Fasching, Ottumwa (Reappt.)	05/01/2022 – 04/30/2025
Jonathan Gettler, Cedar Rapids	05/01/2022 – 04/30/2025
Jeremy Price, Cedar Rapids	02/14/2022 – 04/30/2024

ELEVATOR SAFETY BOARD (Sec. 89A.13(2))

Candace Biddle, Des Moines (Reappt.)	05/01/2022 – 04/30/2026
Craig Clabaugh, Urbandale	05/01/2022 – 04/30/2026
Kerry Dixon, Iowa City	02/14/2022 – 04/30/2025
Troy Tilleraas, Waverly	05/01/2022 – 04/30/2026
Michael Wallace, Ankeny	02/14/2022 – 04/30/2025

EMPLOYMENT APPEAL BOARD (Sec. 10A.601(2))

James Strohman, Ames	05/01/2022 – 04/30/2028
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ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Paul Herold, Fort Atkinson	05/01/2022 – 04/30/2025
Jack Jones, Mondamin	05/01/2022 – 04/30/2025

ENHANCE IOWA BOARD (Sec. 15F.102(3)(b))

Rita Frahm, Galva	05/01/2022 – 04/30/2025
Brad Leeper, Cedar Falls	05/01/2022 – 04/30/2025
Steve Roesner, Orange City	02/24/2022 – 04/30/2023
Valerie Van Kooten, Pella	05/01/2022 – 04/30/2025
Mary Wells, Rathbun	05/01/2022 – 04/30/2025

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA (Sec. 68B.32)

Daniel Jessop, Williamsburg	05/01/2022 – 04/30/2028
Leah Rodenberg, Marion	05/01/2022 – 04/30/2028

GRAIN INDEMNITY FUND BOARD, IOWA (Sec. 203D.4)

Rhonda Shelman, Washington	05/01/2022 – 04/30/2025
Michael Winter, New Hampton	05/01/2022 – 04/30/2025

GREAT PLACES BOARD, IOWA (Sec. 303.3C(2)(b))

Ryan Bosch, Cedar Rapids	05/01/2022 – 04/30/2025
Barbara Determan, Early	05/01/2022 – 04/30/2025
Duane Hagerty, Dubuque	02/28/2022 – 04/30/2024
Darryl High, Cedar Rapids	05/01/2022 – 04/30/2025
Jacque Rahe, Dyersville	05/01/2022 – 04/30/2025

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5(2))

Shawn Garrington, Wellsburg	05/01/2022 – 04/30/2024
Mary Nelle Trefz, Des Moines	05/01/2022 – 04/30/2024

HEARING AID SPECIALISTS, BOARD OF (Sec. 147.14(1)(v))

Rick Knudson, Clear Lake	02/14/2022 – 04/30/2024
Molly Parker, Bettendorf	05/01/2022 – 04/30/2025
Tricia Veik, Clive	05/01/2022 – 04/30/2025

HIGHER EDUCATION LOAN AUTHORITY, IOWA (Sec. 261A.6)

Randy Fehr, Washington 05/01/2022 – 04/30/2028

INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Amy Guhl, West Branch 05/01/2022 – 04/30/2025
Todd Mithelman, Johnston 05/01/2022 – 04/30/2025

IAWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, INVESTMENT BOARD OF THE (Sec. 97B.8A(4)(2)(d))

Tami Loge, Granger 05/01/2022 – 04/30/2028

JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.1)

Gwendolyn (Gwen) Ecklund, Denison 05/01/2022 – 04/30/2026
Jeremy Kidd, Polk City 05/01/2022 – 04/30/2028
Kathleen Law, Des Moines 05/01/2022 – 04/30/2028
Derek Muller, Iowa City 05/01/2022 – 04/30/2028

JUSTICE ADVISORY BOARD (Sec. 216A.132(1)(a))

Dee Sandquist, Fairfield 02/25/2022 – 04/30/2023
Monique Scarlett, Sioux City 02/18/2022 – 04/30/2023

LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Colleen Byrnes, Osage 02/25/2022 – 04/30/2023
M. Martz, Ames 05/01/2022 – 04/30/2025
Brenda Nelson, Iowa City 05/01/2022 – 04/30/2025

LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)

Jose Ayala, Williamsburg (Reappt.) 05/01/2022 – 04/30/2026
Juan Himar Hernandez, Ottumwa (Reappt.) 05/01/2022 – 04/30/2026
Isabel Yanez, Urbandale 05/01/2022 – 04/30/2026

LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)

Gene Beinke, Clinton 05/01/2022 – 04/30/2026
Tiffany Hamilton-Howell, Mason City 05/01/2022 – 04/30/2026
Ricardo Martinez II, Nevada 05/01/2022 – 04/30/2026
Elizabeth Quinn, Nevada 02/14/2022 – 04/30/2023

LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA (Sec. 99G.8)

Sherrae Hanson, West Des Moines 05/01/2022 – 04/30/2026
Dana Wingert, Des Moines 05/01/2022 – 04/30/2026

MASSAGE THERAPY, BOARD OF (Sec. 147.14(1)(q))

Douglas Dollison, Ankeny 05/01/2022 – 04/30/2025
Amy Heinz, Des Moines 05/01/2022 – 04/30/2025
Jacob Schrader, Des Moines 02/18/2022 – 04/30/2023
LeAnn Stevens, Altoona 05/01/2022 – 04/30/2025

MEDICINE, BOARD OF (Sec. 147.14(1)(b))

Eugene Cherny, Des Moines 05/01/2022 – 04/30/2025
Rose Kleyweg Mitchell, Clive 05/01/2022 – 04/30/2025
Jason Meyers, Clive 02/28/2022 – 04/30/2024

Vickie Pyevich, Bettendorf	05/01/2022 – 04/30/2025
Joyce Vista-Wayne, Clive	05/01/2022 – 04/30/2025

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5)

Betsy Akin, Corning	05/01/2022 – 04/30/2025
Teresa Daubitz, Cedar Rapids	05/01/2022 – 04/30/2025
Sue Gehling, Breda	02/18/2022 – 04/30/2024
Jack Seward, Jr., Washington	02/25/2022 – 04/30/2023
Cory Turner, Cherokee	05/01/2022 – 04/30/2025
Kenneth Wayne, Clive	05/01/2022 – 04/30/2025

MORTUARY SCIENCE, BOARD OF (Sec. 147.14(1)(p))

Maria Lundberg, Newton	05/01/2022 – 04/30/2025
David Moore, Clear Lake	05/01/2022 – 04/30/2025

NATIVE AMERICAN AFFAIRS, COMMISSION OF (Sec. 216A.162)

John Big Eagle Jr., Sioux City	02/18/2022 – 04/30/2025
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NURSING, BOARD OF (Sec. 147.14(1)(c))

Jacklyn Barber, Sioux City	05/01/2022 – 04/30/2025
Brian Feist, Johnston	05/01/2022 – 04/30/2025
Gordon Goettsch, Manchester	05/01/2022 – 04/30/2025
Casey Kenneavy, Cedar Rapids	02/14/2022 – 04/30/2023

NURSING HOME ADMINISTRATORS, BOARD OF (Sec. 147.14(1)(w))

Patricia Ross, Coralville	05/01/2022 – 04/30/2025
Tracy Trotter, Fort Dodge	05/01/2022 – 04/30/2025
Devon Wood, New Market	02/14/2022 – 04/30/2024

OPTOMETRY, BOARD OF (Sec. 147.14(1)(f))

Matthew Howie, Grimes	05/01/2022 – 04/30/2025
Heidi Wood, North Liberty	05/01/2022 – 04/30/2025

PAROLE, BOARD OF (Sec. 904A.3)

William Bushell, Des Moines	05/01/2022 – 04/30/2026
Meredith Lamberti, Ankeny (Reappt.)	05/01/2022 – 04/30/2026

PAROLE, CHAIRPERSON OF THE BOARD OF (Sec. 904A.3)

William Bushell, Des Moines	05/01/2022 – Pleasure of the Governor
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PHARMACY, BOARD OF (Sec. 147.14(1)(e))

Robert Egeland, Urbandale	02/14/2022 – 04/30/2023
Dane Nealson, Nevada	05/01/2022 – 04/30/2025
Joan Skogstrom, Urbandale	05/01/2022 – 04/30/2025
Kathryn (Kathy) Stone, Missouri Valley	05/01/2022 – 04/30/2025

PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF (Sec. 147.14(1)(j))

Holly Little, Waverly	05/01/2022 – 04/30/2025
Brett Speirs, Waukee	05/01/2022 – 04/30/2025

PHYSICIAN ASSISTANTS, BOARD OF (Sec. 147.14(1)(l))

Mona Alqulali, Clinton	02/25/2022 – 04/30/2023
Kevin de Regnier, Winterset	05/01/2022 – 04/30/2025
Laura Delaney, Ankeny	05/01/2022 – 04/30/2025
Amber Houge, Estherville	05/01/2022 – 04/30/2025
Michael Schnurr, Roland	05/01/2022 – 04/30/2025

PLUMBING AND MECHANICAL SYSTEMS BOARD (Sec. 105.3(3))

Kiya Boozell, Des Moines	02/25/2022 – 04/30/2023
Mike O'Day, Davenport	05/01/2022 – 04/30/2025
Shon Smith, Melbourne	02/25/2022 – 04/30/2023
Randy Watts, Atlantic	02/25/2022 – 04/30/2024
Matthew Wyant, Crescent	05/01/2022 – 04/30/2025

PODIATRY, BOARD OF (Sec. 147.14(1)(s))

Theresa Hughes, Dubuque	05/01/2022 – 04/30/2025
Eugene Nassif, Jr., Cedar Rapids	05/01/2022 – 04/30/2025
Kelsey Sukovaty , Marshalltown (Reappt.)	05/01/2022 – 04/30/2025

PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(g))

Justin Rhode, Des Moines	05/01/2022 – 04/30/2025
Lisa Streyffeler, Clive	05/01/2022 – 04/30/2025
Sara Swansen, Johnston	02/18/2022 – 04/30/2023

PUBLIC EMPLOYMENT RELATIONS BOARD, CHAIR AND MEMBER OF THE (Sec. 20.5(1)(c))

Erik Helland, Des Moines (Reappt.)	05/01/2022 – 04/30/2026
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PUBLIC INFORMATION BOARD, IOWA (Sec. 23.3)

Daniel Breitbarth, Des Moines	05/01/2022 – 04/30/2026
Emil Giovannetti, Urbandale	05/01/2022 – 04/30/2026
James McCrea, Pleasant Hill	05/01/2022 – 04/30/2026
Monica McHugh, Zwingle	05/01/2022 – 04/30/2026
Jackie Schmillen, Urbandale	05/01/2022 – 04/30/2026

PUBLIC SAFETY PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM, BOARD OF TRUSTEES OF THE IOWA DEPARTMENT OF (Sec. 97A.5(5))

Mark Oiler, Urbandale	05/01/2022 – 04/30/2024
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RACING AND GAMING COMMISSION, STATE (Sec. 99D.5)

Julie Andres, Okoboji	05/01/2022 – Pleasure of the Governor
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REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4(2))

Jonathan Bodwell, Des Moines	02/14/2022 – 04/30/2024
Loretta Laubach, Sanborn	05/01/2022 – 04/30/2025
Cody Seeley, Clinton	05/01/2022 – 04/30/2025

REAL ESTATE COMMISSION (Sec. 543B.8)

Susan Clark, Des Moines	05/01/2022 – 04/30/2025
Mitchell Kearns, Des Moines	05/01/2022 – 04/30/2024

RESPIRATORY CARE AND POLYSOMNOGRAPHY, BOARD OF (Sec. 147.14(1)(o))

Cynthia Duncan, Sioux City	05/01/2022 – 04/30/2025
Thomas Graham, Cedar Falls	02/18/2022 – 04/30/2024
Benjamin Jagow, Urbandale	02/14/2022 – 04/30/2024

SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Patricia Schroeder, Ankeny	05/01/2022 – 04/30/2025
Leland Tack, Johnston	05/01/2022 – 04/30/2025

**SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS, BOARD OF
(Sec. 147.14(1)(u))**

Sarah Boury, Ankeny	02/14/2022 – 04/30/2024
Amanda Gallant, Des Moines	05/01/2022 – 04/30/2025
Dylan Heuer, Clive	02/14/2022 – 04/30/2024

SOCIAL WORK, BOARD OF (Sec. 147.14(1)(t))

Aaron Culley, Cedar Falls	05/01/2022 – 04/30/2025
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**SOIL CONSERVATION AND WATER QUALITY COMMITTEE, STATE
(Sec. 161A.4(4)(a))**

Dennis Carlson, Hampton	05/01/2022 – 04/30/2028
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SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF (Sec. 147.14(1)(i))

Jordan Cook, Nevada	02/14/2022 – 04/30/2024
Kevin Kock, Davenport	05/01/2022 – 04/30/2025
Stacy Robinson, Iowa City	05/01/2022 – 04/30/2025

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA**(Sec. 8D.3(2)(a))**

Bob Holz, Clive	05/01/2022 – 04/30/2028
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TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON**(Sec. 142A.3(3)(a))**

Lorene Mein, Ankeny	05/01/2022 – 04/30/2025
Robert Nichols, Waterloo	05/01/2022 – 04/30/2025
Bridget Saffold, Waterloo	05/01/2022 – 04/30/2025

TRANSPORTATION COMMISSION, STATE (Sec. 307A.1A)

Raymond Gaesser, Corning	07/01/2022 – 06/30/2026
Linda Juckette, Cumming	07/01/2022 – 06/30/2026

VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

Elizabeth Ledvina, Toledo	05/01/2022 – 04/30/2026
George Mosby, Boone (Reappt.)	05/01/2022 – 04/30/2026
Carol Whitmore, Des Moines	05/01/2022 – 04/30/2026

**VETERANS AFFAIRS, EXECUTIVE DIRECTOR OF THE IOWA DEPARTMENT OF
(Sec. 35A.8)**

Steven Lukan, West Des Moines	11/20/2021 – Pleasure of the Governor
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VETERINARY MEDICINE, IOWA BOARD OF (Sec. 169.5(1)(a))

Scott Shuey, Corning	05/01/2022 – 04/30/2025
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WOMEN, COMMISSION ON THE STATUS OF (Sec. 216A.53)

Andrew Lauver, Lohrville	05/01/2022 – 04/30/2026
Esperance Nibizi, Johnston	05/01/2022 – 04/30/2026
Sherill Whisenand, Des Moines	05/01/2022 – 04/30/2026

WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A(1)(a)(8))

Josh Cobbs, Sioux City	02/28/2022 – 04/30/2025
Carrie Duncan, New London	05/01/2022 – 04/30/2026
Kellie Gottner, Urbandale	05/01/2022 – 04/30/2026
Rich Kurtenbach, Waterloo	05/01/2022 – 04/30/2026
Deborah Mauricio, Sioux Center (Reappt.)	05/01/2022 – 04/30/2026
Matthew Nicol, Davenport	05/01/2022 – 04/30/2026

BY THE COMMISSIONTERMRACING AND GAMING COMMISSION, ADMINISTRATOR OF THE STATE
(Sec. 99D.6(2))

Brian Ohorilko, Altoona	05/01/2022 – 04/30/2026
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The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on March 15, 2022:

AGRICULTURE

Lyle Borg – Agricultural Development Board

Rhonda Shelman – Iowa Grain Indemnity Fund Board
Michael Winter – Iowa Grain Indemnity Fund Board

Dennis Carlson – State Soil Conservation and Water Quality Committee

APPROPRIATIONS

Rita Frahm – Enhance Iowa Board
Brad Leeper – Enhance Iowa Board
Steve Roesner – Enhance Iowa Board
Valerie Van Kooten – Enhance Iowa Board
Mary Wells – Enhance Iowa Board

COMMERCE

Tyler Campbell – Credit Union Review Board
Jordan Hensley – Credit Union Review Board
Jami Weems – Credit Union Review Board

Bob Holz – Iowa Telecommunications and Technology Commission

EDUCATION

Stephanie Boyle – Iowa Autism Council
Pam Gronau – Iowa Autism Council
Colin Wixted – Iowa Autism Council
Michael Zehr – Iowa Autism Council

Jennifer Banta – Early Childhood Iowa State Board
Michael Linnenbrink – Early Childhood Iowa State Board
Dawn Oliver Wiand – Early Childhood Iowa State Board

Andrew Allen – Children’s Behavioral Health System State Board
Nathan Noble – Children’s Behavioral Health System State Board
Kari Price – Children’s Behavioral Health System State Board
Jason Sandholdt – Children’s Behavioral Health System State Board

Cindy Dietz – State Board of Education
Cassandra Halls – State Board of Education
Nathan Peterson – State Board of Education

Kathy Behrens – Board of Educational Examiners
Timothy McKinney – Board of Educational Examiners

Randy Fehr – Iowa Higher Education Loan Authority

Patricia Schroeder – School Budget Review Committee
Leland Tack – School Budget Review Committee

HUMAN RESOURCES

Andrew Jedlicka – Board of Athletic Training
Emily Reese – Board of Athletic Training
Austin Steil – Board of Athletic Training

Nolan Byrnes – Board of Behavioral Science
Echo Kent – Board of Behavioral Science
Kerry Lust – Board of Behavioral Science
Amy Mooney – Board of Behavioral Science
Blake Stephenson – Board of Behavioral Science
Maria Valdovinos – Board of Behavioral Science
Laura Wilcke – Board of Behavioral Science

Ashley Baker – Child Advocacy Board
Donald Logan – Child Advocacy Board
Rick McIntosh – Child Advocacy Board
William Owens – Child Advocacy Board
Angela Stokes – Child Advocacy Board

Jessica Fasselius – Commission of Persons with Disabilities
Adam Koch – Commission of Persons with Disabilities
Clint Sargent – Commission of Persons with Disabilities
Beth Wilde – Commission of Persons with Disabilities

Shawn Garrington – Healthy and Well Kids in Iowa (HAWK-I) Board
Mary Nelle Trefz – Healthy and Well Kids in Iowa (HAWK-I) Board

Jose Ayala – Commission of Latino Affairs
Juan Himar Hernandez – Commission of Latino Affairs
Isabel Yanez – Commission of Latino Affairs

Betsy Akin – Mental Health and Disability Services Commission
Teresa Daubitz – Mental Health and Disability Services Commission
Sue Gehling – Mental Health and Disability Services Commission
Jack Seward, Jr. – Mental Health and Disability Services Commission
Cory Turner – Mental Health and Disability Services Commission
Kenneth Wayne – Mental Health and Disability Services Commission

Sarah Boury – Board of Sign Language Interpreters and Translitterators
Amanda Gallant – Board of Sign Language Interpreters and Translitterators
Dylan Heuer – Board of Sign Language Interpreters and Translitterators

Lorene Mein – Commission on Tobacco Use Prevention and Control
Robert Nichols – Commission on Tobacco Use Prevention and Control
Bridget Saffold – Commission on Tobacco Use Prevention and Control

JUDICIARY

Denise Bubeck – Board of Corrections

Jason Feaker – Drug Policy Advisory Council
David McDaniel – Drug Policy Advisory Council

Gwendolyn (Gwen) Ecklund – State Judicial Nominating Commission
Jeremy Kidd – State Judicial Nominating Commission
Kathleen Law – State Judicial Nominating Commission
Derek Muller – State Judicial Nominating Commission

Dee Sandquist – Justice Advisory Board
Monique Scarlett – Justice Advisory Board

Gene Beinke – Iowa Law Enforcement Academy Council
Tiffany Hamilton-Howell – Iowa Law Enforcement Academy Council
Ricardo Martinez II – Iowa Law Enforcement Academy Council
Elizabeth Quinn – Iowa Law Enforcement Academy Council

William Bushell – Chairperson of the Board of Parole

William Bushell – Board of Parole
Meredith Lamberti – Board of Parole

LABOR AND BUSINESS RELATIONS

James Strohman – Employment Appeal Board

Kiya Boozell – Plumbing and Mechanical Systems Board
Mike O'Day – Plumbing and Mechanical Systems Board
Shon Smith – Plumbing and Mechanical Systems Board
Randy Watts – Plumbing and Mechanical Systems Board
Matthew Wyant – Plumbing and Mechanical Systems Board

Erik Helland – Chair and member of the Public Employment Relations Board

Josh Cobbs – Iowa Workforce Development Board
Carrie Duncan – Iowa Workforce Development Board
Kellie Gottner – Iowa Workforce Development Board
Rich Kurtenbach – Iowa Workforce Development Board
Deborah Mauricio – Iowa Workforce Development Board
Matthew Nicol – Iowa Workforce Development Board

LOCAL GOVERNMENT

Chris McKee – City Development Board
Dennis Plautz – City Development Board

Jenny Blankenship – County Finance Committee

STATE GOVERNMENT

Allen Kockler – Accountancy Examining Board
Michelle O'Neill – Accountancy Examining Board
Jessica Richter – Accountancy Examining Board

Aaron Sewell – Commission on the Status of African Americans
Whitney Smith – Commission on the Status of African Americans

Sara Winkleman – Alcoholic Beverages Commission

Stephen Larson – Administrator of the Alcoholic Beverages Division

Dan Dutcher – Architectural Examining Board

Caleb Lillquist – Commission of Asian and Pacific Islander Affairs
Karlai Thornburg – Commission of Asian and Pacific Islander Affairs
Shaochen Yu – Commission of Asian and Pacific Islander Affairs

Maureen Hardy – Board of Barbering

Geneva Jacobsen – Commission for the Blind

Bret Brecke – Boiler and Pressure Vessel Board

Kenneth Lamb – Boiler and Pressure Vessel Board

Daniel LaPole – Boiler and Pressure Vessel Board

Lynne Rush – Boiler and Pressure Vessel Board

Nathan Whipple – Boiler and Pressure Vessel Board

Bobbi Baker-Maynes – Commission on Community Action Agencies

Kevin Brown – Commission on Community Action Agencies

John Murphy – Commission on Community Action Agencies

Jeremy Kemp – Board of Cosmetology Arts and Sciences

Joshua Spencer – Board of Cosmetology Arts and Sciences

Tina Caloud – Commission of Deaf Services

Bruce Kawahara – Commission of Deaf Services

Gregory Ceraso – Board of Dentistry

Lisa Holst – Board of Dentistry

Thomas Peek – Board of Dentistry

Julie Eichenberger – Board of Dietetics

Philip Pitzen – Board of Dietetics

Nicholas Rouse – Board of Dietetics

Colby Black – Electrical Examining Board

Sara Fasching – Electrical Examining Board

Jonathan Gettler – Electrical Examining Board

Jeremy Price – Electrical Examining Board

Candace Biddle – Elevator Safety Board

Craig Clabaugh – Elevator Safety Board

Kerry Dixon – Elevator Safety Board

Troy Tilleras – Elevator Safety Board

Michael Wallace – Elevator Safety Board

Paul Herold – Engineering and Land Surveying Examining Board

Jack Jones – Engineering and Land Surveying Examining Board

Daniel Jessop – Iowa Ethics and Campaign Disclosure Board

Leah Rodenberg – Iowa Ethics and Campaign Disclosure Board

Rick Knudson – Board of Hearing Aid Specialists

Molly Parker – Board of Hearing Aid Specialists

Tricia Veik – Board of Hearing Aid Specialists

Amy Guhl – Interior Design Examining Board

Todd Mithelman – Interior Design Examining Board

Tami Loge – Investment Board of the Iowa Public Employees' Retirement System

Colleen Byrnes – Landscape Architectural Examining Board
M. Martz – Landscape Architectural Examining Board
Brenda Nelson – Landscape Architectural Examining Board

Sherrae Hanson – Iowa Lottery Authority Board of Directors
Dana Wingert – Iowa Lottery Authority Board of Directors

Douglas Dollison – Board of Massage Therapy
Amy Heinz – Board of Massage Therapy
Jacob Schrader – Board of Massage Therapy
LeAnn Stevens – Board of Massage Therapy

Eugene Cherny – Board of Medicine
Rose Kleyweg Mitchell – Board of Medicine
Jason Meyers – Board of Medicine
Vickie Pyevich – Board of Medicine
Joyce Vista-Wayne – Board of Medicine

Maria Lundberg – Board of Mortuary Science
David Moore – Board of Mortuary Science

John Big Eagle, Jr. – Commission of Native American Affairs

Jacklyn Barber – Board of Nursing
Brian Feist – Board of Nursing
Gordon Goetsch – Board of Nursing
Casey Kenneavy – Board of Nursing

Patricia Ross – Board of Nursing Home Administrators
Tracy Trotter – Board of Nursing Home Administrators
Devon Wood – Board of Nursing Home Administrators

Heidi Wood – Board of Optometry

Robert Egeland – Board of Pharmacy
Dane Nealson – Board of Pharmacy
Joan Skogstrom – Board of Pharmacy
Kathryn (Kathy) Stone – Board of Pharmacy

Holly Little – Board of Physical and Occupational Therapy
Brett Speirs – Board of Physical and Occupational Therapy

Mona Alqulali – Board of Physician Assistants
Kevin de Regnier – Board of Physician Assistants
Laura Delaney – Board of Physician Assistants
Amber Houge – Board of Physician Assistants
Michael Schnurr – Board of Physician Assistants

Theresa Hughes – Board of Podiatry
Eugene Nassif, Jr. – Board of Podiatry
Kelsey Sukovaty – Board of Podiatry

Justin Rhode – Board of Psychology
Lisa Streyffeler – Board of Psychology
Sara Swansen – Board of Psychology

Daniel Breitbarth – Iowa Public Information Board
Emil Giovannetti – Iowa Public Information Board
James McCrea – Iowa Public Information Board
Monica McHugh – Iowa Public Information Board
Jackie Schmillen – Iowa Public Information Board

Mark Oiler – Board of Trustees of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System

Brian Ohorilko – Administrator of the State Racing and Gaming Commission

Julie Andres – State Racing and Gaming Commission

Jonathan Bodwell – Real Estate Appraiser Examining Board
Loretta Laubach – Real Estate Appraiser Examining Board
Cody Seeley – Real Estate Appraiser Examining Board

Susan Clark – Real Estate Commission
Mitchell Kearns – Real Estate Commission

Cynthia Duncan – Board of Respiratory Care and Polysomnography
Thomas Graham – Board of Respiratory Care and Polysomnography
Benjamin Jagow – Board of Respiratory Care and Polysomnography

Aaron Culley – Board of Social Work

Jordan Cook – Board of Speech Pathology and Audiology
Kevin Kock – Board of Speech Pathology and Audiology
Stacy Robinson – Board of Speech Pathology and Audiology

Scott Shuey – Iowa Board of Veterinary Medicine

Andrew Lauver – Commission on the Status of Women
Esperance Nibizi – Commission on the Status of Women
Sherill Whisenand – Commission on the Status of Women

TRANSPORTATION

Raymond Gaesser – State Transportation Commission
Linda Juckette – State Transportation Commission

VETERANS AFFAIRS

Steven Lukan – Executive Director of the Iowa Department of Veterans Affairs

Elizabeth Ledvina – Commission of Veterans Affairs
George Mosby – Commission of Veterans Affairs
Carol Whitmore – Commission of Veterans Affairs

WAYS AND MEANS

Doug Boone – Economic Development Authority
Mark Kittrell – Economic Development Authority
Pankaj Monga – Economic Development Authority
Jennifer Steffensmeier – Economic Development Authority

Ryan Bosch – Iowa Great Places Board
Barbara Determan – Iowa Great Places Board
Duane Hagerty – Iowa Great Places Board
Darryl High – Iowa Great Places Board
Jacque Rahe – Iowa Great Places Board

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate:

I am withdrawing the name of Matthew Howie for confirmation as a member of the Board of Optometry from further consideration by the Senate.

I am withdrawing the name of Jonathan Bodwell for confirmation as a member of the Real Estate Appraiser Examining Board from further consideration by the Senate.

I am withdrawing the name of Mitchell Kearns for confirmation as a member of the Real Estate Commission from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on March 15, 2022:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on the Status of African Americans, formerly held by Kenneth Morris, Jr. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Architectural Examining Board, formerly held by Anna Harmon. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Autism Council, formerly held by Andrew Beer. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Autism Council, formerly held by Matthew O'Brien. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Boiler and Pressure Vessel Board, formerly held by Frank Ballantini. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Boiler and Pressure Vessel Board, formerly held by Thomas Dye. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Children's Behavioral Health System State Board, formerly held by Peggy Huppert. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for Chief Information Officer, formerly held by Annette Dunn. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Chiropractic, formerly held by Jason Wall. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa State Civil Rights Commission, formerly held by Gina Battani. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Community Action Agencies, formerly held by Anna Hilpipre. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Community Action Agencies, formerly held by John Johnson. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Early Childhood Iowa State Board, formerly held by Jean Stadtlander. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Early Childhood Iowa State Board, formerly held by Zachary Stier. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Cultural Trust Board of Trustees, formerly held by Mary Ellen Kimball. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Electrical Examining Board, formerly held by Jonathan Gettler. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Elevator Safety Board, formerly held by Wayne Sims. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Hearing Aid Specialists, formerly held by Jon McAvoy. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Justice Advisory Board, formerly held by Brian Gladney. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Landscape Architectural Examining Board, formerly held by Debra Schiel-Larson. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Latino Affairs Commission, formerly held by Marlu Abarca. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for Director of the Iowa Department of Management, formerly held by Michael Bousselot. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Mental Health and Disability Services, formerly held by Shari O'Bannon. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Mental Health and Disability Services, formerly held by Marilyn Seeman. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Mental Health and Disability Services, formerly held by Maria Sorensen. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Larry Lasley. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Anthony Waseskuk. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Judy Yellowbank. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Nursing Home Administrators, formerly held by Matt Niemeir. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Nursing Home Administrators, formerly held by Therese Nielsen. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Optometry, formerly held by Anne Langguth. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Physical and Occupational Therapy, formerly held by Stephanie Kelsick. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Plumbing and Mechanical Systems Board, formerly held by Robert Kunkel. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Plumbing and Mechanical Systems Board, formerly held by Rodney Schultz. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Public Employment Relations Board, formerly held by Erik Helland. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for Director of the Iowa Department of Public Health, formerly held by Gerd Clabaugh. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Public Information Board, formerly held by Stanley Thompson. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Sign Language Interpreters and Transliterators, formerly held by Megan Johnson. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Sign Language Interpreters and Transliterators, formerly held by Susan Tyrrell. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Social Work, formerly held by Amy Courneya. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Social Work, formerly held by Tony Raymer. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the State Soil Conservation and Water Quality Committee, formerly held by Judy Loonan. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Veterans Affairs, formerly held by Dan Gannon. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on the Status of Women, formerly held by Thomas Carnahan. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Workforce Development Board, formerly held by Becky Jacobsen. The appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5059	S.F.	2251	Adrian Dickey
S-5060	H.F.	2411	Adrian Dickey
S-5061	H.F.	2281	Judiciary

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 16, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Tuesday, March 15, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2022, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualifications of electors.

ALSO: That the House has on March 15, 2022, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2295, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

ALSO: That the House has on March 15, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2466, a bill for an act concerning signature requirements for county supervisor candidate nominations and including effective date provisions.

Read first time and referred to committee on **State Government**.

House File 2494, a bill for an act relating to nursing facility construction or expansion.

Read first time and referred to committee on **Human Resources**.

House File 2529, a bill for an act relating to a state-funded psychiatry residency program at various state institutions, creating a program fund, and making appropriations.

Read first time and referred to committee on **Appropriations**.

House File 2537, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Read first time and referred to committee on **Transportation**.

House File 2538, a bill for an act relating to legislative and congressional redistricting concerning the duties of the temporary redistricting advisory commission.

Read first time and referred to committee on **State Government**.

House File 2546, a bill for an act relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program.

Read first time and attached to **similar Senate File 2331**.

House File 2549, a bill for an act relating to the establishment of a mental health practitioner loan repayment program, and providing an appropriation.

Read first time and attached to **similar Senate File 2195**.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced to the Senate chamber Stephen Larson, the Governor's appointee to be the Administrator of the Alcoholic Beverages Division. He was the guest of the committee on State Government.

The Secretary of the Senate introduced to the Senate chamber William Bushell, the Governor's appointee to be the Chairperson of the Board of Parole. He was the guest of the committee on Judiciary.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 105.

Senate Resolution 105

On motion of Senator Nunn, **Senate Resolution 105**, a resolution reaffirming Iowa's commitment to its relationship with the Ukrainian people and supporting Ukraine's efforts to remain an independent and autonomous nation, with report of committee recommending passage, was taken up for consideration.

Senator Nunn moved the adoption of Senate Resolution 105, which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

President Chapman announced that **House File 2130** was referred from the committee on **Transportation** to the committee on **State Government** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:30 a.m. until 9:00 a.m., Thursday, March 17, 2022.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, March 16, 2022, 10:40 a.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams.

Members Absent: None.

Committee Business: HF 2431, HF 2470, HF 2540, HF 2302, HF 2399, HF 2330, and HF 2461.

Adjourned: 11:00 a.m.

HUMAN RESOURCES

Convened: Tuesday, March 15, 2022, 3:35 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: Green (excused).

Committee Business: Consideration and passage of bills: HF 2198, HF 2127, HF 736, HF 2203, and HF 2248.

Adjourned: 4:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, March 16, 2022, 1:25 p.m.

Members Present: Sweeney, Chair; Driscoll, Vice Chair; Trone Garriott, Ranking Member; Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach.

Members Absent: Green and Hogg (both excused).

Committee Business: HF 2209, HF 2369, and HF 2415.

Adjourned: 1:35 p.m.

SUBCOMMITTEE ASSIGNMENTS**House File 2130**

STATE GOVERNMENT: Koelker, Chair Bisignano, Boulton, Brown, Celsi, Cournoyer, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Reichman, Schultz, and R. Smith

House File 2337

APPROPRIATIONS: Cournoyer, Chair; Celsi and Rozenboom

House File 2466

STATE GOVERNMENT: R. Smith, Chair Bisignano, Boulton, Brown, Celsi, Cournoyer, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz

House File 2529

APPROPRIATIONS: Costello, Chair; Bolkcom and Edler

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: HOUSE FILE 2302, a bill for an act relating to affirmative defenses for entities using cybersecurity programs.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2399, a bill for an act relating to reimbursement for health care services provided after receipt of a prior authorization, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2431, a bill for an act relating to the regulation of home-based businesses, including food establishments and home food processing establishments, and providing civil penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Schultz, Koelker, Brown, Chapman, Goodwin, Johnson, Klimesh, Nunn, Sinclair, R. Smith, and Williams. Nays, 6: Giddens, Bisignano, Lykam, Mathis, Petersen, and Quirmbach. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2461, a bill for an act relating to ransomware and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5066.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2470, a bill for an act adopting and implementing the recommendations of the artisanal butchery task force.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 736, a bill for an act relating to limitations on activities related to paid claims under the Medicaid program, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5064.

Final Vote: Yeas, 12: Edler, Costello, Mathis, Bolkcom, Garrett, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott. Nays, none. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2127, a bill for an act relating to payments to child care providers from families participating in the state child care assistance program.

Recommendation: DO PASS.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2198, a bill for an act relating to the minimum age requirements for employees and substitutes working at a child care center.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5063.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkcom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2203, a bill for an act relating to health care including protections for health care providers against disciplinary actions for acts or omissions related to COVID-19 and to experimental treatments for terminally ill persons, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkecom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2248, a bill for an act relating to the information to be provided by a health care provider as part of a referral of a patient to an ambulatory surgical center, and providing for licensee discipline.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5065.

Final Vote: Yeas, 7: Edler, Costello, Garrett, Johnson, Lofgren, Rowley, and Sweeney. Nays, 5: Mathis, Bolkecom, Jochum, Ragan, and Trone Garriott. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 2209, a bill for an act relating to residents under sixteen years of age accompanying an adult who is hunting or trapping.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 2: Green and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2369, a bill for an act relating to taking fur-bearing animals without prior permission of the natural resource commission.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 2: Green and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2415, a bill for an act relating to private land available for public use for recreational purposes.

Recommendation: DO PASS.

Final Vote: Yeas, 11: Sweeney, Driscoll, Trone Garriott, Boulton, Celsi, Cournoyer, Lykam, Rozenboom, Shipley, J. Taylor, and Zumbach. Nays, none. Excused, 2: Green and Hogg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE FILE 781, a bill for an act relating to the practice of interior design, providing penalties, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5067.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 853, a bill for an act relating to snowmobile user permits and registration fees.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5068.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2130, a bill for an act relating to registered all-terrain vehicles and off-road utility vehicles, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 14: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, 1: Celsi. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2331, a bill for an act establishing daylight saving time as the official time in this state throughout the year and including effective date provision.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5070.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2340, a bill for an act relating to public safety nuisances concerning licensed premises where alcoholic beverages, wine, or beer is sold or consumed.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5071.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2378, a bill for an act relating to pari-mutuel wagering, concerning distribution of horse racing purse moneys and establishing a fund for certain race horse organizations.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2420, a bill for an act relating to the newborn safe haven Act.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2466, a bill for an act concerning signature requirements for county supervisor candidate nominations and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2489, a bill for an act relating to the auditor of state and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 15: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Celsi, Dawson, Giddens, Goodwin, Guth, Jochum, Johnson, Koelker, Reichman, and Schultz. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2497, a bill for an act relating to gambling regulation and wagering, concerning cashless wagering, forfeiture and withholding of certain gaming winnings, sports wagering, occupational licenses, and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5072.

Final Vote: Yeas, 12: R. Smith, Cournoyer, Bisignano, Boulton, Brown, Dawson, Giddens, Goodwin, Jochum, Johnson, Koelker, and Reichman. Nays, 3: Celsi, Guth, and Schultz. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2547, a bill for an act relating to midwife licensure, providing for fees, and making penalties applicable.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5069.

Final Vote: Yeas, 10: R. Smith, Cournoyer, Brown, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, and Schultz. Nays, 5: Bisignano, Boulton, Celsi, Giddens, Jochum. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Sue Clark for confirmation as a member of the Real Estate Commission from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5062	H.F.	780	Mark Lofgren
S-5063	H.F.	2198	Human Resources
S-5064	H.F.	736	Human Resources
S-5065	H.F.	2248	Human Resources
S-5066	H.F.	2461	Commerce
S-5067	H.F.	781	State Government
S-5068	H.F.	853	State Government
S-5069	H.F.	2547	State Government
S-5070	H.F.	2331	State Government
S-5071	H.F.	2340	State Government
S-5072	H.F.	2497	State Government

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 17, 2022

The Senate met in regular session at 9:05 a.m., Senator R. Smith presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Wednesday, March 16, 2022, was approved.

BILLS PLACED ON UNFINISHED BUSINESS

Senator Sinclair asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

SF 2369	SF 2237 attached HF 2217
SF 2366	SF 2240 attached HF 2078
SF 2370	SF 2241 attached HF 2338
SF 2371	SF 2242 attached HF 2201
SF 2372	SF 2253 attached HF 2239
SF 2060	SF 2254
SF 2086 attached HF 2258	SF 2257 attached HF 2507
SF 2087 attached HF 2126	SF 2258 attached HF 2171
SF 2088 attached HF 2169	SF 2274 attached HF 2488
SF 2093	SF 2275
SF 2110 attached HF 2380	SF 2276 attached HF 2200
SF 2129 attached HF 2165	SF 2282 attached HF 2475
SF 2131	SF 2283 attached HF 2430
SF 2133	SF 2284

SF 2134 attached HF 2360	SF 2286
SF 2140 attached HF 2124	SF 2293 attached HF 2367
SF 2168 attached HF 2172	SF 2294 attached HF 2463
SF 2171 attached HF 2252	SF 2303 attached HF 2469
SF 2174 attached HF 2390	SF 2315
SF 2179 attached HF 2462	SF 2316 attached HF 2484
SF 2185 attached HF 2222	SF 2317
SF 2189 attached HF 2296	SF 2320 attached HF 2408
SF 2191	SF 2327
SF 2192 attached HF 2295	SF 2330 attached HF 2343
SF 2194 attached HF 2155	SF 2331 attached HF 2546
SF 2195 attached HF 2549	SF 2333 attached HF 2445
SF 2210 attached HF 2521	SF 2338 attached HF 2345
SF 2228 attached HF 2341	SF 2343
SF 2229	SF 2355
SF 2231	SF 2363
SF 2236 attached HF 2079	SJR 15 attached HJR 2005

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 9:13 a.m. until 1:00 p.m., Monday, March 21, 2022.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, March 16, 2022, 3:00 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: HF 2496, HF 2372, HF 2298, HF 2464, HF 2481, and HF 2472.

Adjourned: 4:30 p.m.

WAYS AND MEANS

Convened: Thursday, March 17, 2022, 11:05 a.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun.

Members Absent: Green (excused).

Committee Business: HF 2518 – Heavy cranes – Brown – subcommittee of the whole
SF 2347 – Weighted trucks – Brown SSB 3151 – Manufactured housing – Sinclair SF
2202 – Teacher retirement incentives – Sinclair HF 626 – Redlining – Sinclair
w/amendment SF 2083 – EMS property tax incentive – Dickey w/amendment SF 2122 –
Bottle Bill – Schultz w/amendment.

Adjourned: 12:05 p.m.

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: HOUSE FILE 2330, a bill for an act relating to electronic delivery of certain insurance notices and documents.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2540, a bill for an act relating to the sale of travel insurance.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Schultz, Koelker, Giddens, Bisignano, Brown, Chapman, Goodwin, Johnson, Klimesh, Lykam, Mathis, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 2298, a bill for an act relating to immunization against COVID-19 requirements for enrollment in any licensed child care center, elementary or secondary school, or postsecondary school in Iowa.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2372, a bill for an act relating to the nonconsensual termination of a human pregnancy, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2464, a bill for an act relating to the expungement of certain criminal history records of victims of human trafficking, child abuse and minors engaged in prostitution, and including penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2472, a bill for an act relating to tampering with witnesses or jurors, and providing penalties.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2481, a bill for an act relating to judicial selection, including the nominees to the court of appeals, and the appointments, resignations, and residency requirements of district judges, district associate judges, associate juvenile judges, and associate probate judges.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, 5: Kinney, Bisignano, Bolkcom, Boulton, and Petersen. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2496, a bill for an act relating to the procedural requirements for placing an officer's name on a Brady-Giglio list, and for a prosecuting agency disclosing exculpatory evidence.

Recommendation: DO PASS.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: HOUSE FILE 2518, a bill for an act relating to annual overweight permits for cranes, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Michael Zehr for confirmation as a member of the Iowa Autism Council from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 21, 2022

The Senate met in regular session at 1:02 p.m., President Chapman presiding.

Prayer was offered by the Honorable Jake Chapman, president of the Senate from Dallas County, Adel, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Thursday, March 17, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2437, a bill for an act prohibiting the burdening of a person's free exercise of religion by governmental entities, officials, and employees.

Read first time and attached to **similar Senate File 2284**.

House File 2532, a bill for an act relating to the compensation of sanitary district board of trustees members.

Read first time and referred to committee on **Local Government**.

House File 2552, a bill for an act relating to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, the assessment of property, the collection of debt, the refunds of certain fuel taxes, and the taxation of pass-through entities, reducing inheritance taxes for unknown heirs, establishing salaries, providing for a fee, making appropriations, and providing penalties, and including effective date, applicability, and retroactive applicability provisions.

Read first time and attached to **companion Senate File 2371**.

BILL REFERRED TO COMMITTEE

President Chapman announced that **House File 853** was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:06 p.m. until 9:00 a.m., Tuesday, March 22, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Department of Human Services Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on March 18, 2022.

Medicaid Managed Care Oversight Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on March 18, 2022.

Temporary Assistance for Needy Families Block Grant Expenditures, pursuant to 2021 Iowa Acts, Chapter 182, section 7. Report received on March 18, 2022.

INTRODUCTION OF BILLS

Senate File 2375, by committee on Ways and Means, a bill for an act relating to the abatement of property taxes owed on property owned by certain volunteer emergency services providers and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2376, by committee on Ways and Means, a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2377, by committee on Ways and Means, a bill for an act relating to education, including eligibility for grants under the teach Iowa scholar program, licenses issued by the board of educational examiners, and the use of revenues from the district management levy, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2378, by committee on Ways and Means, a bill for an act relating to beverages, including the barrel tax and the acceptance of beverage containers for refund value, providing penalties, and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2379, by committee on Ways and Means, a bill for an act relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, the repeal of the manufactured home community and mobile home tax, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

SUBCOMMITTEE ASSIGNMENTS

House File 2471

LOCAL GOVERNMENT: Lofgren, Chair; Guth and J. Smith

House File 2494

HUMAN RESOURCES: Edler, Chair; Bolkcom and Costello

House File 2532

LOCAL GOVERNMENT: Driscoll, Chair; Quirmbach and Williams

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: *SENATE FILE 2375 (formerly SF 2083), a bill for an act relating to the abatement of property taxes owed on property owned by certain volunteer emergency services providers and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2375, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2376 (formerly SF 2347), a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dotzler, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, 1: Dickey. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2376, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 2377 (formerly SF 2202), a bill for an act relating to education, including eligibility for grants under the teach Iowa scholar program, licenses issued by the board of educational examiners, and the use of revenues from the district management levy, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 2378 (formerly SF 2122), a bill for an act relating to beverages, including the barrel tax and the acceptance of beverage containers for refund value, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Dawson, Goodwin, Brown, Dickey, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, 6: Jochum, Bolkcom, Dotzler, Petersen, Quirmbach, and T. Taylor. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2378, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2379 (SSB 3151), a bill for an act relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, the repeal of the manufactured home community and mobile home tax, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Dawson, Goodwin, Brown, Dickey, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, 6: Jochum, Bolkcom, Dotzler, Petersen, Quirmbach, and T. Taylor. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2379, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 626, a bill for an act relating to revitalization areas by authorizing cities and counties to provide property tax exemptions for certain owner-occupied residential property located in areas previously subjected to lending discrimination and including applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5073.

Final Vote: Yeas, 15: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Petersen, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, 1: Quirmbach. Excused, 1: Green.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 2022, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As a member of the Agricultural Development Board:

Lyle Borg – Rozenboom, Chair; Shipley and J. Smith

As members of the Iowa Grain Indemnity Fund Board:

Rhonda Shelman – Driscoll, Chair; Costello and Kinney
Michael Winter – Sweeney, Chair; Green and J. Smith

As a member of the State Soil Conservation and Water Quality Committee:

Dennis Carlson – Green, Chair; Ragan and Sweeney

APPROPRIATIONS

As members of the Enhance Iowa Board:

Rita Frahm – Guth, Chair; Dotzler and Reichman
Brad Leeper – Johnson, Chair; Dotzler and Lofgren
Steve Roesner – Kraayenbrink, Chair; Dotzler and Koelker
Valerie Van Kooten – Rozenboom, Chair; Dotzler and Kraayenbrink
Mary Wells – Garrett, Chair; Dotzler and Klimesh

COMMERCE

As members of the Credit Union Review Board:

Tyler Campbell – Schultz, Chair; Giddens and Williams
Jordan Hensley – Schultz, Chair; Giddens and Williams
Jami Weems – Schultz, Chair; Giddens and Williams

As a member of the Iowa Telecommunications and Technology Commission:

Bob Holz – Schultz, Chair; Giddens and Williams

EDUCATION

As members of the Iowa Autism Council:

Stephanie Boyle – Johnson, Chair; J. Smith and Sweeney
Pam Gronau – Johnson, Chair; J. Smith and Sweeney
Colin Wixted – Johnson, Chair; J. Smith and Sweeney

As members of the Early Childhood Iowa State Board:

Jennifer Banta – Kraayenbrink, Chair; Celsi and Zaun
Michael Linnenbrink – Kraayenbrink, Chair; Celsi and Zaun
Dawn Oliver Wiand – Kraayenbrink, Chair; Celsi and Zaun

As members of the Children's Behavioral Health System State Board:

Andrew Allen – J. Taylor, Chair; Carlin and Trone Garriott
Nathan Noble – J. Taylor, Chair; Carlin and Trone Garriott
Kari Price – J. Taylor, Chair; Carlin and Trone Garriott
Jason Sandholdt – J. Taylor, Chair; Carlin and Trone Garriott

As members of the State Board of Education:

Cindy Dietz – Sinclair, Chair; Goodwin and Quirmbach
Cassandra Halls – Sinclair, Chair; Goodwin and Quirmbach
Nathan Peterson – Sinclair, Chair; Goodwin and Quirmbach

As members of the Board of Educational Examiners:

Kathy Behrens – Cournoyer, Chair; Giddens and Rozenboom
Timothy McKinney – Cournoyer, Chair; Giddens and Rozenboom

As a member of the Iowa Higher Education Loan Authority:

Randy Fehr – Cournoyer, Chair; Quirmbach and Rozenboom

As members of the School Budget Review Committee:

Patricia Schroeder – Cournoyer, Chair; Rozenboom and J. Smith
Leland Tack – Cournoyer, Chair; Rozenboom and J. Smith

HUMAN RESOURCES

As members of the Board of Athletic Training:

Andrew Jedlicka – Green, Chair; Sweeney and Trone Garriott
Emily Reese – Green, Chair; Bolkcom and Johnson
Austin Steil – Garrett, Chair; Green and Trone Garriott

As members of the Board of Behavioral Science:

Nolan Byrnes – Johnson, Chair; Lofgren and Trone Garriott
Echo Kent – Lofgren, Chair; Bolkcom and Johnson
Kerry Lust – Sweeney, Chair; Rowley and Trone Garriott
Amy Mooney – Rowley, Chair; Green and Ragan
Blake Stephenson – Rowley, Chair; Lofgren and Mathis
Maria Valdovinos – Lofgren, Chair; Green and Ragan
Laura Wilcke – Garrett, Chair; Johnson and Ragan

As members of the Child Advocacy Board:

Ashley Baker – Johnson, Chair; Green and Ragan
Donald Logan – Green, Chair; Ragan and Rowley
Rick McIntosh – Costello, Chair; Edler and Jochum
William Owens – Costello, Chair; Bolkcom and Sweeney
Angela Stokes – Edler, Chair; Ragan and Sweeney

As members of the Commission of Persons with Disabilities:

Jessica Fasselius – Edler, Chair; Rowley and Trone Garriott
Adam Koch – Lofgren, Chair; Green and Trone Garriott
Clint Sargent – Sweeney, Chair; Bolkcom and Green
Beth Wilde – Green, Chair; Bolkcom and Lofgren

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

Shawn Garrington – Green, Chair; Jochum and Lofgren
Mary Nelle Trefz – Green, Chair; Jochum and Rowley

As members of the Commission of Latino Affairs:

Jose Ayala – Rowley, Chair; Green and Jochum
Juan Himar Hernandez – Lofgren, Chair; Bolkcom and Edler
Isabel Yanez – Costello, Chair; Edler and Trone Garriott

As members of the Mental Health and Disability Services Commission:

Betsy Akin – Green, Chair; Jochum and Rowley
Teresa Daubitz – Green, Chair; Lofgren and Mathis
Sue Gehling – Lofgren, Chair; Green and Jochum
Jack Seward, Jr. – Rowley, Chair; Bolkcom and Sweeney
Cory Turner – Costello, Chair; Edler and Ragan
Kenneth Wayne – Edler, Chair; Sweeney and Trone Garriott

As members of the Board of Sign Language Interpreters and Transliterators:

Sarah Boury – Green, Chair; Bolkcom and Sweeney
Amanda Gallant – Rowley, Chair; Bolkcom and Johnson
Dylan Heuer – Johnson, Chair; Garrett and Trone Garriott

As members of the Commission on Tobacco Use Prevention and Control:

Lorene Mein – Garrett, Chair; Jochum and Johnson
Robert Nichols – Green, Chair; Lofgren and Ragan
Bridget Saffold – Lofgren, Chair; Green and Ragan

JUDICIARY

As a member of the Board of Corrections:

Denise Bubeck – Zaun, Chair; Petersen and Rowley

As members of the Drug Policy Advisory Council:

Jason Feaker – Rowley, Chair; Kinney and Schultz
David McDaniel – Johnson, Chair; Petersen and Shipley

As members of the State Judicial Nominating Commission:

Gwendolyn (Gwen) Ecklund – Zaun, Chair; Boulton and Rowley
Jeremy Kidd – Zaun, Chair; Boulton and Rowley
Kathleen Law – Zaun, Chair; Boulton and Johnson
Derek Muller – Zaun, Chair; Johnson and Petersen

As members of the Justice Advisory Board:

Dee Sandquist – J. Taylor, Chair; Bolkcom and Johnson
Monique Scarlett – Reichman, Chair; Bolkcom and J. Taylor

As members of the Iowa Law Enforcement Academy Council:

Gene Beinke – Dawson, Chair; Kinney and Schultz
Tiffany Hamilton-Howell – Dawson, Chair; Kinney and Schultz
Ricardo Martinez II – Dawson, Chair; Kinney and Sinclair
Elizabeth Quinn – Dawson, Chair; Kinney and Sinclair

As Chairperson of the Board of Parole:

William Bushell – Garrett, Chair; Bisignano and Johnson

As members of the Board of Parole:

William Bushell – Garrett, Chair; Bisignano and Johnson
Meredith Lamberti – Garrett, Chair; Bisignano and Johnson

LABOR AND BUSINESS RELATIONS

As a member of the Employment Appeal Board:

James Strohman – Schultz, Chair; Boulton and Driscoll

As members of the Plumbing and Mechanical Systems Board:

Kiya Boozell – Green, Chair; Guth and Jochum
Mike O'Day – Guth, Chair; Driscoll and Jochum
Shon Smith – J. Taylor, Chair; Jochum and Rowley
Randy Watts – Rowley, Chair; Guth and Jochum
Matthew Wyant – Driscoll, Chair; Green and Jochum

As Chair and a member of the Public Employment Relations Board:

Erik Helland – Dickey, Chair; Schultz and T. Taylor

As members of the Iowa Workforce Development Board:

Josh Cobbs – Schultz, Chair; Dotzler and Rowley
Carrie Duncan – Driscoll, Chair; Dotzler and Green
Kellie Gottner – Guth, Chair; Dotzler and J. Taylor
Rich Kurtenbach – J. Taylor, Chair; Dickey and Dotzler
Deborah Mauricio – Schultz, Chair; Dickey and Dotzler
Matthew Nicol – Green, Chair; Dotzler and Rowley

LOCAL GOVERNMENT

As members of the City Development Board:

Chris McKee – Williams, Chair; Lofgren and J. Smith
Dennis Plautz – Driscoll, Chair; Guth and T. Taylor

As a member of the County Finance Committee:

Jenny Blankenship – Garrett, Chair; Guth and Quirmbach

STATE GOVERNMENT

As members of the Accountancy Examining Board:

Allen Kockler – Goodwin, Chair; Bisignano and Brown
Michelle O'Neill – Goodwin, Chair; Bisignano and Brown
Jessica Richter – Goodwin, Chair; Bisignano and Brown

As members of the Commission on the Status of African Americans:

Aaron Sewell – Guth, Chair; Bisignano and Johnson
Whitney Smith – Guth, Chair; Bisignano and Johnson

As a member of the Alcoholic Beverages Commission:

Sara Winkleman – R. Smith, Chair; Bisignano and Johnson

As Administrator of the Alcoholic Beverages Division:

Stephen Larson – R. Smith, Chair; Bisignano and Johnson

As a member of the Architectural Examining Board:

Dan Dutcher – Guth, Chair; Bisignano and Johnson

As members of the Commission of Asian and Pacific Islander Affairs:

Caleb Lillquist – Guth, Chair; Bisignano and Johnson
Karlai Thornburg – Guth, Chair; Bisignano and Johnson
Shaochen Yu – Guth, Chair; Bisignano and Johnson

As a member of the Board of Barbering:

Maureen Hardy – Guth, Chair; Bisignano and Johnson

As a member of the Commission for the Blind:

Geneva Jacobsen – Brown, Chair; Celsi and Goodwin

As members of the Boiler and Pressure Vessel Board:

Bret Brecke – Brown, Chair; Celsi and Goodwin
Kenneth Lamb – Brown, Chair; Celsi and Goodwin
Daniel LaPole – Brown, Chair; Celsi and Goodwin
Lynne Rush – Brown, Chair; Celsi and Goodwin
Nathan Whipple – Brown, Chair; Celsi and Goodwin

As members of the Commission on Community Action Agencies:

Bobbi Baker-Maynes – Brown, Chair; Celsi and Goodwin
Kevin Brown – Brown, Chair; Celsi and Goodwin
John Murphy – Brown, Chair; Celsi and Goodwin

As members of the Board of Cosmetology Arts and Sciences:

Jeremy Kemp – Guth, Chair; Celsi and Johnson
Joshua Spencer – Guth, Chair; Celsi and Johnson

As members of the Commission of Deaf Services:

Tina Caloud – Guth, Chair; Celsi and Johnson
Bruce Kawahara – Guth, Chair; Celsi and Johnson

As members of the Board of Dentistry:

Gregory Ceraso – Goodwin, Chair; Brown and Giddens
Lisa Holst – Goodwin, Chair; Brown and Giddens
Thomas Peek – Goodwin, Chair; Brown and Giddens

As members of the Board of Dietetics:

Julie Eichenberger – Goodwin, Chair; Brown and Giddens
Philip Pitzen – Goodwin, Chair; Brown and Giddens
Nicholas Rouse – Goodwin, Chair; Brown and Giddens

As members of the Electrical Examining Board:

Colby Black – Goodwin, Chair; Brown and Giddens
Sara Fasching – Goodwin, Chair; Brown and Giddens
Jonathan Gettler – Goodwin, Chair; Brown and Giddens
Jeremy Price – Goodwin, Chair; Brown and Giddens

As members of the Elevator Safety Board:

Candace Biddle – Reichman, Chair; Giddens and Johnson
Craig Clabaugh – Reichman, Chair; Giddens and Johnson
Kerry Dixon – Reichman, Chair; Giddens and Johnson
Troy Tilleraas – Reichman, Chair; Giddens and Johnson
Michael Wallace – Reichman, Chair; Giddens and Johnson

As members of the Engineering and Land Surveying Examining Board:

Paul Herold – Reichman, Chair; Giddens and Johnson
Jack Jones – Reichman, Chair; Giddens and Johnson

As members of the Iowa Ethics and Campaign Disclosure Board:

Daniel Jessop – R. Smith, Chair; Cournoyer and Giddens
Leah Rodenberg – R. Smith, Chair; Cournoyer and Giddens

As members of the Board of Hearing Aid Specialists:

Rick Knudson – Cournoyer, Chair; Boulton and Koelker
Molly Parker – Cournoyer, Chair; Boulton and Koelker
Tricia Veik – Cournoyer, Chair; Boulton and Koelker

As members of the Interior Design Examining Board:

Amy Guhl – Cournoyer, Chair; Boulton and Koelker
Todd Mithelman – Cournoyer, Chair; Boulton and Koelker

As a member of the Investment Board of the Iowa Public Employees' Retirement System:

Tami Loge – R. Smith, Chair; Boulton and Goodwin

As members of the Landscape Architectural Examining Board:

Colleen Byrnes – Johnson, Chair; Boulton and Guth
M. Martz – Johnson, Chair; Boulton and Guth
Brenda Nelson – Johnson, Chair; Boulton and Guth

As members of the Iowa Lottery Authority Board of Directors:

Sherrae Hanson – R. Smith, Chair; Boulton and Cournoyer
Dana Wingert – R. Smith, Chair; Boulton and Cournoyer

As members of the Board of Massage Therapy:

Douglas Dollison – Johnson, Chair; Bisignano and Guth
Amy Heinz – Johnson, Chair; Bisignano and Guth
Jacob Schrader – Johnson, Chair; Bisignano and Guth
LeAnn Stevens – Johnson, Chair; Bisignano and Guth

As members of the Board of Medicine:

Eugene Cherny – Schultz, Chair; Bisignano and Dawson
Rose Kleyweg Mitchell – Schultz, Chair; Bisignano and Dawson
Jason Meyers – Schultz, Chair; Bisignano and Dawson
Vickie Pyevich – Schultz, Chair; Bisignano and Dawson
Joyce Vista-Wayne – Schultz, Chair; Bisignano and Dawson

As members of the Board of Mortuary Science:

Maria Lundberg – Schultz, Chair; Bisignano and Dawson
David Moore – Schultz, Chair; Bisignano and Dawson

As a member of the Commission of Native American Affairs:

John Big Eagle, Jr. – Schultz, Chair; Bisignano and Dawson

As members of the Board of Nursing:

Jacklyn Barber – Reichman, Chair; Celsi and Johnson
Brian Feist – Reichman, Chair; Celsi and Johnson
Gordon Goettsch – Reichman, Chair; Celsi and Johnson
Casey Kennavy – Reichman, Chair; Celsi and Johnson

As members of the Board of Nursing Home Administrators:

Patricia Ross – Schultz, Chair; Celsi and Dawson
Tracy Trotter – Schultz, Chair; Celsi and Dawson
Devon Wood – Schultz, Chair; Celsi and Dawson

As a member of the Board of Optometry

Heidi Wood – Brown, Chair; Celsi and R. Smith

As members of the Board of Pharmacy:

Robert Egeland – Koelker, Chair; Celsi and Cournoyer
Dane Nealon – Koelker, Chair; Celsi and Cournoyer
Joan Skogstrom – Koelker, Chair; Celsi and Cournoyer
Kathryn (Kathy) Stone – Koelker, Chair; Celsi and Cournoyer

As members of the Board of Physical and Occupational Therapy:

Holly Little – Cournoyer, Chair; Giddens and Koelker
Brett Speirs – Cournoyer, Chair; Giddens and Koelker

As members of the Board of Physician Assistants:

Mona Alqulali – Koelker, Chair; Cournoyer and Giddens
Kevin de Regnier – Koelker, Chair; Cournoyer and Giddens
Laura Delaney – Koelker, Chair; Cournoyer and Giddens
Amber Houge – Koelker, Chair; Cournoyer and Giddens
Michael Schnurr – Koelker, Chair; Cournoyer and Giddens

As members of the Board of Podiatry:

Theresa Hughes – Johnson, Chair; Giddens and Schultz
Eugene Nassif, Jr. – Johnson, Chair; Giddens and Schultz
Kelsey Sukovaty – Johnson, Chair; Giddens and Schultz

As members of the Board of Psychology:

Justin Rhode – Dawson, Chair; Giddens and Schultz
Lisa Streiffeler – Dawson, Chair; Giddens and Schultz
Sara Swansen – Dawson, Chair; Giddens and Schultz

As members of the Iowa Public Information Board:

Daniel Breitbarth – Dawson, Chair; Jochum and Schultz
Emil Giovannetti – Dawson, Chair; Jochum and Schultz
James McCrea – Dawson, Chair; Jochum and Schultz
Monica McHugh – Dawson, Chair; Jochum and Schultz
Jackie Schmillen – Dawson, Chair; Jochum and Schultz

As a member of the Board of Trustees of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System:

Mark Oiler – Dawson, Chair; Jochum and Schultz

As Administrator of the State Racing and Gaming Commission:

Brian Ohorilko – R. Smith, Chair; Bisignano and Dawson

As a member of the State Racing and Gaming Commission:

Julie Andres – R. Smith, Chair; Bisignano and Dawson

As members of the Real Estate Appraiser Examining Board:

Loretta Laubach – Cournoyer, Chair; Bisignano and Koelker
Cody Seeley – Cournoyer, Chair; Bisignano and Koelker

As members of the Board of Respiratory Care and Polysomnography:

Cynthia Duncan – Johnson, Chair; Guth and Jochum
Thomas Graham – Johnson, Chair; Guth and Jochum
Benjamin Jagow – Johnson, Chair; Guth and Jochum

As a member of the Board of Social Work:

Aaron Culley – Johnson, Chair; Guth and Jochum

As members of the Board of Speech Pathology and Audiology:

Jordan Cook – Cournoyer, Chair; Jochum and Koelker
Kevin Kock – Cournoyer, Chair; Jochum and Koelker
Stacy Robinson – Cournoyer, Chair; Jochum and Koelker

As a member of the Iowa Board of Veterinary Medicine:

Scott Shuey – Cournoyer, Chair; Jochum and Koelker

As members of the Commission on the Status of Women:

Andrew Lauver – Koelker, Chair; Cournoyer and Jochum
Esperance Nibizi – Koelker, Chair; Cournoyer and Jochum
Sherill Whisenand – Koelker, Chair; Cournoyer and Jochum

TRANSPORTATION

As members of the State Transportation Commission:

Raymond Gaesser – Driscoll, Chair; Giddens and Zumbach
Linda Juckette – Rozenboom, Chair; Shipley and T. Taylor

VETERANS AFFAIRS

As Executive Director of the Department of Veterans Affairs:

Steven Lukan – Lofgren, Chair; Giddens and Reichman

As members of the Commission of Veterans Affairs:

Elizabeth Ledvina – Reichman, Chair; Giddens and Green
George Mosby – Green, Chair; Dotzler and Lofgren
Carol Whitmore – Lofgren, Chair; Giddens and Reichman

WAYS AND MEANS

As members of the Economic Development Authority:

Doug Boone – Dawson, Chair; Dotzler and Goodwin
Mark Kittrell – Dawson, Chair; Dotzler and Goodwin
Pankaj Monga – Dawson, Chair; Dotzler and Goodwin
Jennifer Steffensmeier – Dawson, Chair; Dotzler and Goodwin

As members of the Iowa Great Places Board:

Ryan Bosch – Sweeney, Chair; Green and T. Taylor
Barbara Determan – Sweeney, Chair; Green and T. Taylor
Duane Hagerty – Green, Chair; Sweeney and T. Taylor
Darryl High – Green, Chair; Sweeney and T. Taylor
Jacque Rahe – Green, Chair; Sweeney and T. Taylor

AMENDMENT FILED

S-5073 H.F. 626 Ways and Means

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 22, 2022

The Senate met in regular session at 9:02 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Monday, March 21, 2022, was approved.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:00 a.m., President Chapman presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2372.

Senate File 2372

On motion of Senator Dawson, **Senate File 2372**, a bill for an act relating to state taxation and administration by modifying sales and use taxes, individual and corporate income taxes, the automobile rental excise tax, the franchise tax, and the insurance premiums tax, and including effective date, applicability, and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Wahls asked and received unanimous consent that action on **Senate File 2372** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nunn, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2540 and 2466.

House File 2540

On motion of Senator Williams, **House File 2540**, a bill for an act relating to the sale of travel insurance, with report of committee recommending passage, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2540), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2466

On motion of Senator R. Smith, **House File 2466**, a bill for an act concerning signature requirements for county supervisor candidate nominations and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2466), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2466 and 2540** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2371.

Senate File 2371

On motion of Senator Dawson, **Senate File 2371**, a bill for an act relating to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, the assessment of property, the collection of debt, the refunds of certain fuel taxes, and the taxation of pass-through entities, reducing inheritance taxes for unknown heirs, establishing salaries, providing for a fee, making appropriations, and providing penalties, and including effective date, applicability, and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Dawson asked and received unanimous consent that **House File 2552** be **substituted** for **Senate File 2371**.

House File 2552

On motion of Senator Dawson, **House File 2552**, a bill for an act relating to state and local finances and the duties and procedures of the department of revenue by providing for electronic filing, communications, and records, modifying transfer tax remittances, the assessment of property, the collection of debt, the refunds of certain fuel taxes, and the taxation of pass-through entities, reducing inheritance taxes for unknown heirs, establishing salaries, providing for a fee, making appropriations, and providing penalties, and including effective date, applicability, and retroactive applicability provisions, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2552), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Dawson asked and received unanimous consent that **Senate File 2371** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2552** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2210.

Senate File 2210

On motion of Senator Costello, **Senate File 2210**, a bill for an act relating to health care employment agencies, and providing penalties, placed on the Unfinished Business Calendar on March 17, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Costello offered amendment S-5074, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5074 was adopted by a voice vote.

Senator Costello asked and received unanimous consent that **House File 2521** be substituted for **Senate File 2210**.

House File 2521

On motion of Senator Costello, **House File 2521**, a bill for an act relating to health care employment agencies, and providing penalties, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2521), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Costello asked and received unanimous consent that **Senate File 2210** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2521** be **immediately messaged** to the House.

President Pro Tempore Zaun took the chair at 11:25 a.m.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2140 and 2276.

Senate File 2140

On motion of Senator Koelker, **Senate File 2140**, a bill for an act relating to airport registration and site approval by the department of transportation, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Koelker asked and received unanimous consent that **House File 2124** be **substituted** for **Senate File 2140**.

House File 2124

On motion of Senator Koelker, **House File 2124**, a bill for an act relating to airport registration and site approval by the department of transportation, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2124), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Koelker asked and received unanimous consent that **Senate File 2140** be **withdrawn** from further consideration of the Senate.

Senate File 2276

On motion of Senator Williams, **Senate File 2276**, a bill for an act relating to direct health care agreements, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Williams offered amendment S-5075, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S–5075 was adopted by a voice vote.

Senator Williams asked and received unanimous consent that **House File 2200** be **substituted** for **Senate File 2276**.

House File 2200

On motion of Senator Williams, **House File 2200**, a bill for an act relating to direct health care agreements, and including effective date and applicability provisions, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2200), the vote was:

Yeas, 33:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Williams asked and received unanimous consent that **Senate File 2276** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2124 and 2200** be **immediately messaged** to the House.

**CONSIDERATION OF BILL
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2179.

Senate File 2179

On motion of Senator Dawson, **Senate File 2179**, a bill for an act relating to penalties for the manufacture, delivery, or possession with the intent to manufacture or deliver heroin, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Dawson asked and received unanimous consent that **House File 2462** be **substituted** for **Senate File 2179**.

House File 2462

On motion of Senator Dawson, **House File 2462**, a bill for an act relating to penalties for the manufacture, delivery, or possession with the intent to manufacture or deliver heroin, was taken up for consideration.

Senator Bolkcom offered amendment S-5079, filed by Senator Bolkcom, et al., from the floor to page 1 and amending the title page of the bill.

Senator Dawson raised the point of order that amendment S-5079 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5079 out of order.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2462), the vote was:

Yea, 44:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 5:

Bolkcom	Celsi	Hogg	Petersen
Quirmbach			

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Dawson asked and received unanimous consent that **Senate File 2179** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF RESOLUTION (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Joint Resolution 15.

Senate Joint Resolution 15

On motion of Senator R. Smith, **Senate Joint Resolution 15**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator R. Smith asked and received unanimous consent that **House Joint Resolution 2005** be **substituted** for **Senate Joint Resolution 15**.

House Joint Resolution 2005

On motion of Senator R. Smith, **House Joint Resolution 2005**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession, was taken up for consideration.

Senator R. Smith moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

House Joint Resolution 2005, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession. BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: Section 1. The following amendment to the Constitution of the State of Iowa is proposed: Section 17 of Article IV of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof: Sec. 17. **Lieutenant governor or lieutenant governor-elect to become or act as governor or governor-elect.** If there is a temporary disability of the governor, the lieutenant governor shall act as governor until the disability is removed, or the governor dies, resigns, or is removed from office. In case of the death, resignation, or removal from office of the governor, the lieutenant governor shall become governor for the remainder of the term, which shall create a vacancy in the office of lieutenant governor. This section shall also apply, as appropriate, to the governor-elect and the lieutenant governor-elect. Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and shall be published as provided by law for three consecutive months previous to the date of that election. This joint resolution proposes an amendment to the Constitution of the State of Iowa relating to the gubernatorial line of succession. The amendment creates a system of succession in the case of a permanent or temporary disability of the governor or governor-elect. In the case of a temporary disability of the governor or governor-elect, the lieutenant governor or lieutenant governor-elect shall act as

governor or governor-elect until the disability is removed, or the governor dies, resigns, or is removed from office. In the case of the death, resignation, or removal from office of the governor or governor-elect, the lieutenant governor or lieutenant governor-elect shall become governor or governor-elect for the residue of the term, and the office of lieutenant governor shall become vacant. The resolution, if adopted, would be published and then referred to the next general assembly (90th) for adoption, before being submitted to the electorate for ratification.

On the question “Shall the resolution be adopted?” (H.J.R. 2005), the vote was:

Yea, 46:

Bolkcom	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Petersen
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, 3:

Bisignano	Hogg	Quirmbach
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Absent, 1:

Nunn

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

WITHDRAWN

Senator R. Smith asked and received unanimous consent that **Senate Joint Resolution 15** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Joint Resolution 2005** and **House File 2462** be **immediately messaged** to the House.

President Chapman took the chair at 12:03 p.m.

**CONSIDERATION OF BILLS
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2363 and 2294.

Senate File 2363

On motion of Senator Reichman, **Senate File 2363**, a bill for an act relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Reichman offered amendment S-5077, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5077 was adopted by a voice vote.

Senator Reichman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2363), the vote was:

Yea, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirmbach	Ragan	Reichman

Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 1:

Bolkcom

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2294

On motion of Senator Zaun, **Senate File 2294**, a bill for an act relating to nonsubstantive Code corrections, and including retroactive applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Zaun offered amendment S-5010, filed by the committee on Judiciary on February 17, 2022, to pages 34–35 of the bill, and moved its adoption.

Amendment S-5010 was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that **House File 2463** be **substituted** for **Senate File 2294**.

House File 2463

On motion of Senator Zaun, **House File 2463**, a bill for an act relating to nonsubstantive Code corrections, and including retroactive applicability provisions, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2463), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate File 2294** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2363** and **House File 2463** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:12 p.m. until 2:30 p.m.

RECONVENED

The Senate reconvened at 2:39 p.m., President Chapman presiding.

The Senate stood at ease at 2:40 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:53 p.m., President Chapman presiding.

BUSINESS PENDING

Senate File 2372

The Senate resumed consideration of **Senate File 2372**, a bill for an act relating to state taxation and administration by modifying sales and use taxes, individual and corporate income taxes, the franchise tax, and the insurance premiums tax, and including effective date, applicability, and retroactive applicability provisions, previously deferred.

Senator Dawson withdrew amendment S-5076, filed by him from the floor to pages 1-3 and 6-8 of the bill.

Senator Dawson offered amendment S-5078, filed by him from the floor to pages 1-4 and 6-8 and amending the title page of the bill, and moved its adoption.

Amendment S-5078 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2372), the vote was:

Yeas, 43:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Mathis
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley

Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Whitver
Williams	Zaun	Zumbach	

Nays, 6:

Bolkcom	Dotzler	Giddens	Hogg
Lykam	Wahls		

Absent, 1:

Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2372** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:17 p.m. until 9:00 a.m., Wednesday, March 23, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Shirley Imsland, Radcliffe—For celebrating her 90th birthday. Senator Sweeney.

Joyce Wheeler, Martelle—For celebrating her 90th birthday. Senator Koelker.

SUBCOMMITTEE ASSIGNMENTS

House File 853

WAYS AND MEANS: Brown, Chair; Dickey and Jochum

House File 2379

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and R. Smith

House File 2538

STATE GOVERNMENT: Cournoyer, Chair; Jochum and R. Smith

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Candace Biddle for confirmation as a member of the Elevator Safety Board from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5074	S.F.	2210	Mark Costello
S-5075	S.F.	2276	Craig Williams
S-5076	S.F.	2372	Dan Dawson
S-5077	S.F.	2363	Jeff Reichman
S-5078	S.F.	2372	Dan Dawson
S-5079	H.F.	2462	Joe Bolkcom Janet Petersen William A. Dotzler, Jr. Todd Taylor Jackie Smith Claire Celsi Pam Jochum Zach Wahls Tony Bisignano

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 23, 2022

The Senate met in regular session at 9:06 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Williams, member of the Senate from Carroll County, Manning, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Tuesday, March 22, 2023, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 384, a bill for an act allowing counties to enter into agreements to jointly share a county assessor.

Senate File 2232, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Senate File 2245, a bill for an act providing a personal use exemption from licensing requirements of the Meat and Poultry Inspection Act.

Senate File 2296, a bill for an act relating to a peace officer's search of garbage placed outside of a person's residence for waste collection in a publicly accessible area.

ALSO: That the House has on March 22, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2490, a bill for an act relating to probate indigent defense fees and trial transcript fees.

Read first time and attached to **companion Senate File 2315**.

House File 2554, a bill for an act relating to adding functional family therapy and multisystemic therapy for youth as covered services under the Medicaid program.

Read first time and referred to committee on **Appropriations**.

House File 2555, a bill for an act establishing the cybersecurity simulation training center at the Iowa state university of science and technology.

Read first time and referred to committee on **Commerce**.

House File 2557, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Read first time and referred to committee on **Appropriations**.

House File 2558, a bill for an act relating to appropriations to the judicial branch.

Read first time and referred to committee on **Appropriations**.

House File 2559, a bill for an act relating to appropriations to the justice system.

Read first time and referred to committee on **Appropriations**.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:10 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:14 a.m., President Chapman presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 107.

Senate Resolution 107

On motion of Senator Edler, **Senate Resolution 107**, a resolution to honor Joshua William Bronsink, was taken up for consideration.

Senator Edler moved the adoption of Senate Resolution 107, which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 108.

Senate Resolution 108

On motion of Senator Sweeney, **Senate Resolution 108**, a resolution recognizing National Agriculture Week, with report of committee recommending passage, was taken up for consideration.

Senator Edler moved the adoption of Senate Resolution 108, which motion prevailed by a voice vote.

The Senate stood at ease at 9:24 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:18 a.m., President Chapman presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2131.

Senate File 2131

On motion of Senator Guth, **Senate File 2131**, a bill for an act relating to employment security benefits, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Wahls asked and received unanimous consent that action on **Senate File 2131** be **deferred**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2436 and 2167.

House File 2436

On motion of Senator Klimesh, **House File 2436**, a bill for an act relating to public safety answering point cost and expense data collected from county joint 911 service boards, with report of committee recommending passage, was taken up for consideration.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2436), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Reichman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2167

On motion of Senator Sinclair, **House File 2167**, a bill for an act relating to the definition of autism spectrum disorder for purposes of certain health care coverage, making conforming changes, and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2167), the vote was:

Yeas, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg

Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		
Nays, none.			

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2167 and 2436** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 28, 2021)

House File 364

The Senate resumed consideration of **House File 364**, a bill for an act relating to prohibited conduct by athlete agents and making penalties applicable, deferred April 28, 2021.

Senator Boulton withdrew amendment S-3179, filed by him on April 28, 2021, to page 2 and amending the title page of the bill.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 364), the vote was:

Yeas, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh

Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2370.

Senate File 2370

On motion of Senator Dawson, **Senate File 2370**, a bill for an act relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2370), the vote was:

Yea, 48:

Bolkcom	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis

Nunn	Petersen	Ragan	Reichman
Rowley	Rozemberg	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 2:

Bisignano Quirmbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2370** and **House File 364** be **immediately messaged** to the House.

President Pro Tempore Zaun took the chair at 11:48 a.m.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2228, 2236, and 2293.

Senate File 2228

On motion of Senator Shipley, **Senate File 2228**, a bill for an act relating to the transfer of ownership of certain foreign vehicles, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Shipley asked and received unanimous consent that **House File 2341** be **substituted** for **Senate File 2228**.

House File 2341

On motion of Senator Shipley, **House File 2341**, a bill for an act relating to the transfer of ownership of certain foreign vehicles, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2341), the vote was:

Yea, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2228** be **withdrawn** from further consideration of the Senate.

Senate File 2236

On motion of Senator Garrett, **Senate File 2236**, a bill for an act relating to post-arrest release after an initial appearance for persons taken into custody or arrested for certain sexual abuse offenses and no-contact orders, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Garrett asked and received unanimous consent that **House File 2079** be substituted for **Senate File 2236**.

House File 2079

On motion of Senator Garrett, **House File 2079**, a bill for an act relating to post-arrest release after an initial appearance for persons taken into custody or arrested for certain sexual abuse offenses and no-contact orders, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2079), the vote was:

Yeas, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Garrett asked and received unanimous consent that **Senate File 2236** be withdrawn from further consideration of the Senate.

Senate File 2293

On motion of Senator Shipley, **Senate File 2293**, a bill for an act relating to the Iowa drug policy coordinator and the Iowa drug policy advisory council, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Shipley asked and received unanimous consent that **House File 2367** be substituted for **Senate File 2293**.

House File 2367

On motion of Senator Shipley, **House File 2367**, a bill for an act relating to the Iowa drug policy coordinator and the Iowa drug policy advisory council, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2367), the vote was:

Yea, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2293** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2079, 2341, and 2367** be **immediately messaged** to the House.

**CONSIDERATION OF BILLS
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2087 and 2330.

Senate File 2087

On motion of Senator Johnson, **Senate File 2087**, a bill for an act relating to the comprehensive financial report of the state and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Johnson asked and received unanimous consent that **House File 2126** be **substituted** for **Senate File 2087**.

House File 2126

On motion of Senator Johnson, **House File 2126**, a bill for an act relating to the comprehensive financial report of the state and including effective date provisions, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2126), the vote was:

Yeas, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Johnson asked and received unanimous consent that **Senate File 2087** be **withdrawn** from further consideration of the Senate.

Senate File 2330

On motion of Senator J. Taylor, **Senate File 2330**, a bill for an act relating to the submission of a groundwater hazard statement, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator J. Taylor offered amendment S-5081, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5081 was adopted by a voice vote.

Senator J. Taylor asked and received unanimous consent that **House File 2343** be substituted for **Senate File 2330**.

House File 2343

On motion of Senator J. Taylor, **House File 2343**, A bill for an act relating to the submission of a groundwater hazard statement, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2343), the vote was:

Yea, 50:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator J. Taylor asked and received unanimous consent that **Senate File 2330** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2126 and 2343** be **immediately messaged** to the House.

The Senate stood at ease at 12:16 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:32 p.m., President Chapman presiding.

QUORUM CALL

Senator Klimesh requested a nonrecord roll call to determine that a quorum was present.

The Chair declared a quorum present.

SPECIAL GUEST

President Chapman introduced to the Senate chamber Thomas Greene, former member of the Senate from Des Moines County, Burlington, Iowa.

The Senate rose and expressed its welcome.

BUSINESS PENDING**Senate File 2131**

The Senate resumed consideration of **Senate File 2131**, a bill for an act relating to employment security benefits, previously deferred.

Senator Schultz offered amendment S-5080, filed by Senators Schultz and Guth from the floor, striking and replacing everything after the enacting clause of the bill.

Senator Boulton offered amendment S-5085, filed by Senator Boulton, et al., from the floor to pages 2 and 6 of amendment S-5080, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5085 to amendment S–5080 be adopted? (S.F. 2131), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nays, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, none.

Amendment S–5085 to amendment S–5080 lost.

Senator J. Smith offered amendment S–5084, filed by her from the floor to page 3 of amendment S–5080, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5084 to amendment S–5080 be adopted? (S.F. 2131), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nays, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozzenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, none.

Amendment S-5084 to amendment S-5080 lost.

Senator Boulton offered amendment S-5083, filed by him from the floor to page 3 of amendment S-5080, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5083 to amendment S-5080 be adopted? (S.F. 2131), the vote was:

Yeas, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nays, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozzenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, none.

Amendment S-5083 to amendment S-5080 lost.

The Senate stood at ease at 3:27 p.m. until the fall of the gavel.

The Senate resumed session at 5:29 p.m., President Chapman presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 2022, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2355, a bill for an act relating to employment security benefits.

Read first time and attached to **similar Senate File 2131**.

The Senate resumed consideration of Senate File 2131.

Senator Schultz asked and received unanimous consent to withdraw amendment S-5080.

Senator Guth offered amendment S-5086, filed by Senators Guth and Schultz from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5086 was adopted by a voice vote.

Senator Guth asked and received unanimous consent that **House File 2355** be **substituted** for **Senate File 2131**.

House File 2355

On motion of Senator Guth, **House File 2355**, a bill for an act relating to employment security benefits, was taken up for consideration.

Senator Schultz offered amendment S-5087, filed by Senators Schultz and Guth from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5087 be adopted?” (H.F. 2355), the vote was:

Yea, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, none.

Amendment S–5087 was adopted.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2355), the vote was:

Yea, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Rowley	Rozboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun	Zumbach		

Nays, 20:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Guth asked and received unanimous consent that **Senate File 2131** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2355** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:52 p.m. until 9:00 a.m., Thursday, March 24, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Cecilia Bruning, Red Oak—For celebrating her 96th birthday. Senator Koelker.

Harlan “Bud” Hockenberg—For being awarded the Iowa’s Distinguished Foreign Service Medal. Senator Nunn.

Edwin “Ed” Skinner—For being awarded the Iowa’s Distinguished Foreign Service Medal. Senator Nunn.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Wednesday, March 23, 2022, 9:10 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Brown, Ragan, Sinclair, R. Smith, Zaun, and Zumbach.

Members Absent: Jochum (excused).

Committee Business: SR 107 and SR 108.

Adjourned: 9:15 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 107, by committee on Rules and Administration, a resolution to honor Joshua William Bronsink.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 108, by Sweeney, a resolution recognizing National Agriculture Week.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 109, by Nunn, a resolution urging the President of the United States to consider measures to ensure America's long-term energy affordability, security, and leadership and progress, including the continued operation of existing oil and natural gas pipelines, the construction of new pipelines, and an end to restrictions on developing our nation's onshore and offshore oil and natural gas resources.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 107, a resolution to honor Joshua William Bronsink.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Whitver, Chapman, Wahls, Bolkcom, Brown, Ragan, Sinclair, R. Smith, Zaun, and Zumbach. Nays, none. Excused, 1: Jochum.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 108, a resolution recognizing National Agriculture Week.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Chapman, Wahls, Bolkcom, Brown, Ragan, Sinclair, R. Smith, Zaun, and Zumbach. Nays, none. Excused, 1: Jochum.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Laura Wilcke for confirmation as a member of the Board of Behavioral Science from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 23rd day of March, 2022.

Senate Files 2119, 2266, and 2325.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 23, 2022, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2119 – Relating to cosmetology and the practice of threading.

Senate File 2266 – Concerning compensation and benefits limits, relating to the earnings limitation for retirees under the Iowa public employees' retirement system and compensation limits for school corporation board members, and including effective date provisions.

Senate File 2325 – Related to matters under the purview of the economic development authority including the high quality jobs program, the Iowa energy center, and the workforce housing tax incentive program, and including effective date and retroactive applicability provisions.

AMENDMENTS FILED

S-5080	S.F.	2131	Dennis Guth Jason Schultz
S-5081	S.F.	2330	Jeff Taylor
S-5082	H.F.	781	Chris Cournoyer
S-5083	S.F.	2131	Nate Boulton
S-5084	S.F.	2131	Jackie Smith
S-5085	S.F.	2131	Nate Boulton William A. Dotzler, Jr. Tony Bisignano Pam Jochum Todd Taylor

S-5086	S.F.	2131	Dennis Guth Jason Schultz
S-5087	H.F.	2355	Dennis Guth Jason Schultz

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 24, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Wednesday, March 23, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 2022, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 522, a bill for an act relating to older individuals and dependent adults and creating certain criminal offenses and civil actions, and providing penalties. (S-5088)

ALSO: That the House has on March 23, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2384, a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions.

Read first time and attached to **similar Senate File 2231**.

House File 2560, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and making related statutory changes, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

SPECIAL GUEST

Senator Nunn introduced to the Senate chamber Yinam Cohen, Consul General of Israel to the Midwest.

Consul General Cohen addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:18 a.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:01 p.m., President Chapman presiding.

BILLS PLACED ON UNFINISHED BUSINESS

Senator Whitver asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

HF 604	HF 2411
HF 724	HF 2412
HF 771	HF 2414
HF 736	HF 2419
HF 803	HF 2420
HF 825	HF 2428
HF 2080	HF 2431
HF 2081	HF 2443
HF 2083	HF 2464
HF 2097	HF 2470
HF 2123	HF 2481
HF 2127	HF 2489
HF 2130	HF 2495
HF 2198	HF 2496
HF 2202	HF 2497
HF 2209	HF 2501
HF 2298	HF 2468
HF 2300	HF 2154
HF 2330	HF 2259
HF 2340	HF 2281
HF 2346	HF 2399
HF 2369	HF 2401
HF 2372	HF 2246
HF 2378	HF 2461
HF 2398	HF 2302
HF 2411	

BILLS REFERRED TO COMMITTEE

Senator Whitver announced that the following bills were referred from the calendar to the following committees:

SF 2286	Labor and Business Relations
SF 241	Judiciary
SF 255	Veterans Affairs
SF 339	Judiciary
SF 409	State Government
SF 493	Labor and Business Relations
SF 573	State Government
SF 2079	Education
SF 2141	Transportation
SF 2177	Natural Resources and Environment
SF 2178	Judiciary
SF 2188	Commerce
SF 2205	Education
SF 2234	Judiciary
SF 2235	Judiciary
SF 2249	Labor and Business Relations
SF 2250	Labor and Business Relations
SF 2251	Labor and Business Relations
SF 2255	Human Resources
SF 2256	Labor and Business Relations
SF 2269	Local Government
SF 2271	State Government
SF 2277	Local Government
SF 2278	Local Government
SF 2289	Veterans Affairs
SF 2292	Judiciary
SF 2308	Commerce
SF 2312	Natural Resources and Environment
SF 2313	Commerce
SF 2321	Agriculture
SF 2332	Judiciary
SF 2335	Human Resources
SF 2336	Transportation
SF 2344	Natural Resources and Environment
SF 2348	Education
SF 2351	Education

SF 2352	Transportation
SF 2358	Education
SF 2364	Judiciary
SJR 2004	State Government
SCR 102	Judiciary
HF 259	Labor and Business Relations
HF 318	Education
HF 416	Judiciary
HF 419	Ways and Means
HF 468	Education
HF 485	State Government
HF 488	Human Resources
HF 498	Commerce
HF 528	State Government
HF 532	Appropriations
HF 554	Judiciary
HF 730	Commerce
HF 760	State Government
HF 780	Human Resources
HF 781	State Government
HF 2153	Local Government
HF 2203	Human Resources
HF 2248	Human Resources
HF 2297	Human Resources
HF 2331	State Government
HF 2348	Transportation
HF 2374	State Government
HF 2375	State Government
HF 2415	Natural Resources and Environment
HF 2472	Judiciary
HF 2547	State Government

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:02 p.m. until 1:00 p.m., Monday, March 28, 2022.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****House File 2554**

APPROPRIATIONS: Kraayenbrink, Chair; Costello and Mathis

House File 2557

APPROPRIATIONS: Johnson, Chair; Lofgren and Petersen

House File 2558

APPROPRIATIONS: Garrett, Chair; Kraayenbrink and T. Taylor

House File 2559

APPROPRIATIONS: Garrett, Chair; Kraayenbrink and T. Taylor

AMENDMENT FILED

S-5088 S.F. 522 House

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 28, 2022

The Senate met in regular session at 1:02 p.m., President Chapman presiding.

Prayer was offered by the Honorable Jake Chapman, president of the Senate from Dallas County, Adel, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Thursday, March 24, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2190, a bill for an act relating to the use of child labor for certain bakery machine occupations utilizing pizza dough rollers.

Senate File 2233, a bill for an act relating to terms used in the context of land surveying.

Senate File 2310, a bill for an act relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company.

Senate File 2322, a bill for an act relating to the assessment of fees when a person requests examination and copying of public records.

Senate File 2363, a bill for an act relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

ALSO: That the House has on March 24, 2022, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 551, a bill for an act relating to fire fighters and emergency medical services members responding to emergency situations in certain vehicles. (S-5089)

Senate File 2285, a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction. (S-5090)

ALSO: That the House has on March 24, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2168, a bill for an act relating to massage therapy, including child and dependent adult abuse reporting and continuing education requirements, and making penalties applicable.

Read first time and attached to **companion Senate File 2060**.

House File 2516, a bill for an act relating to the appointment of counsel for indigent persons by the court in certain cases.

Read first time and attached to **companion Senate File 2327**.

House File 2564, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents and certain regents institutions, and the department of agriculture and land stewardship, providing for properly related matters, and including contingent effective date and applicability provisions.

Read first time and referred to committee on **Appropriations**.

House File 2565, a bill for an act relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and providing for other properly related matters, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

House File 2566, a bill for an act appropriating certain tax receipts concerning internet fantasy sports contests and sports wagering to the county endowment fund and for gambling treatment programs.

Read first time and referred to committee on **State Government**.

House File 2567, a bill for an act relating to education, including requirements related to mandatory reporters, a process for investigating complaints against licensed practitioners, and the responsibilities of the department of education, school districts, charter schools, accredited nonpublic schools, and the board of educational examiners.

Read first time and referred to committee on **Education**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced to the Senate chamber Steven Lukan, the Governor's appointee to be the Executive Director of the Iowa Department of Veterans Affairs. He was the guest of the committee on Veterans Affairs.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:06 p.m. until 9:00 a.m., Tuesday, March 29, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA RACING AND GAMING COMMISSION

2021 Annual Report, pursuant to Iowa Code section. Report received on March 28, 2022.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Ryan Bosch for confirmation as a member of the Iowa Great Places Advisory Board from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5089	S.F.	551	House
S-5090	S.F.	2285	House
S-5091	S.F.	2374	Chris Cournoyer
S-5092	S.F.	2110	Tom Shipley
S-5093	H.F.	2369	Tom Shipley

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 29, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tim Kraayenbrink, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Monday, March 28, 2022, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 28, 2022, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 104, a concurrent resolution relating to Pioneer Lawmakers.

Read first time and referred to committee on **Rules and Administration**.

SPECIAL GUEST

Senator Sweeney introduced to the Senate chamber Thomas Botzios, Consul General of Italy.

Consul General Botzios addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:16 a.m. until the fall of the gavel for party caucuses.

The Senate resumed session at 11:12 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Celsi and Hogg, until they arrive, on request of Senator Wahls; and Senator Rozenboom, until he arrives, on request of Senator Brown.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2110, 2253, and 2303; and House File 736.

Senate File 2110

On motion of Senator Shipley, **Senate File 2110**, a bill for an act relating to acreage limitations for the production of hemp, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Shipley offered amendment S-5092, filed by him on March 28, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5092 was adopted by a voice vote.

Senator Shipley asked and received unanimous consent that **House File 2380** be substituted for **Senate File 2110**.

House File 2380

On motion of Senator Shipley, **House File 2380**, a bill for an act relating to acreage limitations for the production of hemp, and including effective date provisions, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2380), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2110** be withdrawn from further consideration of the Senate.

Senate File 2253

On motion of Senator Shipley, **Senate File 2253**, a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Shipley asked and received unanimous consent that **House File 2239** be substituted for **Senate File 2253**.

House File 2239

On motion of Senator Shipley, **House File 2239**, a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse, was taken up for consideration.

Senator Dawson offered amendment S-5094, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5094 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2239), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi Hogg Rozenboom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2253** be **withdrawn** from further consideration of the Senate.

Senate File 2303

On motion of Senator Zaun, **Senate File 2303**, a bill for an act relating to corporations by providing for the use of electronic mail and other electronic transmissions, and shareholders' lists, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Zaun offered amendment S-5098, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5098 was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that **House File 2469** be **substituted** for **Senate File 2303**.

House File 2469

On motion of Senator Zaun, **House File 2469**, a bill for an act relating to corporations by providing for the use of electronic mail and other electronic transmissions, and shareholders' lists, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2469), the vote was:

Yeas, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate File 2303** be **withdrawn** from further consideration of the Senate.

House File 736

On motion of Senator Costello, **House File 736**, a bill for an act relating to limitations on activities related to paid claims under the Medicaid program, and including effective date provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Costello asked and received unanimous consent to withdraw amendment S-5064, filed by the committee on Human Resources on March 16, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Costello offered amendment S-5095, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5095 was adopted by a voice vote.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 736), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 736, 2239, 2380, and 2469** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 803, 2412, and 2481.

House File 803

On motion of Senator Cournoyer, **House File 803**, a bill for an act relating to duties performed by physician assistants, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Cournoyer offered amendment S-5026, filed by the committee on State Government on February 24, 2022, to pages 1–19 of the bill, and moved its adoption.

Amendment S-5026 was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 803), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi Hogg Rozenboom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2412

On motion of Senator Johnson, **House File 2412**, a bill for an act requiring radon testing and mitigation in public schools, and including applicability provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2412), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi Hogg Rozenboom

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2481

On motion of Senator Garrett, **House File 2481**, a bill for an act relating to judicial selection, including the nominees to the court of appeals, and the appointments, resignations, and residency requirements of district judges, district associate judges, associate juvenile judges, and associate probate judges, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Boulton offered amendment S-5099, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5099 be adopted?” (H.F. 2481), the vote was:

Yeas, 16:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Jochum	Kinney	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Nays, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Absent, 3:

Celsi	Hogg	Rozenboom
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Amendment S-5099 lost.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2481), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Nays, 16:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Jochum	Kinney	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 803, 2412, and 2481** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2373 and 2374.

Senate File 2373

On motion of Senator Dawson, **Senate File 2373**, a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2373), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2374

On motion of Senator Cournoyer, **Senate File 2374**, a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions, was taken up for consideration.

Senator Cournoyer offered amendment S-5091, filed by her on March 28, 2022, to page 20 of the bill, and moved its adoption.

Amendment S-5091 was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2374), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Carlins	Chapman	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 3:

Costello	Green	Guth
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Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2373 and 2374** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2376.

Senate File 2376

On motion of Senator Brown, **Senate File 2376**, a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions, was taken up for consideration.

Senator Brown offered amendment S-5097, filed by him from the floor to pages 1 and 3 of the bill, and moved its adoption.

Amendment S-5097 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2376), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, 1:

Dickey

Absent, 3:

Celsi	Hogg	Rozenboom
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2376** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:14 p.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 2:39 p.m., President Chapman presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2378.

Senate File 2378

On motion of Senator Schultz, **Senate File 2378**, a bill for an act relating to beverages, including the barrel tax and the acceptance of beverage containers for refund value, providing penalties, and including effective date provisions, was taken up for consideration.

Senator Schultz offered amendment S-5101, filed by him from the floor to pages 1–8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5101 be adopted?” (S.F. 2378), the vote was:

Yea, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozzenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Nay, 17:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 1:

Celsi

Amendment S-5101 was adopted.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2378), the vote was:

Yea, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Nays, 18:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 1:

Celsi

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2378** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2377.

Senate File 2377

On motion of Senator Sinclair, **Senate File 2377**, a bill for an act relating to education, including eligibility for grants under the teach Iowa scholar program, licenses issued by the board of educational examiners, and the use of revenues from the district management levy, and including applicability provisions, was taken up for consideration.

Senator Sinclair offered amendment S-5096, filed by her from the floor to pages 1, 2, 4, and 5 of the bill.

Senator Sinclair offered amendment S-5100, filed by her from the floor to page 1 of amendment S-5096, and moved its adoption.

Amendment S-5100 to amendment S-5096 was adopted by a voice vote.

Senator Sinclair moved the adoption of amendment S-5096, as amended.

Amendment S-5096, as amended, was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2377), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Celsi

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2377** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:10 p.m. until 9:00 a.m., Wednesday, March 30, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Analysis of Medicaid Member Appeals Report, pursuant to 2018 Iowa Acts, Chapter 1165, section 128. Report filed March 29, 2022.

SUBCOMMITTEE ASSIGNMENTS

House File 2560

APPROPRIATIONS: Rozenboom, Chair; Mathis and Williams

House File 2564

APPROPRIATIONS: Koelker, Chair; Dotzler and Lofgren

House File 2565

APPROPRIATIONS: Guth, Chair; Celsi and Kraayenbrink

House File 2566

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Dawson

House File 2567

EDUCATION: Sinclair, Chair; Goodwin and Quirmbach

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Bruce Kawahara for confirmation as a member of the Commission of Deaf Services from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5094	H.F.	2239	Dan Dawson
S-5095	H.F.	736	Mark Costello
S-5096	S.F.	2377	Amy Sinclair
S-5097	S.F.	2376	Waylon Brown
S-5098	S.F.	2303	Brad Zaun
S-5099	H.F.	2481	Nate Boulton
S-5100	S.F.	2377	Amy Sinclair
S-5101	S.F.	2378	Jason Schultz

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 30, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Tuesday, March 29, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 2022, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2267, a bill for an act relating to the establishment of emergency response districts.

ALSO: That the House has on March 29, 2022, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 586, a bill for an act relating to banks, making appropriations, providing civil penalties, and making civil penalties applicable. (S-5104)

Senate File 2324, a bill for an act relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions. (S-5103)

ALSO: That the House has on March 29, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2487, a bill for an act relating to paternity in certain actions before the juvenile court.

Read first time and attached to **similar Senate File 2254**.

House File 2575, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for properly related matters, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Appropriations**.

House File 2577, a bill for an act relating to education, including requiring the boards of directors of school districts and the governing boards of charter schools to publish certain specified information, modifying provisions related to required social studies instruction, and providing civil penalties.

SPECIAL GUESTS

Senator Rozenboom presented Sarah Gritters, Queen of the Eighty-Seventh Annual Tulip Time Festival, who in turn introduced the members of her court: Kelly Dykema, Emily Buckingham, Ashley Uitermarkt, and Trinity Vos.

Queen Sarah invited members of the Senate to attend the Tulip Time Festival in Pella on May 5, 6, and 7.

The Senate rose and expressed its welcome.

HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senators Rozenboom and Jochum announced the 2022 Herbert Hoover Uncommon Public Service Award recipient, Senator Janet Petersen.

Senator Petersen addressed the Senate with brief remarks and was presented the Uncommon Public Service Award.

The Senate rose and expressed its congratulations.

The Senate stood at ease at 9:22 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:10 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Celsi, until she arrives, on request of Senator Wahls; and Senator Nunn, until he arrives, on request of Senator Whitver.

HOUSE AMENDMENTS CONSIDERED

Senate File 551

Senator Whitver called up for consideration **Senate File 551**, a bill for an act relating to fire fighters and emergency medical services members responding to emergency situations in certain vehicles, amended by the House in House amendment S-5089, filed March 28, 2022.

Senator Dickey moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dickey moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 551), the vote was:

Yea, 47:

Bolkcom	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, 1:

Bisignano

Absent, 2:

Celsi Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2285

Senator Whitver called up for consideration **Senate File 2285**, a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction, amended by the House in House amendment S-5090, filed March 28, 2022.

Senator Hogg asked and received unanimous consent that action on **Senate File 2285** be **deferred**.

**CONSIDERATION OF BILL
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2316.

Senate File 2316

On motion of Senator J. Taylor, **Senate File 2316**, a bill for an act relating to trusts, including optional notices to creditors when a will has been admitted to probate without administration and the trust is the beneficiary of the estate, trust accounting, specific powers of a trustee, and representation of holders of power and similar interests, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator J. Taylor asked and received unanimous consent that **House File 2484** be substituted for **Senate File 2316**.

House File 2484

On motion of Senator J. Taylor, **House File 2484**, a bill for an act relating to trusts, including optional notices to creditors when a will has been admitted to probate without administration and the trust is the beneficiary of the estate, trust accounting, specific powers of a trustee, and representation of holders of power and similar interests, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2484), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Petersen	Quirmbach	Ragan	Reichman

Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Celsi	Nunn
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator J. Taylor asked and received unanimous consent that **Senate File 2316** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 551** and **House File 2484** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2327 and 2366.

Senate File 2327

On motion of Senator Schultz, **Senate File 2327**, a bill for an act relating to the appointment of counsel for indigent persons by the court in certain cases, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Schultz asked and received unanimous consent that **House File 2516** be **substituted** for **Senate File 2327**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bolkcom, until he arrives, on request of Senator Wahls.

House File 2516

On motion of Senator Schultz, **House File 2516**, a bill for an act relating to the appointment of counsel for indigent persons by the court in certain cases, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2516), the vote was:

Yeas, 47:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Bolkcom Celsi Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schultz asked and received unanimous consent that **Senate File 2327** be **withdrawn** from further consideration of the Senate.

Senate File 2366

On motion of Senator Brown, **Senate File 2366**, a bill for an act relating to the assessment and taxation of wind energy conversion property and including effective date, applicability, and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Brown offered amendment S-5102, filed by him from the floor to pages 2 and amending the title page of the bill, and moved its adoption.

Amendment S-5102 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2366), the vote was:

Yeas, 47:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Bolkcom Celsi Nunn

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2366** and **House File 2516** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2369 and 2501.

House File 2369

On motion of Senator Shipley, **House File 2369**, a bill for an act relating to taking fur-bearing animals without prior permission of the natural resource commission, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Shipley offered amendment S-5093, filed by him on March 28, 2022, to page 1 of the bill, and moved its adoption.

Amendment S-5093 was adopted by a voice vote.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2369), the vote was:

Yeas, 47:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Bolkcom	Celsi	Nunn
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2501

On motion of Senator Lofgren, **House File 2501**, a bill for an act relating to the investment and use of funds in the veterans trust fund, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2501), the vote was:

Yeas, 47:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink

Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Bolkcom	Celsi	Nunn
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2367.

Senate File 2367

On motion of Senator Dawson, **Senate File 2367**, a bill for an act relating to sales, use, and motor vehicle fuel taxes administered by the department of revenue including distributions to local governments and school districts, the liability of sellers, tax refund and tax credit incentives, and motor fuel tax reporting modifications, and providing penalties, and including effective date and applicability provisions, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2367), the vote was:

Yeas, 47:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink

Lofgren	Lykam	Mathis	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Bolkcom	Celsi	Nunn
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2369 and 2501** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:56 a.m. until 2:00 p.m.

RECONVENED

The Senate reconvened at 2:12 p.m., President Chapman presiding.

The Senate stood at ease at 2:15 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:06 p.m., President Chapman presiding.

BUSINESS PENDING

Senate File 2285

The Senate resumed consideration of **Senate File 2285**, a bill for an act relating to requirements for additional members of a city planning and zoning commission and a board of adjustment when a city extends its zoning jurisdiction, previously deferred.

Senator Bisignano offered amendment S-5105, filed by him from the floor to page 1 of House amendment S-5090, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5105 to House amendment S-5090 be adopted?” (S.F. 2285), the vote was:

Yeas, 16:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Nays, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, 2:

Celsi	Mathis
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Amendment S-5105 to House amendment S-5090 lost.

Senator Klimesh moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” (S.F. 2285), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman

Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Whitver
Williams	Zaun	Zumbach	

Nays, 17:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 2:

Celsi	Mathis
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The motion prevailed and the Senate **concurred** in the House amendment.

Senator Klimesh moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2285), the vote was:

Yeas, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Whitver
Williams	Zaun	Zumbach	

Nays, 17:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 2:

Celsi

Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2285 and 2367** be **immediately messaged** to the House.

The Senate stood at ease at 3:35 p.m. until the fall of the gavel.

The Senate resumed session at 4:30 p.m., President Chapman presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2369.

Senate File 2369

On motion of Senator Sinclair, **Senate File 2369**, a bill for an act relating to education, including establishing a student first scholarship program and a student first enrollment supplement fund, requiring the boards of directors of school districts to publish certain specified information, modifying provisions related to required social studies instruction, open enrollment, teacher librarian endorsements, competent private instruction, and special education, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Sinclair offered amendment S-5106, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Quirmbach offered amendment S-5108, filed by him from the floor to pages 1–31 and amending the title provisions of amendment S-5106, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5108 to amendment S-5106 be adopted?” (S.F. 2369), the vote was:

Yea, 19:

Bisignano	Bolkcom	Boulton	Dotzler
Driscoll	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Sweeney
Taylor, T.	Trone Garriott	Wahls	

Nay, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Taylor, J.	Whitver	Williams
Zaun	Zumbach		

Absent, 1:

Celsi

Amendment S-5108 to amendment S-5106 lost.

Senator Giddens offered amendment S-5109, filed by him from the floor to pages 1–4 of amendment S-5106, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5109 to amendment S–5106 be adopted?” (S.F. 2369), the vote was:

Yea, 17:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Nay, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, 1:

Celsi

Amendment S–5109 to amendment S–5106 lost.

Senator Quirmbach offered amendment S–5107, filed by him from the floor to page 2 of amendment S–5106, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5107 to amendment S–5106 be adopted?” (S.F. 2369), the vote was:

Yea, 17:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Nay, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green

Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, 1:

Celsi

Amendment S-5107 to amendment S-5106 lost.

Senator Sinclair moved the adoption of amendment S-5106.

A record roll call was requested.

On the question “Shall amendment S-5106 be adopted?” (S.F. 2369),
the vote was:

Yea, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Nay, 17:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott
Wahls			

Absent, 1:

Celsi

Amendment S-5106 was adopted.

The Senate stood at ease at 5:47 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 6:12 p.m., President Chapman presiding.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2369), the vote was:

Yea, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Nays, 18:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Sweeney	Taylor, T.
Trone Garriott	Wahls		

Absent, 1:

Celsi

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2369** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 7:10 p.m. until 9:00 a.m., Thursday, March 31, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

JUDICIAL BRANCH

Court Debt Report, pursuant to Iowa Code section 602.8107. Report received on March 30, 2022.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, March 30, 2022, 12:20 p.m.

Members Present: Sinclair, Chair; J. Taylor, Vice Chair; Quirmbach, Ranking Member; Carlin, Cournoyer, Giddens, Goodwin, Johnson, Kraayenbrink, Rozenboom, J. Smith, Sweeney, Trone Garriott, and Zaun.

Members Absent: Celsi (excused).

Committee Business: Consideration for confirmation: Stephanie Boyle, Pam Gronau, Colin Wixted, Cindy Dietz, Cassandra Halls, Nathan Peterson, Leland Tack, Timothy McKinney, Patricia Schroeder, Kathy Behrens, Randy Fehr, Michael Linnenbrink, Jennifer Banta, Dawn Oliver Wiand, Kari Price, Jason Sandholdt, Andrew Allen, and Nathan Noble.

Adjourned: 12:25 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 30, 2022, 12:55 p.m.

Members Present: Edler, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Garrett, Green, Jochum, Johnson, Lofgren, Ragan, Rowley, Sweeney, and Trone Garriott.

Members Absent: None.

Committee Business: Consideration of Governor Appointments: Andrew Jedlicka, Emily Reese, Austin Steil, Nolan Byrnes, Echo Kent, Kerry Lust, Amy Mooney, Blake Stephenson, Maria Valdovinos, Ashley Baker, Donald Logan, Rick McIntosh, William Owens, Angela Stokes, Jessica Fasselius, Adam Koch, Clint Sargent, Beth Wilde, Shawn Garrington, Mary Nelle Trefz, Jose Ayala, Juan Himar Hernandez, Isabel Yanez, Betsy Akin, Teresa Daubitz, Sue Gehling, Jack Seward, Cory Turner, Kenneth Wayne, Sarah Boury, Amanda Gallant, Dylan Heuer, Lorene Mein, Robert Nichols, and Bridget Saffold.

Adjourned: 1:15 p.m.

JUDICIARY

Convened: Wednesday, March 30, 2022, 1:40 p.m.

Members Present: Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bisignano, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Rowley, Schultz, Shipley, Sinclair, and J. Taylor.

Members Absent: None.

Committee Business: Governor Appointments: Iowa Law Enforcement Academy Council: Tiffany Hamilton-Howell, Elizabeth Quinn, Gene Beinke, Ricardo Martinez II, Drug Policy Advisory Council: David McDaniel, Jason Feaker, Justice Advisory Board: Monique Scarlett, Dee Sandquist, State Judicial Nominating Commission: Derek Muller, Jeremy Kidd, Gwendolyn (Gwen) Ecklund, Kathleen Law, Board of Corrections: Denise Bubeck, Board of Parole: Meredith Lamberti, William Bushell, Chairperson of the Board of Parole: William Bushell.

Adjourned: 2:00 p.m.

SUBCOMMITTEE ASSIGNMENT

House File 2555

COMMERCE: Williams, Chair; Johnson and Quirmbach

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Matthew Wyant for confirmation as a member of the Plumbing and Mechanical Systems Board from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Ashley Baker to Child Advocacy Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”.

AMANDA RAGAN

**GOVERNOR’S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

EDUCATION

Cindy Dietz – State Board of Education
Cassandra Halls – State Board of Education
Nathan Peterson – State Board of Education

JUDICIARY

Denise Bubeck – Board of Corrections

Gwendolyn (Gwen) Ecklund – State Judicial Nominating Commission
Jeremy Kidd – State Judicial Nominating Commission
Kathleen Law – State Judicial Nominating Commission
Derek Muller – State Judicial Nominating Commission

William Bushell – Chairperson of the Board of Parole

William Bushell – Board of Parole

**GOVERNOR’S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Stephanie Boyle – Iowa Autism Council
Pam Gronau – Iowa Autism Council
Colin Wixted – Iowa Autism Council

Jennifer Banta – Early Childhood Iowa State Board
Michael Linnenbrink – Early Childhood Iowa State Board
Dawn Oliver Wiand – Early Childhood Iowa State Board

Andrew Allen – Children's Behavioral Health System State Board
Nathan Noble – Children's Behavioral Health System State Board
Kari Price – Children's Behavioral Health System State Board
Jason Sandholdt – Children's Behavioral Health System State Board

Kathy Behrens – Board of Educational Examiners
Timothy McKinney – Board of Educational Examiners

Randy Fehr – Iowa Higher Education Loan Authority

Patricia Schroeder – School Budget Review Committee
Leland Tack – School Budget Review Committee

HUMAN RESOURCES

Andrew Jedlicka – Board of Athletic Training
Emily Reese – Board of Athletic Training
Austin Steil – Board of Athletic Training

Nolan Byrnes – Board of Behavioral Science
Echo Kent – Board of Behavioral Science
Kerry Lust – Board of Behavioral Science
Amy Mooney – Board of Behavioral Science
Blake Stephenson – Board of Behavioral Science
Maria Valdovinos – Board of Behavioral Science

Ashley Baker – Child Advocacy Board
Donald Logan – Child Advocacy Board
Rick McIntosh – Child Advocacy Board
William Owens – Child Advocacy Board
Angela Stokes – Child Advocacy Board

Jessica Fasselius – Commission of Persons with Disabilities
Adam Koch – Commission of Persons with Disabilities
Clint Sargent – Commission of Persons with Disabilities
Beth Wilde – Commission of Persons with Disabilities

Shawn Garrington – Healthy and Well Kids in Iowa (HAWK-I) Board
Mary Nelle Trefz – Healthy and Well Kids in Iowa (HAWK-I) Board

Jose Ayala – Commission of Latino Affairs
Juan Himar Hernandez – Commission of Latino Affairs
Isabel Yanez – Commission of Latino Affairs

Betsy Akin – Mental Health and Disability Services Commission
Teresa Daubitz – Mental Health and Disability Services Commission
Sue Gehling – Mental Health and Disability Services Commission
Jack Seward, Jr. – Mental Health and Disability Services Commission
Cory Turner – Mental Health and Disability Services Commission
Kenneth Wayne – Mental Health and Disability Services Commission

Sarah Boury – Board of Sign Language Interpreters and Transliterators
Amanda Gallant – Board of Sign Language Interpreters and Transliterators
Dylan Heuer – Board of Sign Language Interpreters and Transliterators

Lorene Mein – Commission on Tobacco Use Prevention and Control
Robert Nichols – Commission on Tobacco Use Prevention and Control
Bridget Saffold – Commission on Tobacco Use Prevention and Control

JUDICIARY

Jason Feaker – Drug Policy Advisory Council
David McDaniel – Drug Policy Advisory Council

Dee Sandquist – Justice Advisory Board
Monique Scarlett – Justice Advisory Board

Gene Beinke – Iowa Law Enforcement Academy Council
Tiffany Hamilton-Howell – Iowa Law Enforcement Academy Council
Ricardo Martinez II – Iowa Law Enforcement Academy Council
Elizabeth Quinn – Iowa Law Enforcement Academy Council

Meredith Lamberti – Board of Parole

STATE GOVERNMENT

Allen Kockler – Accountancy Examining Board
Michelle O'Neill – Accountancy Examining Board
Jessica Richter – Accountancy Examining Board

Sara Winkleman – Alcoholic Beverages Commission

Gregory Ceraso – Board of Dentistry
Lisa Holst – Board of Dentistry
Thomas Peek – Board of Dentistry

Julie Eichenberger – Board of Dietetics
Philip Pitzen – Board of Dietetics
Nicholas Rouse – Board of Dietetics

Colby Black – Electrical Examining Board
Sara Fasching – Electrical Examining Board
Jonathan Gettler – Electrical Examining Board

Craig Clabaugh – Elevator Safety Board
Kerry Dixon – Elevator Safety Board

Paul Herold – Engineering and Land Surveying Examining Board

Daniel Jessop – Iowa Ethics and Campaign Disclosure Board

Leah Rodenberg – Iowa Ethics and Campaign Disclosure Board

Rick Knudson – Board of Hearing Aid Specialists

Molly Parker – Board of Hearing Aid Specialists

Tricia Veik – Board of Hearing Aid Specialists

Amy Guhl – Interior Design Examining Board

Colleen Byrnes – Landscape Architectural Examining Board

M. Martz – Landscape Architectural Examining Board

Brenda Nelson – Landscape Architectural Examining Board

Douglas Dollison – Board of Massage Therapy

Amy Heinz – Board of Massage Therapy

Jacob Schrader – Board of Massage Therapy

LeAnn Stevens – Board of Massage Therapy

Holly Little – Board of Physical and Occupational Therapy

Brett Speirs – Board of Physical and Occupational Therapy

Theresa Hughes – Board of Podiatry

Eugene Nassif, Jr. – Board of Podiatry

Kelsey Sukovaty – Board of Podiatry

Brian Ohorilko – Administrator of the State Racing and Gaming Commission

Loretta Laubach – Real Estate Appraiser Examining Board

Cody Seeley – Real Estate Appraiser Examining Board

Cynthia Duncan – Board of Respiratory Care and Polysomnography

Thomas Graham – Board of Respiratory Care and Polysomnography

Benjamin Jagow – Board of Respiratory Care and Polysomnography

Aaron Culley – Board of Social Work

Jordan Cook – Board of Speech Pathology and Audiology

Kevin Kock – Board of Speech Pathology and Audiology

Stacy Robinson – Board of Speech Pathology and Audiology

Scott Shuey – Iowa Board of Veterinary Medicine

TRANSPORTATION

Raymond Gaesser – State Transportation Commission

Linda Juckette – State Transportation Commission

AMENDMENTS FILED

S-5102	S.F.	2366	Waylon Brown
S-5103	S.F.	2324	House
S-5104	S.F.	586	House
S-5105	S.F.	2285	Tony Bisignano
S-5106	S.F.	2369	Amy Sinclair
S-5107	S.F.	2369	Herman C. Quirmbach
S-5108	S.F.	2369	Herman C. Quirmbach
S-5109	S.F.	2369	Eric Giddens

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 31, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Williams, member of the Senate from Carroll County, Manning, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Wednesday, March 30, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2080, a bill for an act relating to the administration of certain physical examinations and student health screenings by school districts, charter schools, or innovation zone schools.

Senate File 2197, a bill for an act providing for the establishment of a task force related to special education support for students at nonpublic schools.

ALSO: That the House has on March 30, 2022, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 348, a bill for an act relating to the opening, administration, and termination of adult and minor guardianships and conservatorships. (S-5111)

Senate File 577, a bill for an act relating to a certificate of nonviable birth. (S-5110)

ALSO: That the House has on March 30, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2515, a bill for an act relating to authorized uses of interest earned on funds in the flood recovery fund and including effective date provisions.

Read first time and attached to **companion Senate File 2191**.

House File 2517, a bill for an act relating to the reversion of moneys appropriated for a governance and funding of levee districts study, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

House File 2551, a bill for an act establishing an exemption for certain property classified as agricultural based on levee and drainage district assessments.

Read first time and referred to committee on **Ways and Means**.

House File 2556, a bill for an act relating to the solar energy system tax credit, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 2573, a bill for an act creating funds relating to the abatement of and response to opioid use.

Read first time and referred to committee on **Appropriations**.

House File 2574, a bill for an act authorizing length of service award programs for volunteer fire fighters, volunteer emergency medical care providers, and reserve peace officers, and making appropriations.

Read first time and referred to committee on **Appropriations**.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:09 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:11 a.m., President Chapman presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Concurrent Resolution 104.

House Concurrent Resolution 104

On motion of Senator Whitver, **House Concurrent Resolution 104**, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of House Concurrent Resolution 104, which motion prevailed by a voice vote.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:22 a.m. until 1:40 p.m.

RECONVENED

The Senate reconvened at 1:52 p.m., President Chapman presiding.

The Senate proceeded to the House chamber, in accordance with House Concurrent Resolution 104, in columns of two led by the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION PIONEER LAWMAKERS

Sixty-Seventh Biennial Session House Chamber

In accordance with House Concurrent Resolution 104, duly adopted, the joint convention was called to order at 2:01 p.m., President Chapman presiding.

President Chapman declared a quorum present and the joint convention duly organized.

The Pioneer Lawmakers were seated in the House chamber.

President Pro Tempore Zaun welcomed the Pioneer Lawmakers on behalf of the Senate.

President Chapman presented the Honorable Pat Grassley, Speaker of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Chapman presented the Honorable Cecil Dolecheck, member of the House and President of the Pioneer Lawmakers Association, who responded to the welcome.

Representative Dolecheck announced the following 2001 class of Pioneer Lawmakers: Thomas Fiegen, Paul McKinley, Andra Atteberry, George Eichhorn, Gregory Hoversten, Gene Manternach, Brian Quirk, Rod Roberts, Mark Smith, Jodi Tymeson, Cindy Winckler, Betty De Boef, Jeffrey Elgin, Vicki Lensing, Janet Petersen, Leigh Rekow, Bryan Sievers, Mark Tremmel, Paul Wilderdyke, Roger Broers, Joe Seng, Barbara Finch, Mark Zieman.

Honorary members of the 2022 class were the following: Lon Anderson, Mary Neubauer, Mike St. Clair, Mark Joyce, Cindy Schulte.

Representative Dolecheck presented the Honorable Geri Huser, former member of the House from Polk County, Altoona, Iowa who addressed the joint convention:

Speaker Grassley, President Chapman, legislative leaders, members of the House and Senate, staff, and lobby: In 1886, it was determined to be necessary to establish a manner for men to attend social gatherings and to reunite with their colleagues in this, the people's house. As tradition encompasses much of our legislative process, so too does it prevail with the call of the reunion of the old-time lawmakers of Iowa, for those living, from the 11th through the 79th General Assemblies, to welcome and recognize our newest inductees.

I have one formality to address. As the Chair of the Iowa Utilities Board, I declare that I am acting today in my personal capacity as a Pioneer and former lawmaker. I speak only for myself. Further, to the best of my knowledge, the contents of this speech are accurate — and whether that's how I remember it, how the story was told, or simply fabricated by those who shared with me, let me take responsibility for any error at this time.

For those wondering about the rules for the length of time I was given, Representative Dolecheck and I have carefully allotted my time for this speech in the following way: I plan to exceed the ten minutes I would have been provided as a House member per House rules, and I have borrowed the extra five minutes from the Senate's filibuster techniques.

It was an honor for me to have been inducted into this group in 2017, alongside current members Representative Cecil Dolecheck and Senator Bill Dotzler. It has been 25 years since I first entered this building as an elected official with my class of 29 freshman legislators. I am pretty confident that neither Cecil nor Bill were asked on that first day whose representative *they* were a secretary for — but I never asked them.

Two legislators in today's inductee class are still serving Iowans. Senator Janet Petersen and Representative Cindy Winckler, congratulations. Can you believe it has been 20 years?

The first session of the 79th General Assembly met on January 8, 2001. At that time, I know we didn't anticipate that we would have four special sessions, nor that one of those special sessions would take place outside of the Capitol.

The leadership from the House and Senate included Speaker of the House Brent Siegrist, President of the Senate Mary Kramer, Majority Leaders Christopher Rants and Stew Iverson, and Minority Leaders Dick Myers and Mike Gronstal.

Opening remarks in the 2001 session noted that the members, especially new members, “[were] now a part of a wonderful family. It is a family that is periodically dysfunctional, but a family that will be part of your lives forever.” That is the case, as this group has convened in fellowship again here today.

Being a family, whether dysfunctional or not, may be described along these lines: A group of people brought together from varying backgrounds, experiences, and political philosophies, who all work together on common causes for the benefit of all Iowans. As Shakespeare stated in “The Tempest”: “Misery acquaints a man with strange bedfellows.” Or as more commonly applied today: *politics* makes strange bedfellows.

While each General Assembly is unique in its own way, there are commonalities that perpetuate the adage that history has a way of repeating itself. I wish to review but a few of these in the form of redistricting, special sessions, and life-changing global events. Those serving in the first year of a new decade traditionally have a unique role to play in Iowa's governmental process with legislative redistricting. In 2001, we declined to adopt the map initially proposed, but we approved the second version when we reconvened for a special session.

The process this last year was not so different. The current General Assembly adjourned its first regular session *sine die*, without receipt of the first maps, and then reconvened in special sessions, declining the first map and then approving the second map.

Both the 79th General Assembly and today's legislators witnessed life-changing global events. In 2001, it was the events of September 11th that will forever be remembered, as our country experienced the worst terrorist attack in American history. In 2021, the world attempted to address the pandemic. Both impacted our legislative family, our own individual families, and our first responders. Each situation was horrible in its own way, and each required elected officials to address challenging circumstances.

We reconvened in an extra session on November 8, 2001 — the House met in our chambers and the Senate met in Room 116 — to pass legislation with new authorizations for Homeland Security and de-appropriations for the state's budget. Lest you think we were done, in 2002 we held our regular session and then reconvened twice more.

One issue that we took up in 2002, of particular interest to me as a friend of agriculture, was the creation of the master matrix. Today I provided Representative Windschitl with a picture that I was tasked by a former House member with saving for posterity. If you are not familiar, this was a bipartisan, agriculturally minded group who created a statewide siting standard for animal feeding operations. The picture depicts the headshots of the 12 legislators, aptly named the "12 apostles," who met and created the master matrix. While I was not in the room, I heard they set aside their political differences and worked diligently — an example of a dysfunctional family gathering together to find common ground.

Another example of the commonalities of our legislative family might be the pranks. One story I will share; the other I will leave to former Senator and current Representative Hansen to explain — but if he tells you that you have been called to the Governor's office, I would question it. My story is about the microphones of old, which had to be raised to signify your request to speak from the floor. Now, I am not admitting anything or identifying anyone, but I recall instances where well-placed grease *may* have required a legislator to stay at their desk, arm raised in the air, physically holding the microphone in order to keep it aloft while waiting to be recognized by the Speaker. It's just not as easy to cause intrafamily mischief today now that the system only requires a simple press of a button.

Concluding the similarities that unite the 79th and 89th General Assemblies, and in recognition of the honorees of the third house, who have been known to claim offices in the rotunda or behind the Senate, 40 years of job security could be summarized in one statement: If I had a nickel for every time we discussed reforming the state's bottle bill...

I offer to you now two principles that I believe unite us as a legislative body and as part of this large family. The first is statesmanship. The second is a drive to set the bar ever higher.

Statesmanship is defined as wisdom and skill in managing public affairs. We achieve success in public service by the manner in which we present ourselves and the respect extended to others. The traditional process for a new legislator is to walk into this building, become completely overwhelmed, and attempt to introduce yourself to 149 other legislators. However, you quickly learn there is more to statesmanship than reciting the oath of office.

The quote “my word is my bond” comes to mind when describing characteristics of a statesman. There are few places where our actions speak louder than our words, and to lose the graces of another because of your failure to speak or act on your promises is a tough cross to bear.

Now I, like many of you, have things I would change about my legislative career. While I don’t know that I would have changed my position, I would have been clearer on where I stood and my intent. One of those issues was with a colleague and it involved selecting the location of a state office building. I believe the outcome was correct, my process was flawed, and I learned from that experience. But it hurt our friendship... and for that I do have regrets.

Statesmanship is not perfection. I have spoken with a number of former colleagues, those elected and those in the third house. I have opinions on legislative years past and certainly on debates and conclusions and processes related to those sessions. I have received advice and recognized that those who are more experienced have much to share. In hindsight, there are things I would have changed.

We learn by reaching towards each other.

Out of statesmanship can grow friendship.

I met and worked with a great group of professionals. They taught me much ... from the things I wanted to strive to be, to the tactics used by those in leadership to achieve great things. I worked across the aisle and made a lot of friends who I know to this day would assist me if I needed it or asked, and many have.

As Democratic Chair of the House Transportation Committee and a member of local government, I had occasion to work with two freshman legislators, neither of whom had ever had the opportunity to run a subcommittee, a bill, or work with the lobby. I assigned one of these individuals a bill, and the other scripted out their introduction and closing. I wish I would have done more of this, because it was a rewarding experience.

That and teaching certain representatives how to pronounce “reciprocity.”

Both of those former freshman legislators, who represent different parties, continue to serve today, and I consider both to be my friends.

Both statesmanship and friendship can surpass our political differences. The Pioneer lawmakers being recognized today may have been the ones who taught some of you in this room how to run a bill, file an amendment, or serve as a committee chair. They pass on to you their experiences and teach you the characteristics necessary to become a statesman. I hope you choose to pass that knowledge on to those who come after you.

But what do we use that statesmanship for? We use it to accomplish great things that make our world a better place to live. And that is the second principle I wish to share: a drive to set the bar ever higher.

I could give numerous examples of how lawmakers have set and reset the bar, both personally and professionally, to improve the world around them. Representative Dolecheck and Senator Petersen, presented with the Herbert Hoover Award only yesterday, are but one example.

As we celebrate the 79th General Assembly, and its new inductees, on this final day of Women's History Month, I wish to conclude by sharing the achievements of many Iowa women who have set the bar higher:

- In my first year in the Legislature, Senator Mary Kramer was elected as the first woman President of the Iowa Senate.
- In 2006, Marsha Ternus became our first female Chief Justice.
- In 2014, Senator Joni Ernst was the first woman in Iowa to serve in Iowa's congressional delegation.
- In 2015, the daughter of a former Speaker, Linda Upmeyer, became the first female Speaker of the Iowa House.
- In 2017 Lt. Governor Kim Reynolds became Iowa's first female governor.
- In 2018 Representatives Cindy Axne and Abby Finkenauer became the first women from Iowa to serve in the U.S. House.
- And in 2022, Representatives Ashley Hinson and Mariannette Miller-Meeks turned our congressional delegation to majority female.

The increasing number of women in public service over the last two decades gives me confidence that the shoulders we stand on, and the impact we've made, matters.

To the inductees of the Class of 2021: The last 20 years have taught and challenged. These 20 years have given each of you opportunities to shine, to mentor your colleagues, to change the world around us for the better. Welcome to this group.

To everyone here: May our touchstones continue to be statesmanship and the drive to strive to raise the bar ever higher in our service to Iowans.

Representative Windschitl moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:31 p.m. until 1:00 p.m., Monday, April 4, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Nonreversion of Funds Quarterly Report, pursuant to 2021 Iowa Acts, Chapter 182, section 65. Report received on March 31, 2022.

CHIEF INFORMATION OFFICER

Status of Technology Upgrades or Enhancements for State Agencies Quarterly Report, pursuant to Iowa Code section 8B.9. Report received on March 31, 2022.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, March 31, 2022, 9:50 a.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

Members Absent: Celsi and Mathis (both excused).

Committee Business: SF 2354 and HF 2147.

Adjourned: 10:15 a.m.

RULES AND ADMINISTRATION

Convened: Thursday, March 31, 2022, 9:10 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Ragan, and Zumbach.

Members Absent: Brown, Jochum, Sinclair, R. Smith, and Zaun (all excused).

Committee Business: HCR 104.

Adjourned: 9:15 a.m.

WAYS AND MEANS

Convened: Thursday, March 31, 2022, 11:10 a.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Green, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun.

Members Absent: Petersen and T. Taylor (both excused).

Committee Business: Gubernatorial appointments: Mark Kittrell, Economic Development Authority – Senator Dawson Pankaj Monga, Iowa Economic Development Authority – Senator Dawson Jennifer Steffensmeier, Iowa Economic Development Authority – Senator Dawson Douglas Boone, Iowa Economic Development Authority – Senator Dawson Duane Hagerty, Iowa Great Places Board – Senator Green Darryl High, Iowa Great Places Board – Senator Green Jacque Rahe, Great Places Board, Iowa – Senator Green Barbara Determan, Great Places Board, Iowa – Senator Sweeney SSB 3155 Antique vehicles – Senator Goodwin w/amendment SF 2361 Workforce bill – Senator Brown w/amendment SSB 3064 Constitutional tax limitation – Senator Dawson w/amendment.

Adjourned: 11:30 a.m.

INTRODUCTION OF BILL

Senate File 2380, by Whitver and Wahls, a bill for an act to designate February 1 of each year as George Washington Carver Day.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENT

House File 2575

APPROPRIATIONS: Cournoyer, Chair; Kraayenbrink and J. Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 2147, a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 6: Bolkcom, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Celsi and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: HOUSE CONCURRENT RESOLUTION 104, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Yeas, 6: Whitver, Chapman, Wahls, Bolkcom, Ragan, and Zumbach. Nays, none. Excused, 5: Brown, Jochum, Sinclair, R. Smith, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

March 31, 2022

The Honorable Paul Pate
Secretary of State
Hand-Delivered

Re: Transmittal of Senate Joint Resolution 9 Relating to Qualifications of Electors

Dear Secretary Pate:

Please find the attached Senate Joint Resolution 9 for filing with your office. The Resolution deals with a proposed amendment to Iowa's Constitution relating to the qualifications of electors. The Iowa General Assembly will initiate the required publication process as outlined in Iowa Code chapter 49A.

Pursuant to Joint Senate/House Rule 21(2), this specific type of "joint resolution" does not require consideration and signature by the Governor.

Sincerely,

W. Charles Smithson
Secretary of the Senate

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Sherrae Hanson for confirmation as a member of the Iowa Lottery Authority Board of Directors from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5110	S.F.	577	House
S-5111	S.F.	348	House

**JOINT MEMORIAL SERVICE
EIGHTY-NINTH GENERAL ASSEMBLY
SENATE CHAMBER
MARCH 31, 2022**

PROGRAM

President Jake Chapman, Presiding

“Iowa, My Iowa”.....Memorial Choir

Invocation.....President Jake Chapman

MEMORIALS

Readers: Sen. Celsi, Sen. Ragan, Sen. T. Taylor, Rep. Gobble, Rep. Jacobsen

Hon. Quentin Anderson [H/S]	Hon. Elaine Baxter [H]	Hon. Gary Blodgett [H]
Hon. Rich Byerly [H]	Hon. John Clark [H]	Hon. Dick Dearden [S]
Hon. Gene Fraise [S]	Hon. Dennis Freeman [H]	Hon. Robert Fuller [H]
Hon. Richard [Rick] Groth [H]		Hon. Joan Hester [H]
Hon. Betty Hoffmann-Bright [H]	Hon. C.W. [Bill] Hutchins [H/S]	

“How Great Thou Art”.....Memorial Choir

MEMORIALS

Readers: Sen. Bisignano, Rep. Jacobsen, Sen. Jochum, Rep. Bousselot, Rep. Steckman

Hon. Tom Jochum [H]	Hon. Paul Johnson [H]	Hon. Gerald Jones [H]
Hon. Gene V. Kennedy [H/S]	Hon. John Landon [H]	Hon. Clark Edward McNeal II [H]
Hon. Jay Mennenga [H]	Hon. Dan Muhlbauer [H]	Hon. Bill Palmer [H/S]

“American Anthem”.....Memorial Choir

MEMORIALS

Readers: Sen. Ragan, Rep. Winckler, Rep. Running-Marquardt, Rep. Bousselot, Rep. Holt

Hon. Dennis Parmenter [H]	Hon. Henry Rayhons [H]	Hon. Laverne Schroeder [H]
Hon. Ray Taylor [H]	Hon. Richard Taylor [H]	Hon. Richard Vande Hoef [H/S]
Hon. James Van Engelenhoven [H]		Hon. Harold Van Maanen [H]
Hon. Jack E. Woods [H]	Hon. Mark Zieman [S]	Hon. Jo Ann Zimmerman [H]

Responsorial Reading.....Led by President Chapman

“God Be With You”.....Memorial Choir

2022 Memorial Choir

Rep. Eddie Andrews
Ms. Mary Braun
Mrs. Deb Bush
Rep. Dennis Bush
Ms. Ashline Bussanmas
Ms. Cynthia Christy
Rep. Thomas Gerhold
Ms. Grace Gibbins
Mr. Wayne Gieselman
Ms. Kennedy Haag
Ms. Lydia Hand
Rep. Steven Holt
Rep. Tom Jeneary
Ms. Marlene Martens
Rep. Mary Mascher
Ms. Kelly Meyers
Mrs. Catherine Miller-Sands
Mr. Grant Pedersen
Ms. Maren Rasmussen
Ms. Cecilia Redman
Sen. David Rowley
Mr. Tom Sands
Mr. Isaac Schaben
Mr. Ryan Simatovich
Ms. Julie Smith
Ms. Beth Stearns
Mr. Christian Stillings
Sen. Annette Sweeney
Mrs. Diane Walsh

Choir Director: Rep. Rob Bacon
Pianists: Mrs. Margaret Guth
Ms. Cecilia Redman

**IN MEMORIAM
SERVED IN THE SENATE**

Hon. Dick Dearden (Polk) 76th, 77th, 78th, 79th, 79th X, 79th XX, 80th, 80th X, 80th XX,
81st, 81st X, 82nd, 83rd, 84th, 85th, 86th G.A. (1995-2017)

Hon. Gene Fraise (Lee) 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th,
76th, 77th, 78th, 79th, 79th X, 79th XX, 80th, 80th X, 80th XX, 81st, 81st X, 82nd, 83rd, 84th
G.A. (1985-2013)

Hon. Mark Zieman (Allamakee) 79th, 79th X, 79th XX, 80th, 80th X, 80th XX, 81st, 81st
X, 82nd G.A. (2001-2009)

**SERVED IN THE SENATE AND IN THE HOUSE OF
REPRESENTATIVES**

Hon. Quentin Anderson (Ringgold) 60th, 61st, 63rd, 64th, 65th G.A. (1963-1975)

Hon. C.W. Bill Hutchins (Audubon) 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th
XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX G.A. (1973-1993)

Hon. Gene V. Kennedy (Dubuque) 63rd, 64th, 65th G.A. (1969-1975)

Hon. Bill Palmer (Polk) 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X, 68th, 69th, 69th X,
69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th, 76th, 77th
G.A. (1965-1999)

Hon. Richard Vande Hoef (Osceola) 69th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd
XX, 73rd, 74th, 74th X, 74th XX, 75th, 76th, 77th G.A. (1981-1999)

SERVED IN THE HOUSE OF REPRESENTATIVES

- Hon. Elaine Baxter (Des Moines) 69th, 70th, 71st G.A. (1982 - 1987)
- Hon. Gary Blodgett (Cerro Gordo) 75th, 76th, 77th, 78th, G.A. (1993 - 2001)
- Hon. Rich Byerly (Polk) 65th, 66th, 67th, 67th X, 68th, 69th X, 69th XX G.A. (1973-1983)
- Hon. John Clark (Lee) 64th , 65th , 66th , 67th , 67th X, 68th , 69th , 69th X, 69th XX G.A. (1971-1983)
- Hon. Dennis Freeman (Buena Vista) 63rd, 64th, 65th G.A. (1969-1975)
- Hon. Robert Fuller (Hardin) 72nd, 72nd X, 72nd XX, 73rd G.A. (1987-1991)
- Honorable Richard "Rick" Groth (Buena Vista) 68th, 69th, 69th X, 69th XX, 70th, 71st G.A. (1978-1987)
- Hon. Joan Hester (Pottawattamie) 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX, 75th G.A. (1985-1995)
- Hon. Betty Hoffmann-Bright (Muscatine) 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th G.A. (1979-1985)
- Hon. Tom Jochum (Dubuque) 66th, 67th, 67th X, 68th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX G.A. (1975-1993)
- Hon. Paul Johnson (Winneshiek) 71st, 72nd, 72nd X, 72nd XX, 73rd G.A. (1985-1991)
- Hon. Gerald Jones (Mills) 79th, 79th X, 79th XX, 80th, 80th X, 80th XX, 81st, 81st X G.A. (2001-2007)
- Hon. John Landon (Polk) 85th, 86th, 87th, 88th, 89th G.A. (2013-2021)
- Hon. Clark McNeal II (Hardin) 74th, 74th X, 74th XX, 75th G.A. (1991-1995)
- Hon. Jay Mennenga (Clinton) 65th, 66th G.A. (1973-1977)
- Hon. Dan Muhlbauer (Crawford) 84th, 85th G.A. (2011-2015)
- Hon. Dennis Parmenter (Story) 78th G.A. (1999-2001)
- Hon. Henry Rayhons (Hancock) 77th, 78th, 79th X, 79th XX, 80th, 80th X, 80th XX, 81st, 81st X, 82nd, 83rd, 84th, 85th G.A. (1997-2015)
- Hon. Laverne Schroeder (Pottawattamie) 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X, 68th, 69th X, 69th XX, 70th G.A. (1967-1985)
- Hon. Raymond Taylor (Dubuque) 64th G.A. (1971-1973)
- Hon. Richard "Dick" Taylor (Linn) 78th, 79th, 79th X, 79th XX, 80th , 80th X, 80th XX, 81st, 81st X, 82nd, 83rd G.A. (1999-2011)
- Hon. James Van Engelenhoven (Marion) 78th , 79th , 79th X, 79th XX, 80th, 80th X, 80th XX, 81st, 81st X, 82nd, 83rd, 84th G.A. (1999-2013)
- Hon. Harold Van Maanen (Mahaska) 68th , 69th , 69th X, 69th XX, 70th , 71st , 72nd , 72nd X, 72nd XX, 73rd , 74th , 74th X, 74th XX, 75th , 76th , 77th G.A. (1979-1999)
- Hon. Jack E. Woods (Polk) 65th, 66th , 67th , 67th X, 68th , 69th , 69th X, 69th XX, 70th , 71st G.A. (1973-1987)
- Hon. Jo Ann Zimmerman (Dallas) 70th, 71st G.A. (1983-1987)

RESPONSORIAL READING

Please respond by reading the verses in *italics*

[Leader] *In the rising of the sun and in its going down, we remember them.*

In the blowing of the wind and in the chill of winter, we remember them.

[L] *In the opening of the buds and in the rebirth of spring, we remember them.*

In the blueness of the sky and in the warmth of summer, we remember them.

[L] *In the rustling of the leaves and in the beauty of autumn, we remember them.*

In the beginning of the year and when it ends, we remember them.

[L] *When we are weary and in need of strength, we remember them.*

When we are lost and sick at heart, we remember them.

[L] *When we have joys we yearn to share, we remember them.*

[ALL] *So long as we live, they too shall live,*

or they are now a part of us, as we remember them.

Senate Memorial Committee

Senator Tony Bisignano
Senator Claire Celsi
Senator Jesse Green
Senator Pam Jochum
Senator Craig Johnson
Senator Amanda Ragan
Senator Todd Taylor
Senator Roby Smith

House Memorial Committee

Representative Rob Bacon
Representative Sue Cahill
Representative Cecil Dolecheck
Representative Lindsay James
Representative Brent Siegrist

Candle Lighters

Mr. Greg Heartsill
Senator Craig Johnson
Representative Monica Kurth
Senator Roby Smith
Senator Sarah Trone-Garriott

Hosts

Senator Dennis Guth
Representative Bruce Hunter

Co-Coordinators: Jason Chapman [House] & Maureen Taylor [Senate]

Flowers Arranged by Hy-Vee, West Des Moines, Iowa

Refreshments provided by Hy-Vee

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 4, 2022

The Senate met in regular session at 1:02 p.m., Senator Rozenboom presiding.

Prayer was offered by the Honorable Sarah Trone Garriott, member of the Senate from Dallas County, West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Thursday, March 31, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:10 p.m. until 9:00 a.m., Tuesday, April 5, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Department of Agriculture and Land Stewardship Expenditures, pursuant to 2021 Iowa Acts, Chapter 143, section 1. Report received on April 1, 2022.

DEPARTMENT OF HUMAN SERVICES

Department of Human Services Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on April 4, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Jordon Bohannon, University of Iowa—For his outstanding and record-setting career achievements in men's basketball. Senator Boulton.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2006, by committee on Ways and Means, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

INTRODUCTION OF BILLS

Senate File 2381, by committee on Appropriations, a bill for an act relating to pregnancy support including by creating the more options for maternal support program and expanding Medicaid postpartum coverage and making appropriations.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 2382, by committee on Ways and Means, a bill for an act relating to electric motor vehicle registration fees for antique motor vehicles.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 2383, by committee on Ways and Means, a bill for an act relating to various matters under the purview of the state, including city and county inspections, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

SUBCOMMITTEE ASSIGNMENTS

House File 2551

WAYS AND MEANS: Goodwin, Chair; Quirmbach and Zaun

House File 2556

WAYS AND MEANS: Goodwin, Chair; Dawson and T. Taylor

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 2381 (formerly SF 2354), a bill for an act relating to pregnancy support including by creating the more options for maternal support program and expanding Medicaid postpartum coverage and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 6: Bolkcom, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Celsi and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 2381, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: *SENATE JOINT RESOLUTION 2006 (SSB 3064), a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Dawson, Goodwin, Brown, Dickey, Green, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, 4: Jochum, Bolkcom, Dotzler, and Quirmbach. Excused, 2: Petersen and T. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate Joint Resolution 2006, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2382 (SSB 3155), a bill for an act relating to electric motor vehicle registration fees for antique motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, none. Excused, 2: Petersen and T. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2382, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 2383 (formerly SF 2361), a bill for an act relating to various matters under the purview of the state, including city and county inspections, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, and Zaun. Nays, none. Excused, 2: Petersen and T. Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2383, and they were attached to the committee report.

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Michael Wallace for confirmation as a member of the Elevator Safety Board from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 5, 2022

The Senate met in regular session at 9:04 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Monday, April 4, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2260, a bill for an act providing for the adoption of certain animals confined by research facilities.

Senate File 2323, a bill for an act relating to the inventory of lands managed or owned by the department of natural resources or a county conservation board, and including applicability provisions.

Senate File 2366, a bill for an act relating to the assessment and taxation of wind energy conversion property and including effective date, applicability, and retroactive applicability provisions.

ALSO: That the House has on April 4, 2022, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2290, a bill for an act establishing a dairy processing and milk production innovation and revitalization fund and program to be administered by the economic development authority, in consultation with the department of agriculture and land stewardship, and requiring the department to study the feasibility of establishing an artisanal dairy processing program at a community college or at an institution governed by the state board of regents. (S-5112)

ALSO: That the House has on April 4, 2022, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 803, a bill for an act relating to duties performed by physician assistants.

House File 2239, a bill for an act relating to the discovery of evidence in a criminal or postconviction relief action involving victims of sexual abuse.

ALSO: That the House has on April 4, 2022, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended, and passed** the following bill in which the concurrence of the Senate is asked:

House File 2160, a bill for an act relating to assisted reproduction and providing penalties. (S-5113)

ALSO: That the House has on April 4, 2022, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2576, a bill for an act relating to the practice of barbering and cosmetology arts and sciences, including fees, and providing transition provisions.

Read first time and referred to the committee on **Ways and Means**.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 110.

Senate Resolution 110

On motion of Senator Ragan, **Senate Resolution 110**, a resolution honoring Senator Joe Bolkcom for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Bolkcom.

Senator Bolkcom addressed the Senate with brief remarks.

Senator Ragan moved the adoption of Senate Resolution 110, which motion prevailed by a voice vote.

RECESS

On motion of Senator Whitver, the Senate recessed at 10:24 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:09 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dawson and Zaun, until they arrive, on request of Senator Whitver.

**CONSIDERATION OF BILL
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration House File 604.

House File 604

On motion of Senator Rozenboom, **House File 604**, a bill for an act relating to language and literacy development for deaf and hard-of-hearing children, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom offered amendment S-5114, filed by him from the floor to pages 1–6 of the bill, and moved its adoption.

Amendment S-5114 was adopted by a voice vote.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 604), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 604** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2381.

Senate File 2381

On motion of Senator Costello, **Senate File 2381**, a bill for an act relating to pregnancy support including by creating the more options for maternal support program and expanding Medicaid postpartum coverage and making appropriations, was taken up for consideration.

Senator Petersen offered amendment S-5116, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5116 be adopted?” (S.F. 2381), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nay, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zumbach		

Absent, 2:

Dawson	Zaun
--------	------

Amendment S-5116 lost.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2381), the vote was:

Yea, 32:

Bisignano	Brown	Carlin	Chapman
Costello	Cournoyer	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Nunn
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zumbach

Nays, 16:

Bolkcom	Boulton	Celsi	Dotzler
Giddens	Hogg	Jochum	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 2:

Dawson	Zaun
--------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2381** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2383.

Senate File 2383

On motion of Senator Brown, **Senate File 2383**, a bill for an act relating to various matters under the purview of the state, including city and county inspections, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and including applicability provisions, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2383), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2330, 2300, 2154, and 2097.

House File 2330

On motion of Senator Williams, **House File 2330**, a bill for an act relating to electronic delivery of certain insurance notices and documents, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2330), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2300

On motion of Senator Lofgren, **House File 2300**, a bill for an act relating to protections for certain members of the military concerning employment and insurance coverage and making penalties applicable, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2300), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2154

On motion of Senator R. Smith, **House File 2154**, a bill for an act relating to release of certain records maintained by the statewide fire and police retirement system, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending amendment and passage, was taken up for consideration.

Senator R. Smith offered amendment S-5057, filed by the committee on State Government on March 10, 2022, to page 1 of the bill, and moved its adoption.

Amendment S-5057 was adopted by a voice vote.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2154), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2097

On motion of Senator Rowley, **House File 2097**, a bill for an act relating to forfeiture of bail, placed on the Unfinished Business Calendar on March 22, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Rowley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2097), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis

Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2383** and **House Files 2097, 2154, 2300, and 2330** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 522

Senator Whitver called up for consideration **Senate File 522**, a bill for an act relating to older individuals and dependent adults and creating certain criminal offenses and civil actions, and providing penalties, amended by the House in House amendment S-5088, filed March 24, 2022.

Senator Garrett moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Garrett moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 522), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 586

Senator Whitver called up for consideration **Senate File 586**, a bill for an act relating to banks, making appropriations, providing civil penalties, and making civil penalties applicable, amended by the House in House amendment S-5104, filed March 30, 2022.

Senator Williams moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Williams moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 586), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2086, 2171, and 2194.

Senate File 2086

On motion of Senator Koelker, **Senate File 2086**, a bill for an act relating to the membership, procedures, and functions of the Iowa council on homelessness, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Koelker offered amendment S-5019, filed by her on February 23, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5019 was adopted by a voice vote.

Senator Koelker asked and received unanimous consent that **House File 2258** be substituted for **Senate File 2086**.

House File 2258

On motion of Senator Koelker, **House File 2258**, a bill for an act relating to the membership, procedures, and functions of the Iowa council on homelessness, was taken up for consideration.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2258), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Koelker asked and received unanimous consent that **Senate File 2086** be withdrawn from further consideration of the Senate.

Senate File 2171

On motion of Senator Edler, **Senate File 2171**, a bill for an act relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Edler offered amendment S-5115, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5115 was adopted by a voice vote.

Senator Edler asked and received unanimous consent that **House File 2252** be **substituted** for **Senate File 2171**.

House File 2252

On motion of Senator Edler, **House File 2252**, a bill for an act relating to programs and services under the purview of the department of human services including child care assistance, child and family services, foster care, adoption, and the dependent adult abuse information registry, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2252), the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan

Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Edler asked and received unanimous consent that **Senate File 2171** be **withdrawn** from further consideration of the Senate.

Senate File 2194

On motion of Senator Williams, **Senate File 2194**, a bill for an act relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Williams asked and received unanimous consent that **House File 2155** be **substituted** for **Senate File 2194**.

House File 2155

On motion of Senator Williams, **House File 2155**, a bill for an act relating to preneed sellers and purchase agreements for cemetery merchandise, funeral merchandise, and funeral services, providing penalties, and including applicability provisions, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2155), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zumbach

Nays, none.

Absent, 2:

Dawson	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Williams asked and received unanimous consent that **Senate File 2194** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 522 and 586** and **House Files 2155, 2252, and 2258** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Brown, the Senate adjourned at 3:00 p.m. until 9:00 a.m., Wednesday, April 6, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lorene Meek, Toledo—For celebrating her 102nd birthday. Senator Sweeney.

Vern Woebbeking, Lincoln—For celebrating his 90th birthday. Senator Sweeney.

Willie Mae Wright, Waterloo—For celebrating her 90th birthday. Senator Dotzler.

INTRODUCTION OF RESOLUTION

Senate Resolution 110, by committee on Rules and Administration, a resolution honoring Senator Joe Bolkcom for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENTS FILED

S-5112	S.F.	2290	House
S-5113	H.F.	2160	House
S-5114	H.F.	604	Ken Rozenboom
S-5115	S.F.	2171	Jeff Edler
S-5116	S.F.	2381	Janet Petersen
S-5117	H.F.	2147	Appropriations

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 6, 2022

The Senate met in regular session at 9:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Zach Nunn, member of the Senate from Polk County, Altoona, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecelia Redman.

The Journal of Tuesday, April 5, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2022, **passed** the following bills in which the concurrence of the House was asked:

Senate File 513, a bill for an act relating to persons experiencing a mental health crisis, substance-related disorder crisis, or housing crisis.

Senate File 2370, a bill for an act relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions.

ALSO: That the House has on April 4, 2022, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2562, a bill for an act relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, regulation by counties and cities of continuing nonconforming uses of manufactured, modular, and mobile homes, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions.

Read first time and attached to **similar Senate File 2379**.

House File 2578, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Read first time and referred to committee on **Appropriations**.

House File 2579, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Appropriations**.

House File 2581, a bill for an act providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable.

Read first time and referred to committee on **Ways and Means**.

House File 2582, a bill for an act creating a state sales tax rebate to the owner or operator of a newly constructed baseball and softball park project.

Read first time and referred to committee on **Ways and Means**.

SPECIAL GUESTS

Senator J. Taylor introduced to the Senate chamber the Orange City Tulip Festival Queen and her court.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Whitver, the Senate recessed at 9:18 a.m. until the completion of a meeting of the committee on State Government.

RECONVENED

The Senate reconvened at 12:43 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hogg, until he arrives, on request of Senator Wahls; and Senators Dawson, Lofgren, and Zaun, until they arrive, on request of Senator Whitver.

HOUSE AMENDMENT CONSIDERED

Senate File 577

Senator Whitver called up for consideration **Senate File 577**, a bill for an act relating to a certificate of nonviable birth, amended by the House in House amendment S-5110, filed March 31, 2022.

Senator Sinclair moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Sinclair moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 577), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zumbach		

Nays, none.

Absent, 4:

Dawson	Hogg	Lofgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2168 and 2174.

Senate File 2168

On motion of Senator Costello, **Senate File 2168**, a bill for an act relating to violations by a health care facility, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Costello asked and received unanimous consent that **House File 2172** be substituted for **Senate File 2168**.

House File 2172

On motion of Senator Costello, **House File 2172**, a bill for an act relating to the use of an electronic device in a voice-activated or hands-free mode while driving, providing penalties, and making penalties applicable, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2172), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zumbach		

Nays, none.

Absent, 4:

Dawson Hogg Lofgren Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Costello asked and received unanimous consent that **Senate File 2168** be **withdrawn** from further consideration of the Senate.

Senate File 2174

On motion of Senator Costello, **Senate File 2174**, a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Costello offered amendment S-5119, filed by Senators Edler and Costello from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5119 was adopted by a voice vote.

Senator Costello asked and received unanimous consent that **House File 2390** be **substituted** for **Senate File 2174**.

House File 2390

On motion of Senator Costello, **House File 2390**, a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board, was taken up for consideration.

Senator Costello offered amendment S-5118, filed by Senators Edler and Costello from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5118 was adopted by a voice vote.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2390), the vote was:

Yeas, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zumbach		

Nays, none.

Absent, 4:

Dawson	Hogg	Lofgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Costello asked and received unanimous consent that **Senate File 2174** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 577** and **House Files 2172 and 2390** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2237 and 2282; and House Files 825, 2340, and 2399.

Senate File 2237

On motion of Senator Williams, **Senate File 2237**, a bill for an act relating to financial reporting by insurance holding company systems, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Williams asked and received unanimous consent that **House File 2217** be substituted for **Senate File 2237**.

House File 2217

On motion of Senator Williams, **House File 2217**, a bill for an act relating to financial reporting by insurance holding company systems, was taken up for consideration.

Senator Williams moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2217), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zumbach		

Nays, none.

Absent, 4:

Dawson

Hogg

Lofgren

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Williams asked and received unanimous consent that **Senate File 2237** be **withdrawn** from further consideration of the Senate.

Senate File 2282

On motion of Senator Garrett, **Senate File 2282**, a bill for an act providing for the removal of municipal utility board members under specified circumstances and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Garrett offered amendment S-5120, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5120 was adopted by a voice vote.

Senator Garrett asked and received unanimous consent that **House File 2475** be **substituted** for **Senate File 2282**.

House File 2475

On motion of Senator Garrett, **House File 2475**, a bill for an act providing for the removal of municipal utility board members under specified circumstances and including effective date provisions, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2475), the vote was:

Yea, 42:

Bisignano	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Ragan	Reichman
Rowley	Rozendoom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zumbach		

Nays, 5:

Bolkcom	Boulton	Jochum	Quirmbach
Smith, J.			

Absent, 3:

Dawson	Hogg	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Garrett asked and received unanimous consent that **Senate File 2282** be **withdrawn** from further consideration of the Senate.

House File 825

On motion of Senator J. Taylor, **House File 825**, a bill for an act relating to consent agreements for domestic abuse and sexual abuse protective orders, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 825), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zumbach	

Nays, none.

Absent, 3:

Dawson	Hogg	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2340

On motion of Senator Cournoyer, **House File 2340**, a bill for an act relating to public safety nuisances concerning licensed premises where alcoholic beverages, wine, or beer is sold or consumed, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Cournoyer offered amendment S-5071, filed by the committee on State Government on March 16, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5071 was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2340), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zumbach	

Nays, none.

Absent, 3:

Dawson	Hogg	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2399

On motion of Senator Klimesh, **House File 2399**, a bill for an act relating to reimbursement for health care services provided after receipt of a prior authorization, and including applicability provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2399), the vote was:

Yea, 47:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zumbach	

Nays, none.

Absent, 3:

Dawson	Hogg	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 825, 2217, 2340, 2399, and 2475** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Cournoyer, the Senate adjourned at 1:28 p.m. until 9:00 a.m., Thursday, April 7, 2022.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, April 6, 2022, 1:35 p.m.

Members Present: Schultz, Chair; Koelker, Vice Chair; Giddens, Ranking Member; Chapman, Goodwin, Johnson, Klimesh, Lykam, Nunn, Petersen, Quirmbach, Sinclair, R. Smith, and Williams.

Members Absent: Bisignano, Brown, and Mathis (all excused).

Committee Business: Governor's Appointments.

Adjourned: 1:40 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, April 6, 2022, 2:10 p.m.

Members Present: Shipley, Chair; Klimesh, Vice Chair; J. Smith, Ranking Member; Driscoll, Garrett, Guth, Lofgren, T. Taylor, and Williams.

Members Absent: Hogg and Quirmbach (both excused).

Committee Business: Governor's Appointments.

Adjourned: 2:15 p.m.

VETERANS AFFAIRS

Convened: Wednesday, April 6, 2022, 10:30 a.m.

Members Present: Lofgren, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Carlin, Costello, Dotzler, Edler, Green, and Ragan.

Members Absent: Dawson and Mathis (both excused).

Committee Business: Governor's Appointments.

Adjourned: 11:00 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2380

RULES AND ADMINISTRATION: R. Smith, Chair; Wahls and Zumbach

House File 2517

APPROPRIATIONS: Costello, Chair; T. Taylor and Williams

House File 2573

APPROPRIATIONS: Garrett, Chair; Bolkcom and Cournoyer

House File 2574

APPROPRIATIONS: Costello, Chair; Guth and J. Smith

REPORT OF THE SECRETARY OF THE SENATE

April 6, 2022

Members of the Senate Ethics Committee
Via Email

Re: Report of Personal Financial Disclosure Forms by Senate Candidates

Dear Senate Ethics Committee Members:

Pursuant to Iowa Code section 68B.35 and Senate Ethics Rule 11A, candidates for the Senate are required to file Personal Financial Disclosure Statements. Rule 11A also requires the Secretary of the Senate to inform the Ethics Committee with the results of these filings.

As a reminder, the Committee sponsored Senate Resolution 101 adopting Rule 11A. Candidates are now required to file statements within fourteen days of the candidate filing deadline. If the statement is not filed, the Secretary of the Senate is to issue notice that the individual has five days to file or be subject to a \$50 penalty and possible referral to the Committee.

1. The candidate filing deadline concluded on March 18, 2022. An official candidate list was posted on March 21, 2022. Therefore, the deadline for filing statements was April 4, 2022.
2. With the exception of one individual, by the end of April 4, 2022, all Senate candidates on the primary election ballot and both candidates who are on the general election ballot had filed.
3. The remaining candidate was issued a "Past Due Notice" on April 5, 2022. The individual then filed the statement almost immediately.

As such, all candidates have now filed the statements and the same will be posted to the General Assembly Website today. No further action by the Committee is required. I do want to thank the Committee for helping implement Senate Ethics Rule 11A. The new rule was instrumental in creating a smooth and expeditious filing period. If additional candidates are placed on the ballot this year, I will file supplemental reports with the Committee as to compliance with Rule 11A.

Respectfully submitted,

W. Charles Smithson
Secretary of the Senate

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Erik Helland (Reappt)– Chair and member of the Public Employment Relations Board

VETERANS AFFAIRS

Steven Lukan – Executive Director of the Department of Veterans Affairs

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Lyle Borg – Agricultural Development Board

Rhonda Shelman – Iowa Grain Indemnity Fund Board
Michael Winter – Iowa Grain Indemnity Fund Board

Dennis Carlson – State Soil Conservation and Water Quality Committee

APPROPRIATIONS

Rita Frahm – Enhance Iowa Board
Brad Leeper – Enhance Iowa Board
Steve Roesner – Enhance Iowa Board
Valerie Van Kooten – Enhance Iowa Board
Mary Wells – Enhance Iowa Board

COMMERCE

Tyler Campbell – Credit Union Review Board
Jordan Hensley – Credit Union Review Board
Jami Weems – Credit Union Review Board

Bob Holz – Iowa Telecommunications and Technology Commission

LABOR AND BUSINESS RELATIONS

James Strohman – Employment Appeal Board

Kiya Boozell – Plumbing and Mechanical Systems Board
Mike O'Day – Plumbing and Mechanical Systems Board
Shon Smith – Plumbing and Mechanical Systems Board
Randy Watts – Plumbing and Mechanical Systems Board

Josh Cobbs – Iowa Workforce Development Board
Carrie Duncan – Iowa Workforce Development Board
Kellie Gottner – Iowa Workforce Development Board
Rich Kurtenbach – Iowa Workforce Development Board
Deborah Mauricio – Iowa Workforce Development Board
Matthew Nicol – Iowa Workforce Development Board

LOCAL GOVERNMENT

Chris McKee – City Development Board
Dennis Plautz – City Development Board

Jenny Blankenship – County Finance Committee

STATE GOVERNMENT

Aaron Sewell – Commission on the Status of African Americans
Whitney Smith – Commission on the Status of African Americans

Stephen Larson – Administrator of the Alcoholic Beverages Division

Dan Dutcher – Architectural Examining Board

Caleb Lillquist – Commission of Asian and Pacific Islander Affairs
Karlai Thornburg – Commission of Asian and Pacific Islander Affairs
Shaochen Yu – Commission of Asian and Pacific Islander Affairs

Maureen Hardy – Board of Barbering

Geneva Jacobsen – Commission for the Blind

Bret Brecke – Boiler and Pressure Vessel Board
Kenneth Lamb – Boiler and Pressure Vessel Board
Daniel LaPole – Boiler and Pressure Vessel Board
Lynne Rush – Boiler and Pressure Vessel Board
Nathan Whipple – Boiler and Pressure Vessel Board

Bobbi Baker-Maynes – Commission on Community Action Agencies
Kevin Brown – Commission on Community Action Agencies
John Murphy – Commission on Community Action Agencies

Jeremy Kemp – Board of Cosmetology Arts and Sciences
Joshua Spencer – Board of Cosmetology Arts and Sciences

Tina Caloud – Commission of Deaf Services

Troy Tilleras – Elevator Safety Board

Todd Mithelman – Interior Design Examining Board

Tami Loge – Investment Board of the Iowa Public Employees' Retirement System

Dana Wingert – Iowa Lottery Authority Board of Directors

Eugene Cherny – Board of Medicine
Rose Kleyweg Mitchell – Board of Medicine
Jason Meyers – Board of Medicine
Vickie Pyevich – Board of Medicine
Joyce Vista-Wayne – Board of Medicine

Maria Lundberg – Board of Mortuary Science
David Moore – Board of Mortuary Science

John Big Eagle, Jr. – Commission of Native American Affairs

Jacklyn Barber – Board of Nursing
Brian Feist – Board of Nursing
Gordon Goetsch – Board of Nursing
Casey Kenneavy – Board of Nursing

Patricia Ross – Board of Nursing Home Administrators
Tracy Trotter – Board of Nursing Home Administrators

Heidi Wood – Optometry, Board of

Robert Egeland – Board of Pharmacy
Dane Nealson – Board of Pharmacy
Joan Skogstrom – Board of Pharmacy
Kathryn (Kathy) Stone – Board of Pharmacy

Kevin de Regnier – Board of Physician Assistants
Laura Delaney – Board of Physician Assistants
Amber Houge – Board of Physician Assistants
Michael Schnurr – Board of Physician Assistants

Justin Rhode – Board of Psychology
Lisa Streyffeler – Board of Psychology
Sara Swansen – Board of Psychology

Daniel Breitbarth – Iowa Public Information Board
Emil Giovannetti – Iowa Public Information Board

James McCrea – Iowa Public Information Board
Monica McHugh – Iowa Public Information Board
Jackie Schmillen – Iowa Public Information Board

Mark Oiler – Board of Trustees of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System

Julie Andres – State Racing and Gaming Commission

Andrew Lauver – Commission on the Status of Women
Esperance Nibizi – Commission on the Status of Women
Sherill Whisenand – Commission on the Status of Women

VETERANS AFFAIRS

Elizabeth Ledvina – Commission of Veterans Affairs
George Mosby – Commission of Veterans Affairs
Carol Whitmore – Commission of Veterans Affairs

WAYS AND MEANS

Doug Boone – Economic Development Authority
Mark Kitrell – Economic Development Authority
Pankaj Monga – Economic Development Authority
Jennifer Steffensmeier – Economic Development Authority

Barbara Determan – Iowa Great Places Board
Duane Hagerty – Iowa Great Places Board
Darryl High – Iowa Great Places Board
Jacque Rahe – Iowa Great Places Board

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar without recommendation for confirmation:

STATE GOVERNMENT

Jeremy Price – Electrical Examining Board

Jack Jones – Engineering and Land Surveying Examining Board

Devon Wood – Board of Nursing Home Administrators

Mona Alqulali – Board of Physician Assistants

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Daniel Breitbarth to Iowa Public Information Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”.

PAM JOCHUM

AMENDMENTS FILED

S-5118	H.F.	2390	Jeff Edler Mark Costello
S-5119	S.F.	2174	Jeff Edler Mark Costello
S-5120	S.F.	2282	Julian B. Garrett

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 7, 2022

The Senate met in regular session at 9:04 a.m., Senator R. Smith presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Wednesday, April 6, 2022, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 2022, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2298, a bill for an act authorizing a local emergency management commission to assume the duties of a joint 911 service board.

ALSO: That the House has on April 6, 2022, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 581, a bill for an act relating to deer population management. (S-5121)

ALSO: That the House has on April 6, 2022, **concurred** in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 604, a bill for an act relating to language and literacy development for deaf and hard-of-hearing children.

House File 736, a bill for an act relating to limitations on activities related to paid claims under the Medicaid program, and including effective date provisions.

House File 2154, a bill for an act relating to release of certain records maintained by the statewide fire and police retirement system.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:22 a.m. until 1:00 p.m., Monday, April 11, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF NATURAL RESOURCES

Department of Natural Resources Quarterly Expenditure Report, pursuant to 2021 Iowa Acts, Chapter 143, section 14. Report received on April 7, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

David Shilling and Extreme Body Shaping—Upon celebration of their grand reopening. Senator Nunn.

SUBCOMMITTEE ASSIGNMENTS**House File 2581**

WAYS AND MEANS: Sweeney, Chair; Green and T. Taylor

House File 2582

WAYS AND MEANS: Goodwin, Chair; Jochum and R. Smith

AMENDMENT FILED

S-5121 S.F. 581 House

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 11, 2022

The Senate met in regular session at 1:02 p.m., President Chapman presiding.

Prayer was offered by the Honorable Jake Chapman, president of the Senate from Dallas County, Adel, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Thursday, April 7, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:04 p.m. until 9:00 a.m., Tuesday, April 12, 2022.

APPENDIX

INTRODUCTION OF RESOLUTIONS

Senate Resolution 111, by committee on Rules and Administration, a resolution honoring Senator Jim Lykam for his years of service in the Iowa General Assembly.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 112, by committee on Rules and Administration, a resolution honoring Senator Jim Carlin for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 113, by committee on Rules and Administration, a resolution honoring Senator Tim Goodwin for his years of service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 114, by committee on Rules and Administration, a resolution honoring Senator Zach Nunn for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 115, by Cournoyer, a resolution urging the Governor and the Director of the Department of Transportation to develop plans for the new Interstate 80 bridge over the Mississippi River in Scott County that include the incorporation of the Bison Bridge.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 12, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Zach Nunn, member of the Senate from Polk County, Altoona, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kennedy Haag.

The Journal of Monday, April 11, 2022, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 111.

Senate Resolution 111

On motion of Senator Dotzler, **Senate Resolution 111**, a resolution honoring Senator Jim Lykam for his years of service in the Iowa General Assembly, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Lykam.

Senator Lykam addressed the Senate with brief remarks.

Senator Dotzler moved the adoption of Senate Resolution 111, which motion prevailed by a voice vote.

The Senate stood at ease at 9:51 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:45 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rozenboom and Williams, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2185 and 2242.

Senate File 2185

On motion of Senator J. Taylor, **Senate File 2185**, a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator J. Taylor asked and received unanimous consent that **House File 2222** be substituted for **Senate File 2185**.

House File 2222

On motion of Senator J. Taylor, **House File 2222**, a bill for an act relating to documents that may be filed pro se by a defendant represented by counsel or an applicant for postconviction relief represented by counsel, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2222), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator J. Taylor asked and received unanimous consent that **Senate File 2185** be **withdrawn** from further consideration of the Senate.

Senate File 2242

On motion of Senator Zaun, **Senate File 2242**, a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Zaun asked and received unanimous consent that **House File 2201** be **substituted** for **Senate File 2242**.

House File 2201

On motion of Senator Zaun, **House File 2201**, a bill for an act relating to controlled substances, including amending the controlled substance schedules and information collection and reporting requirements under the Iowa prescription monitoring program, and including effective date provisions, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2201), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Zaun asked and received unanimous consent that **Senate File 2242** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2201 and 2222** be **immediately messaged** to the House.

**CONSIDERATION OF BILL
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration House File 2378.

House File 2378

On motion of Senator R. Smith, **House File 2378**, a bill for an act relating to pari-mutuel wagering, concerning distribution of horse racing purse moneys and establishing a fund for certain race horse organizations, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2378), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Zaun	Zumbach		

Nays, 2:

Costello Guth

Absent, 2:

Rozenboom Williams

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2382.

Senate File 2382

On motion of Senator Goodwin, **Senate File 2382**, a bill for an act relating to electric motor vehicle registration fees for antique motor vehicles, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2382), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Joint Resolution 2006.

Senate Joint Resolution 2006

On motion of Senator Dawson, **Senate Joint Resolution 2006**, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes, was taken up for consideration.

Senate Joint Resolution 2006, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring a two-thirds majority vote for certain state tax law changes. BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: Section 1. The following amendment to the Constitution of the State of Iowa is proposed: Article III, Legislative Department, Constitution of the State of Iowa, is hereby amended by adding the following new section: Sec. 41. **Two-thirds majority vote for state tax law changes.** Passage of a bill that increases the individual income tax rate or the corporate income tax rate shall require the affirmative votes of at least two-thirds of the members elected to each house of the general assembly. This requirement does not apply to taxes imposed at the option of a local government. Passage of a bill that establishes a new tax to be imposed by the state shall require the affirmative votes of at least two-thirds of the members elected to each house of the general assembly. A lawsuit challenging the proper enactment of a bill under this section must be filed no later than one year following the enactment. If such a lawsuit is not filed within the one-year limit, the bill shall be considered properly enacted under this section. Each bill to which this section applies must include a separate provision describing the requirements for enactment prescribed by this

section. The general assembly shall enact laws to implement this section. Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and shall be published as provided by law for three months previous to the date of that election.

Senator Dawson moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question “Shall the resolution be adopted?” (S.J.R. 2006), the vote was:

Yea, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Zaun	Zumbach		

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 2:

Rozenboom	Williams
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The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Joint Resolution 2006, Senate File 2382**, and **House File 2378** be **immediately messaged** to the House.

President Pro Tempore Zaun took the chair at 11:15 a.m.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 112.

Senate Resolution 112

On motion of Senator Klimesh, **Senate Resolution 112**, a resolution honoring Senator Jim Carlin for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Carlin.

Senator Carlin addressed the Senate with brief remarks.

Senator Klimesh moved the adoption of Senate Resolution 112, which motion prevailed by a voice vote.

President Chapman took the chair at 12:22 p.m.

**CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)**

Senator Whitver called up the appointment of Rodney Bradley as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 1, 2022, found on page 427 of the Senate Journal.

Senator J. Taylor moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Cindy Dietz as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Sinclair moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz

Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom	Williams
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Cassandra Halls as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Sinclair moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom	Williams
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Michael Cavin as Executive Director of the Board of Educational Examiners, placed on the Individual Confirmation Calendar on March 1, 2022, found on page 427 of the Senate Journal.

Senator Sinclair moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom	Williams
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Steven Lukan as Executive Director of the Iowa Department of Veterans Affairs, placed on the Individual Confirmation Calendar on April 6, 2022, found on page 727 of the Senate Journal.

Senator Lofgren moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom Williams

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Matthew Peterson as Commandant of the Iowa Veterans Home, placed on the Individual Confirmation Calendar on February 15, 2022, found on page 297 of the Senate Journal.

Senator Edler moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Hogg
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Schultz

Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Zaun	Zumbach

Nays, none.

Absent, 2:

Rozenboom	Williams
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolutions 114 and 113.

Senate Resolution 114

On motion of Senator Sinclair, **Senate Resolution 114**, a resolution honoring Senator Zach Nunn for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Nunn.

Senator Nunn addressed the Senate with brief remarks.

Senator Sinclair moved the adoption of Senate Resolution 114, which motion prevailed by a voice vote.

Senate Resolution 113

On motion of Senator Sinclair, **Senate Resolution 113**, a resolution honoring Senator Tim Goodwin for his years of service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Goodwin.

Senator Goodwin addressed the Senate with brief remarks.

Senator Sinclair moved the adoption of Senate Resolution 113, which motion prevailed by a voice vote.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 2022, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 2340, a bill for an act relating to public safety nuisances concerning licensed premises where alcoholic beverages, wine, or beer is sold or consumed.

House File 2390, a bill for an act relating to child welfare, including provisions relating to foster care and the child advocacy board.

ALSO: That the House has on April 12, 2022, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 333, a bill for an act relating to authorized emergency vehicles, making penalties applicable, and including effective date and applicability provisions. (S-5123)

Senate File 2287, a bill for an act relating to used catalytic converter transactions, providing penalties, and making penalties applicable. (S-5122)

Senate File 2297, a bill for an act relating to jury service disqualification for certain felons. (S-5126)

Senate File 2374, a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions. (S-5124)

Senate File 2376, a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions. (S-5125)

ADJOURNMENT

On motion of Senator Goodwin, the Senate adjourned at 2:00 p.m. until 9:00 a.m., Wednesday, April 13, 2022.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****House File 2576**

WAYS AND MEANS: Zaun, Chair; Goodwin and Jochum

House File 2578

APPROPRIATIONS: Costello, Chair; Edler and Ragan

House File 2579

APPROPRIATIONS: Johnson, Chair; Lofgren and Petersen

AMENDMENTS FILED

S-5122	S.F.	2287	House
S-5123	S.F.	333	House
S-5124	S.F.	2374	House
S-5125	S.F.	2376	House
S-5126	S.F.	2297	House

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NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 13, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Williams, member of the Senate from Carroll County, Manning, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Hunter.

The Journal of Tuesday, April 12, 2022, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 2022, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2378, a bill for an act relating to beverages, including the barrel tax and the acceptance of beverage containers for refund value, providing penalties, and including effective date provisions. (S-5127)

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 118.

Senate Resolution 118

On motion of Senator Jochum, **Senate Resolution 118**, a resolution honoring Senator Liz Mathis for her years of service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Mathis.

Senator Mathis addressed the Senate with brief remarks.

Senator Jochum moved the adoption of Senate Resolution 118, which motion prevailed by a voice vote.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 117.

Senate Resolution 117

On motion of Senator T. Taylor, **Senate Resolution 117**, a resolution honoring Senator Robert Hogg for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Hogg.

President Pro Tempore Zaun took the chair at 10:39 a.m.

Senator Hogg addressed the Senate with brief remarks.

Senator T. Taylor moved the adoption of Senate Resolution 117, which motion prevailed by a voice vote.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 116.

Senate Resolution 116

On motion of Senator Zumbach, **Senate Resolution 116**, a resolution honoring Senator Craig Johnson for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Johnson.

President Chapman took the chair at 11:37 a.m.

Senator Johnson addressed the Senate with brief remarks.

Senator Zumbach moved the adoption of Senate Resolution 116, which motion prevailed by a voice vote.

RECESS

On motion of Senator Whitver, the Senate recessed at 12:13 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 12:15 p.m., President Chapman presiding.

**CONSIDERATION OF RESOLUTIONS
(Regular Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolutions 119 and 120.

Senate Resolution 119

On motion of Senator Whitver, **Senate Resolution 119**, a resolution deferring action on the confirmation of certain appointments submitted by the Governor, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of Senate Resolution 119, which motion prevailed by a voice vote.

Senate Resolution 120

On motion of Senator Whitver, **Senate Resolution 120**, a resolution deferring action on the confirmation of certain appointments, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of Senate Resolution 120, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Koelker, the Senate adjourned at 12:34 p.m. until 9:00 a.m., Thursday, April 14, 2022.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Nursing Facilities Private Room Supplementation Report, pursuant to Iowa Code section 249A.4. Report received on April 13, 2022.

STATE PUBLIC DEFENDER

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on April 12, 2022.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on April 12, 2022.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Barb Bauch, Traer—For celebrating her 90th birthday. Senator Sweeney.

Fern Groeneveld, Eldora—For celebrating her 100th birthday. Senator Sweeney.

Maxine Shutts, Grinnell—For celebrating her 100th birthday. Senator Sweeney.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, April 13, 2022, 1:00 p.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Mathis, Petersen, Ragan, Rozenboom, J. Smith, and T. Taylor.

Members Absent: Reichman and Williams (both excused).

Committee Business: HF 2517, HF 2573, and HF 2557.

Adjourned: 1:50 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, April 13, 2022, 12:10 p.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Brown, Jochum, Ragan, Zaun, and Zumbach.

Members Absent: Sinclair and R. Smith (both excused).

Committee Business: SR 119 and SR 120.

Adjourned: 12:15 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 116, by committee on Rules and Administration, a resolution honoring Senator Craig Johnson for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 117, by committee on Rules and Administration, a resolution honoring Senator Robert Hogg for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 118, by committee on Rules and Administration, a resolution honoring Senator Liz Mathis for her years of service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 119, by Whitver, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 120, by Whitver, a resolution deferring action on the confirmation of certain appointments.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 2517, a bill for an act relating to the reversion of moneys appropriated for a governance and funding of levee districts study, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 19: Kraayenbrink, Lofgren, Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Mathis, Petersen, Ragan, Rozenboom, J. Smith, and T. Taylor. Nays, none. Excused, 2: Reichman and Williams.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2557, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Recommendation: DO PASS.

Final Vote: Yeas, 19: Kraayenbrink, Lofgren, Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Mathis, Petersen, Ragan, Rozenboom, J. Smith, and T. Taylor. Nays, none. Excused, 2: Reichman and Williams.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 119, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Whitver, Chapman, Wahls, Bolkcom, Brown, Jochum, Ragan, Zaun, and Zumbach. Nays, none. Excused, 2: Sinclair and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 120, a resolution deferring action on the confirmation of certain appointments.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Whitver, Chapman, Wahls, Bolkcom, Brown, Jochum, Ragan, Zaun, and Zumbach. Nays, none. Excused, 2: Sinclair and R. Smith.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5127	S.F.	2378	House
S-5128	H.F.	2130	Carrie Koelker
			Waylon Brown

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NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 14, 2022

The Senate met in regular session at 9:01 a.m., Senator Cournoyer presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Knudsen.

The Journal of Wednesday, April 13, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:03 a.m. until 1:00 p.m., Monday, April 18, 2022.

APPENDIX

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 2573, a bill for an act creating funds relating to the abatement of and response to opioid use.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5129.

Final Vote: Yeas, 19: Kraayenbrink, Lofgren, Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Mathis, Petersen, Ragan, Rozenboom, J. Smith, and T. Taylor. Nays, none. Excused, 2: Reichman and Williams.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-5129 H.F. 2573 Appropriations

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 18, 2022

The Senate met in regular session at 1:08 p.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Thursday, April 14, 2022, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 121.

Senate Resolution 121

On motion of Senator Bolkcom, **Senate Resolution 121**, a resolution honoring Senator Amanda Ragan for her service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Ragan.

Senator Ragan addressed the Senate with brief remarks.

Senator Bolkcom moved the adoption of Senate Resolution 121, which motion prevailed by a voice vote.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Sinclair asked and received unanimous consent to take up for consideration Senate Resolution 122.

Senate Resolution 122

On motion of Senator Klimesh, **Senate Resolution 122**, a resolution honoring Senator Craig Williams for his service in the Iowa Senate, was taken up for consideration.

The Senate rose and expressed its tribute to Senator Williams.

Senator Williams addressed the Senate with brief remarks.

Senator Klimesh moved the adoption of Senate Resolution 122, which motion prevailed by a voice vote.

The Senate stood at ease at 2:31 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:25 p.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Goodwin, until he arrives, on request of Senator Whitver.

HOUSE AMENDMENT CONSIDERED

Senate File 333

Senator Whitver called up for consideration **Senate File 333**, a bill for an act relating to authorized emergency vehicles, making penalties applicable, and including effective date and applicability provisions, amended by the House in House amendment S-5123, filed April 12, 2022.

Senator Koelker moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Koelker moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 333), the vote was:

Yea, 33:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun
Zumbach			

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 1:

Goodwin

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 333** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 2324

Senator Whitver called up for consideration **Senate File 2324**, a bill for an act relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions, amended by the House in House amendment S-5103, filed March 30, 2022.

Senator R. Smith moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator R. Smith moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2324), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Goodwin

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2376

Senator Whitver called up for consideration **Senate File 2376**, a bill for an act relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions, amended by the House in House amendment S-5125, filed April 12, 2022.

Senator Brown moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Brown moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2376), the vote was:

Yeas, 48:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dotzler	Driscoll
Edler	Garrett	Giddens	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 1:

Dickey

Absent, 1:

Goodwin

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 2324 and 2376** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2191 and 2192.

Senate File 2191

On motion of Senator Cournoyer, **Senate File 2191**, a bill for an act relating to authorized uses of interest earned on funds in the flood recovery fund and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Cournoyer asked and received unanimous consent that **House File 2515** be **substituted** for **Senate File 2191**.

House File 2515

On motion of Senator Cournoyer, **House File 2515**, a bill for an act relating to authorized uses of interest earned on funds in the flood recovery fund and including effective date provisions, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2515), the vote was:

Yeas, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 1:

Goodwin

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Cournoyer asked and received unanimous consent that **Senate File 2191** be **withdrawn** from further consideration of the Senate.

Senate File 2192

On motion of Senator Cournoyer, **Senate File 2192**, a bill for an act concerning state agency response to a proclamation of disaster emergency, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Cournoyer asked and received unanimous consent that **House File 2295** be **substituted** for **Senate File 2192**.

House File 2295

On motion of Senator Cournoyer, **House File 2295**, a bill for an act concerning state agency response to a proclamation of disaster emergency, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2295), the vote was:

Yea, 49:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 1:

Goodwin

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Cournoyer asked and received unanimous consent that **Senate File 2192** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2295 and 2515** be **immediately messaged** to the House.

**CONSIDERATION OF BILL
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration House File 2198.

House File 2198

On motion of Senator Johnson, **House File 2198**, a bill for an act relating to the minimum age requirements for employees and substitutes working at a child care center, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Edler offered amendment S-5063, filed by the committee on Human Resources on March 16, 2022, to page 1 and amending the title page of the bill.

Senator Jochum offered amendment S-5130, filed by Senator Jochum, et al., from the floor to page 1 of amendment S-5063, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5130 to amendment S-5063 be adopted?” (H.F. 2198), the vote was:

Yea, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Nays, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun	Zumbach	

Absent, 1:

Goodwin

Amendment S-5130 to amendment S-5063 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Carlin, until he arrives, on request of Senator Sinclair.

Senator Edler moved the adoption of amendment S-5063.

A record roll call was requested.

On the question “Shall amendment S-5063 be adopted?” (H.F. 2198), the vote was:

Yeas, 30:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Green	Guth	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun	Zumbach		

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 2:

Carlin Goodwin

Amendment S-5063 was adopted.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2198), the vote was:

Yeas, 30:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Green	Guth	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun	Zumbach		

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 2:

Carlin Goodwin

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2198** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Whitver called up the following eligible appointees on the En Bloc Confirmation Calendar:

Allen Kockler, Accountancy Examining Board
Michelle O'Neill, Accountancy Examining Board
Jessica Richter, Accountancy Examining Board

Aaron Sewell, Commission on the Status African Americans
Whitney Smith McIntosh, Commission on the Status of African Americans

Lyle Borg, Agricultural Development Board

Stephen Larson, Administrator of the Alcoholic Beverages Division

Sara Winkleman, Alcoholic Beverages Commission

Dan Dutcher, Architectural Examining Board

Caleb Lillquist, Commission of Asian and Pacific Islander Affairs
Karlai Thornburg, Commission of Asian and Pacific Islander Affairs
Shaochen Yu, Commission of Asian and Pacific Islander Affairs

Andrew Jedlicka, Board of Athletic Training
Emily Reese, Board of Athletic Training
Austin Steil, Board of Athletic Training

Stephanie Boyle, Iowa Autism Council
Pam Gronau, Iowa Autism Council
Colin Wixted, Iowa Autism Council

Maureen Hardy, Board of Barbering

Nolan Byrnes, Board of Behavioral Science
Echo Kent, Board of Behavioral Science
Kerry Lust, Board of Behavioral Science
Amy Mooney, Board of Behavioral Science
Blake Stephenson, Board of Behavioral Science
Maria Valdovinos, Board of Behavioral Science

Geneva Jacobsen, Commission for the Blind

Bret Brecke, Boiler and Pressure Vessel Board
Kenneth Lamb, Boiler and Pressure Vessel Board
Daniel LaPole, Boiler and Pressure Vessel Board
Lynne Rush, Boiler and Pressure Vessel Board
Nathan Whipple, Boiler and Pressure Vessel Board

Donald Logan, Child Advocacy Board
Rick McIntosh, Child Advocacy Board
William Owens, Child Advocacy Board
Angela Stokes, Child Advocacy Board

Jennifer Banta, Early Childhood Iowa State Board
Michael Linnenbrink, Early Childhood Iowa State Board
Dawn Oliver Wiand, Early Childhood Iowa State Board

Andrew Allen, Children's Behavioral Health System State Board
Nathan Noble, Children's Behavioral Health System State Board
Kari Price, Children's Behavioral Health System State Board
Jason Sandholdt, Children's Behavioral Health System State Board

Christina McKee, City Development Board
Dennis Plautz, City Development Board

Stanley Thompson, Director of the Iowa Civil Rights Commission

Bobbi Baker-Maynes, Commission on Community Action Agencies
Kevin Brown, Commission on Community Action Agencies
John Murphy, Commission on Community Action Agencies

Jeremy Kemp, Board of Cosmetology Arts and Sciences
Joshua Spencer, Board of Cosmetology Arts and Sciences

Jenny Blankenship, County Finance Committee

Tyler Campbell, Credit Union Review Board
Jordan Hensley, Credit Union Review Board
Jami Weems, Credit Union Review Board

Tina Caloud, Commission of Deaf Services

Gregory Ceraso, Board of Dentistry

Lisa Holst, Board of Dentistry

Thomas Peek, Board of Dentistry

Julie Eichenberger, Board of Dietetics

Philip Pitzen, Board of Dietetics

Nicholas Rouse, Board of Dietetics

Jessica Fasselius, Commission of Persons with Disabilities

Adam Koch Disabilities, Commission of Persons with Disabilities
(Reappointment)

Clint Sargent, Commission of Persons with Disabilities

Beth Wilde, Commission of Persons with Disabilities

Jason Feaker, Drug Policy Advisory Council

David McDaniel, Drug Policy Advisory Council

Douglas Boone, Economic Development Authority

Mark Kittrell, Economic Development Authority

Pankaj Monga, Economic Development Authority

Jennifer Steffensmeier, Economic Development Authority

Kathy Behrens, Board of Educational Examiners

Timothy McKinney, Board of Educational Examiners

Colby Black, Electrical Examining Board

Sara Fasching, Electrical Examining Board (Reappointment)

Jonathan Gettler, Electrical Examining Board

Craig Clabaugh, Elevator Safety Board

Kerry Dixon, Elevator Safety Board

Troy Tilleraas, Elevator Safety Board

James Strohman, Employment Appeal Board

Paul Herold, Engineering and Land Surveying Examining Board

Rita Frahm, Enhance Iowa Board
Brad Leeper, Enhance Iowa Board
Steve Roesner, Enhance Iowa Board
Valerie Van Kooten, Enhance Iowa Board
Mary Wells, Enhance Iowa Board

Daniel Jessop, Iowa Ethics and Campaign Disclosure Board
Leah Rodenberg, Iowa Ethics and Campaign Disclosure Board

Rhonda Shelman, Iowa Grain Indemnity Fund Board
Michael Winter, Iowa Grain Indemnity Fund Board

Barbara Determan, Iowa Great Places Board
Duane Hagerty, Iowa Great Places Board
Darryl High, Iowa Great Places Board
Jacque Rahe, Iowa Great Places Board

Shawn Garrington, Healthy and Well Kids in Iowa (HAWK-I) Board
Mary Nelle Trefz, Healthy and Well Kids in Iowa (HAWK-I) Board

Rick Knudson, Board of Hearing Aid Specialists
Molly Parker, Board of Hearing Aid Specialists
Tricia Veik, Board of Hearing Aid Specialists

Randy Fehr, Iowa Higher Education Loan Authority

Amy Guhl, Interior Design Examining Board
Todd Mithelman, Interior Design Examining Board

Tami Loge, Investment Board of the Iowa Public Employees' Retirement System

Dee Sandquist, Justice Advisory Board
Monique Scarlett, Justice Advisory Board

Colleen Byrnes, Landscape Architectural Examining Board
M. Martz, Landscape Architectural Examining Board
Brenda Nelson, Landscape Architectural Examining Board

Jose Ayala, Commission of Latino Affairs (Reappointment)
Juan Himar Hernandez, Commission of Latino Affairs
(Reappointment)
Isabel Yanez, Commission of Latino Affairs

Tiffany Hamilton-Howell, Iowa Law Enforcement Academy Council
Ricardo Martinez II, Iowa Law Enforcement Academy Council
Elizabeth Quinn, Iowa Law Enforcement Academy Council

Dana Wingert, Iowa Lottery Authority Board of Directors

Douglas Dollison, Board of Massage Therapy
Amy Heinz, Board of Massage Therapy
Jacob Schrader, Board of Massage Therapy
LeAnn Stevens, Board of Massage Therapy

Eugene Cherny, Board of Medicine
Rose Kleyweg Mitchell, Board of Medicine
Jason Meyers, Board of Medicine
Vickie Pyevich, Board of Medicine
Joyce Vista-Wayne, Board of Medicine

Betsy Akin, Mental Health and Disability Services Commission
Teresa Daubitz, Mental Health and Disability Services Commission
Sue Gehling, Mental Health and Disability Services Commission
Jack Seward, Jr., Mental Health and Disability Services Commission
Cory Turner, Mental Health and Disability Services Commission
Kenneth Wayne, Mental Health and Disability Services Commission

Maria Lundberg, Board of Mortuary Science
David Moore, Board of Mortuary Science

John Big Eagle Jr., Commission of Native American Affairs,

Jacklyn Barber, Board of Nursing
Brian Feist, Board of Nursing
Gordon Goettsch, Board of Nursing
Casey Kenneavy, Board of Nursing

Patricia Ross, Board of Nursing Home Administrators
Tracy Trotter, Board of Nursing Home Administrators

Heidi Wood, Board of Optometry

Meredith Lamberti, Board of Parole (Reappointment)

Robert Egeland, Board of Pharmacy
Dane Nealson, Board of Pharmacy
Joan Skogstrom, Board of Pharmacy
Kathryn (Kathy) Stone, Board of Pharmacy

Holly Little, Board of Physical and Occupational Therapy
Brett Speirs, Board of Physical and Occupational Therapy

Mona Alqulali, Board of Physician Assistants
Kevin de Regnier, Board of Physician Assistants
Laura Delaney, Board of Physician Assistants
Amber Houge, Board of Physician Assistants
Michael Schnurr, Board of Physician Assistants

Kiya Boozell, Plumbing and Mechanical Systems Board
Michael O'Day, Plumbing and Mechanical Systems Board
Shon Smith, Plumbing and Mechanical Systems Board
Randy Watts, Plumbing and Mechanical Systems Board

Theresa Hughes, Board of Podiatry
Eugene Nassif, Jr., Board of Podiatry
Kelsey Sukovaty, Board of Podiatry (Reappointment)

Justin Rhode, Board of Psychology
Lisa Streyffeler, Board of Psychology
Sara Swansen, Board of Psychology

Emil Giovannetti, Iowa Public Information Board
James McCrea, Iowa Public Information Board
Monica McHugh, Iowa Public Information Board
Jackie Schmillen, Iowa Public Information Board

Mark Oiler, Board of Trustees of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System

Brian Ohorilko, Administrator of the State Racing and Gaming Commission

Julie Andres, State Racing and Gaming Commission

Loretta Laubach, Real Estate Appraiser Examining Board
Cody Seeley, Real Estate Appraiser Examining Board

Cynthia Duncan, Board of Respiratory Care and Polysomnography
Thomas Graham, Board of Respiratory Care and Polysomnography
Benjamin Jagow, Board of Respiratory Care and Polysomnography

Patricia Schroeder, School Budget Review Committee
Leland Tack, School Budget Review Committee

Amanda Gallant, Board of Sign Language Interpreters and Translitterators
Dylan Heuer, Board of Sign Language Interpreters and Translitterators

Aaron Culley, Board of Social Work

Jordan Cook, Board of Speech Pathology and Audiology
Kevin Kock, Board of Speech Pathology and Audiology
Stacy Robinson, Board of Speech Pathology and Audiology

Bob Holz, Iowa Telecommunications and Technology Commission,
Lorene Mein, Commission on Tobacco Use Prevention and Control
Robert Nichols, Commission on Tobacco Use Prevention and Control
Bridget Saffold, Commission on Tobacco Use Prevention and Control

Raymond Gaesser, State Transportation Commission
Linda Juckette, State Transportation Commission

Elizabeth Ledvina, Commission of Veterans Affairs
George Mosby, Commission of Veterans Affairs (Reappointment)
Carol Whitmore, Commission of Veterans Affairs

Scott Shuey, Iowa Board of Veterinary Medicine

Andrew Lauver, Commission on the Status of Women
Esperance Nibizi, Commission on the Status of Women
Sherill Whisenand, Commission on the Status of Women

Josh Cobbs, Iowa Workforce Development Board
Carrie Duncan, Iowa Workforce Development Board
Kellie Gottner, Iowa Workforce Development Board
Deborah Lord Mauricio, Iowa Workforce Development Board
(Reappointment)
Matthew Nicol, Iowa Workforce Development Board

Senator Whitver moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yea, 48:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Carlin	Goodwin
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The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 4:40 p.m. until 9:00 a.m., Tuesday, April 19, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Captain Clarissa Atwell, Urbandale—For being awarded the Iowa Distinguished Foreign Service medal. Senator Nunn.

Governor Terry E. Branstad, Johnston—For being awarded the Iowa Distinguished Foreign Service medal. Senator Nunn.

Floyd and Kathy Hammer, Union—For being awarded the Iowa Distinguished Foreign Service medal. Senator Nunn.

Nabi Mohammadi, Des Moines—For being awarded the Iowa Distinguished Foreign Service medal. Senator Nunn.

Bonnie Olsen, Waterloo—For celebrating her 100th birthday. Senator Dotzler.

Major General Timothy Orr, Boone—For being awarded the Iowa Distinguished Foreign Service medal. Senator Nunn.

Taras Slyvka, Dubuque—For being awarded the Iowa Distinguished Foreign Service medal. Senator Nunn.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, April 18, 2022, 4:40 p.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Wahls, Ranking Member; Bolkcom, Brown, Jochum, Ragan, R. Smith, and Zumbach.

Members Absent: Sinclair and Zaun (both excused).

Committee Business: SF 2380.

Adjourned: 4:45 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 121, by committee on Rules and Administration, a resolution honoring Senator Amanda Ragan for her service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 122, by committee on Rules and Administration, a resolution honoring Senator Craig Williams for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 3160 Ways and Means

Relating to motor vehicle registration fees for disabled veterans.

SSB 3161 Ways and Means

Relating to the sales tax imposed on amusement devices.

SUBCOMMITTEE ASSIGNMENTS

SSB 3160

WAYS AND MEANS: Goodwin, Chair; Dawson and Dotzler

SSB 3161

WAYS AND MEANS: Dawson, Chair; Goodwin and Jochum

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE FILE 2380, a bill for an act to designate February 1 of each year as George Washington Carver Day.

Recommendation: DO PASS.

Final Vote: Yeas, 9: Whitver, Chapman, Wahls, Bolkecom, Brown, Jochum, Ragan, R. Smith, and Zumbach. Nays, none. Excused, 2: Sinclair and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Jeremy Price to Electrical Examining Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”.

TODD TAYLOR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Ritchie Kertenbach to Workforce Development Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”.

JACK WHITVER

AMENDMENT FILED

S-5130	H.F. 2198	Pam Jochum
		Liz Mathis
		Amanda Ragan
		Zach Wahls
		Claire A. Celsi
		Jackie Smith
		Nate Boulton
		Joe Bolkcom
		Herman C. Quirmbach
		Eric Giddens
		Sarah Trone Garriott
		Janet Petersen
		Todd Taylor
		Tony Bisignano
		William A. Dotzler, Jr.
		Kevin Kinney
		Jim Lykam
		Robert M. Hogg

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 19, 2022

The Senate met in regular session at 9:07 a.m., President Chapman presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maren Rasmussen.

The Journal of Monday, April 18, 2022, was approved.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Wahls and Whitver and President Chapman for their service to the Senate.

A Certificate of Excellence for serving with honor and distinction as a Senate Page during the 2022 Regular Eighty-ninth General Assembly and a gift were presented to each of the following pages:

Ian Critelli	Jackson Maddox
Kennedy Haag	Maren Rasmussen
Elizabeth Hunter	Cecilia Redman
Thomas Knudsen	Grace Tollefson

The Senate rose and expressed its appreciation.

Senator Sinclair took the chair at 9:16 a.m.

**CONSIDERATION OF RESOLUTION
(Regular Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate Resolution 123.

Senate Resolution 123

On motion of President Chapman, **Senate Resolution 123**, a resolution honoring Senator Roby Smith for his service in the Iowa Senate, was taken up for consideration.

The Senate Rose and expressed its tribute to Senator R. Smith.

Senator R. Smith addressed the Senate with brief remarks.

Senator Chapman moved the adoption of Senate Resolution 123, which motion prevailed by a voice vote.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:48 a.m. until 12:45 p.m.

RECONVENED

The Senate reconvened at 2:30 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bolkcom and Mathis, until they arrive, on request of Senator Ragan.

**CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)**

Senator Whitver called up the appointment of Ashley Baker as a member of the Child Advocacy Board, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Johnson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yea, 44:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Nunn	Quirmbach	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 4:

Celsi	Jochum	Petersen	Ragan
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Absent, 2:

Bolkcom	Mathis
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Denise Bubeck as a member of the Board of Corrections, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Zaun moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yea, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker

Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom Mathis

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Nathan Peterson as a member of the State Board of Education, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Sinclair moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yea, 47:

Bisignano	Boulton	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, 1:

Celsi

Absent, 2:

Bolkcom

Mathis

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

SPECIAL GUEST

The Chair introduced to the Senate chamber the Honorable Jeff Danielson, former member of the Senate from Black Hawk County, Cedar Falls, Iowa.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2380.

Senate File 2380

On motion of Senator R. Smith, **Senate File 2380**, a bill for an act to designate February 1 of each year as George Washington Carver Day, with report of committee recommending passage, was taken up for consideration.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2380), the vote was:

Yea, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum

Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozemberg	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease at 2:50 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:06 p.m., President Chapman presiding.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2518 and Senate File 2379.

House File 2518

On motion of Senator Brown, **House File 2518**, a bill for an act relating to annual overweight permits for cranes, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2518), the vote was:

Yeas, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2379

On motion of Senator Sinclair, **Senate File 2379**, a bill for an act relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, the repeal of the manufactured home community and mobile home tax, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions, was taken up for consideration.

Senator Sinclair offered amendment S-5131, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5131 was adopted by a voice vote.

Senator Sinclair asked and received unanimous consent that **House File 2562** be substituted for **Senate File 2379**.

House File 2562

On motion of Senator Sinclair, **House File 2562**, a bill for an act relating to property law, including mobile homes and manufactured housing, rental agreements, landlord and tenant remedies for retaliation, wrongful failure to provide essential services, rent increases, the sale of manufactured home community or mobile home park, the repeal of the manufactured home community and mobile home tax, forcible entry and detainer actions, abandoned mobile homes, and including effective date and applicability provisions, was taken up for consideration.

Senator Wahls offered amendment S-5134, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Sinclair raised the point of order that amendment S-5134 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5134 out of order.

Senator Wahls offered amendment S-5137, filed by Senators Wahls and Trone Garriott from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Sinclair raised the point of order that amendment S-5137 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5137 out of order.

Senator Quirmbach offered amendment S-5136, filed by him from the floor to pages 1–2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5136 be adopted?” (H.F. 2562), the vote was:

Yea, 18:

Bisignano	Boulton	Celsi	Dotzler
Giddens	Hogg	Jochum	Kinney
Koelker	Lykam	Petersen	Quirmbach
Ragan	Smith, J.	Sweeney	Taylor, T.
Trone Garriott	Wahls		

Nay, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Kraayenbrink
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Taylor, J.	Whitver	Williams
Zaun	Zumbach		

Absent, 2:

Bolkcom	Mathis
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Amendment S–5136 lost.

Senator Quirmbach offered amendment S–5135, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5135 be adopted?” (H.F. 2562), the vote was:

Yea, 16:

Bisignano	Boulton	Celsi	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Nay, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker

Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Absent, 2:

Bolkcom	Mathis
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Amendment S-5135 lost.

The Senate stood at ease at 3:55 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:03 p.m., President Chapman presiding.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2562), the vote was:

Yea, 32:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Kraayenbrink	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	Zumbach

Nays, 16:

Bisignano	Boulton	Celsi	Dotzler
Giddens	Hogg	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 2:

Bolkcom	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sinclair asked and received unanimous consent that **Senate File 2379** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2380** and **House Files 2518** and **2562** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2489, 2372, 2123; and Senate Files 2258 and 2240.

House File 2489

On motion of Senator Dawson, **House File 2489**, a bill for an act relating to the auditor of state and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2489), the vote was:

Yeas, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley

Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano, until he arrives, on request of Senator Wahls.

House File 2372

On motion of Senator J. Taylor, **House File 2372**, a bill for an act relating to the nonconsensual termination of a human pregnancy, and providing penalties, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2372), the vote was:

Yeas, 47:

Boulton	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Hogg	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, none.

Absent, 3:

Bisignano Bolkcom Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2123

On motion of Senator Reichman, **House File 2123**, a bill for an act authorizing a criminal or juvenile justice agency to redistribute driver's license photos in missing persons cases, and including effective date provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Reichman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2123), the vote was:

Yeas, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2258

On motion of Senator Costello, **Senate File 2258**, a bill for an act relating to the release of nursing facility reimbursement rates under the Medicaid program, placed on the Unfinished Business Calendar on March 17, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Costello asked and received unanimous consent that **House File 2171** be substituted for **Senate File 2258**.

House File 2171

On motion of Senator Costello, **House File 2171**, a bill for an act relating to the release of nursing facility reimbursement rates under the Medicaid program, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2171), the vote was:

Yea, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Costello asked and received unanimous consent that **Senate File 2258** be **withdrawn** from further consideration of the Senate.

Senate File 2240

On motion of Senator Garrett, **Senate File 2240**, a bill for an act relating to wills, including witness requirements for the execution of a will and procedure for wills to be admitted into probate, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Garrett offered amendment S-5132, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5132 was adopted by a voice vote.

Senator Garrett asked and received unanimous consent that **House File 2078** be **substituted** for **Senate File 2240**.

House File 2078

On motion of Senator Garrett, **House File 2078**, a bill for an act relating to wills, including witness requirements for the execution of a will and procedure for wills to be admitted into probate, was taken up for consideration.

Senator Garrett offered amendment S-5133, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5133 was adopted by a voice vote.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2078), the vote was:

Yeas, 48:

Bisignano	Boulton	Brown	Carlin
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Hogg	Jochum
Johnson	Kinney	Klimesh	Koelker
Kraayenbrink	Lofgren	Lykam	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 2:

Bolkcom	Mathis
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Garrett asked and received unanimous consent that **Senate File 2240** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2078, 2123, 2171, 2372, and 2489** be **immediately messaged** to the House.

Senator Green took the chair at 5:00 p.m.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:21 p.m. until 9:00 a.m., Thursday, April 21, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7. Report received on April 19, 2022.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section 455G.4. Report received on April 19, 2022.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 123, by committee on Rules and Administration, a resolution honoring Senator Roby Smith for his service in the Iowa Senate.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 124, by Boulton, a resolution honoring the responders to the March 7, 2022, East High School shooting.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

REPORT OF THE SECRETARY OF THE SENATE

April 19, 2022

The Honorable Paul Pate
Secretary of State
Hand-Delivered

Re: Certified Copy of Senate Journal

Dear Secretary Pate:

Pursuant to Iowa Code section 2.9(1)(b), my office is required to “preserve copies of the printed daily journals...as corrected, certify to their correctness, and file them with the secretary of state....”

With this letter I am providing your office a copy of the Senate Journal for the 89th Iowa General Assembly 2021 Regular Session January 11-May 19 and Extraordinary Sessions October 5 and October 28. The certification of the correctness of the same is limited to the avoidance of intentional error, oversight, or knowing mistake by either the Secretary of the Senate’s office or the publishing company.

If you have any questions or concerns, please notify me.

Sincerely,

W. Charles Smithson
Secretary of the Senate

AMENDMENTS FILED

S-5131	S.F.	2379	Amy Sinclair
S-5132	S.F.	2240	Julian B. Garrett
S-5133	H.F.	2078	Julian B. Garrett
S-5134	H.F.	2562	Zach Wahls
S-5135	H.F.	2562	Herman C. Quirmbach
S-5136	H.F.	2562	Herman C. Quirmbach
S-5137	H.F.	2562	Zach Wahls
			Sarah Trone Garriott
S-5138	H.F.	2507	Jeff Edler

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 21, 2022

The Senate met in regular session at 9:07 a.m., Senator R. Smith presiding.

Prayer was offered by the Honorable Roby Smith, member of the Senate from Scott County, Davenport, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jake Heard.

The Journal of Tuesday, April 19, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:09 a.m. until 1:00 p.m., Monday, April 25, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on April 20, 2022.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on April 20, 2022.

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of William Bushell for confirmation and from further consideration by the Senate, both as Chair of the Board of Parole and as a member of the Board of Parole.

Sincerely,
KIM REYNOLDS
Governor

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 21st day of April, 2022.

Senate Files 384, 2128, 2130, 2176, 2197, 2232, 2245, 2267, 2279, 2285, 2288, 2295, 2296, and 2345.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENT FILED

S-5139 S.F. 2257 Jeff Edler

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 25, 2022

The Senate met in regular session at 1:07 p.m., President Pro Tempore Zaun presiding.

Prayer was offered by the Honorable Jason Schultz, member of the Senate from Crawford County, Schleswig, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cecilia Redman.

The Journal of Thursday, April 21, 2022, was approved.

RECESS

On motion of Senator Whitver, the Senate recessed at 1:12 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 4:03 p.m., President Pro Tempore Zaun presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Celsi, Hogg, and Mathis, until they arrive, on request of Senator Wahls; and Senators Carlin, Chapman, and Rowley, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2060, 2195, and 2257; and House File 2259.

Senate File 2060

On motion of Senator Brown, **Senate File 2060**, a bill for an act relating to massage therapy, including child and dependent adult abuse reporting and continuing education requirements, and making penalties applicable, placed on the Unfinished Business Calendar on March 17, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Brown asked and received unanimous consent that **House File 2168** be substituted for **Senate File 2060**.

House File 2168

On motion of Senator Brown, **House File 2168**, a bill for an act relating to massage therapy, including child and dependent adult abuse reporting and continuing education requirements, and making penalties applicable, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2168), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam

Nunn	Petersen	Quirmbach	Ragan
Reichman	Rozemberg	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 6:

Carlin	Celsi	Chapman	Hogg
Mathis	Rowley		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 2060** be **withdrawn** from further consideration of the Senate.

Senate File 2195

On motion of Senator Cournoyer, **Senate File 2195**, a bill for an act establishing the mental health professional loan repayment program within the college student aid commission, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Cournoyer offered amendment S-5141, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5141 was adopted by a voice vote.

Senator Cournoyer asked and received unanimous consent that **House File 2549** be **substituted** for **Senate File 2195**.

House File 2549

On motion of Senator Cournoyer, **House File 2549**, a bill for an act establishing the mental health professional loan repayment program within the college student aid commission, was taken up for consideration.

Senator Cournoyer offered amendment S-5140, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5140 be adopted?” (H.F. 2549), the vote was:

Yeas, 29:

Brown	Costello	Cournoyer	Dawson
Dickey	Driscoll	Edler	Garrett
Goodwin	Green	Guth	Johnson
Klimesh	Koelker	Kraayenbrink	Lofgren
Nunn	Reichman	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun
Zumbach			

Nays, 15:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Jochum	Kinney	Lykam
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 6:

Carlin	Celsi	Chapman	Hogg
Mathis	Rowley		

Amendment S-5140 was adopted.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2549), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam

Nunn	Petersen	Quirmbach	Ragan
Reichman	Rozzenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 6:

Carlin	Celsi	Chapman	Hogg
Mathis	Rowley		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Cournoyer asked and received unanimous consent that **Senate File 2195** be **withdrawn** from further consideration of the Senate.

Senate File 2257

On motion of Senator Edler, **Senate File 2257**, a bill for an act relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Edler offered amendment S-5139, filed by him on April 21, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5139 was adopted by a voice vote.

Senator Edler asked and received unanimous consent that **House File 2507** be **substituted** for **Senate File 2257**.

House File 2507

On motion of Senator Edler, **House File 2507**, a bill for an act relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date provisions, was taken up for consideration.

Senator Edler offered amendment S-5138, filed by him on April 19, 2022, to pages 20–25, 41, 42, and amending the title page of the bill, and moved its adoption.

Amendment S-5138 was adopted by a voice vote.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2507), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 6:

Carlin	Celsi	Chapman	Hogg
Mathis	Rowley		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Edler asked and received unanimous consent that **Senate File 2257** be **withdrawn** from further consideration of the Senate.

House File 2259

On motion of Senator Driscoll, **House File 2259**, a bill for an act authorizing licensed occupational therapists, licensed physical therapists, and certain medical professionals licensed in other states to provide a statement for purposes of persons with disabilities special registration plates or parking permits, and making penalties applicable, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Driscoll moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2259), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 6:

Carlin	Celsi	Chapman	Hogg
Mathis	Rowley		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2168, 2259, 2507, and 2549** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Whitver called up the appointment of Adam Steen as Director of the Department of Administrative Services, placed on the Individual Confirmation Calendar on March 8, 2022, found on page 473 of the Senate Journal.

Senator R. Smith moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Nunn	Petersen	Quirmbach	Ragan
Reichman	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 6:

Carlin	Celsi	Chapman	Hogg
Mathis	Rowley		

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:00 p.m. until 9:00 a.m., Tuesday, April 26, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF INSPECTIONS AND APPEALS

Citizen Foster Care Evaluation Report, pursuant to Iowa Code section 237.18.
Report received on April 25, 2022.

Court Appointed Special Advocate Program Report, pursuant to Iowa Code section 237.18. Report received on April 25, 2022.

Iowa Child Advocacy Board Annual Report, pursuant to Iowa Code section 237.18.
Report received on April 25, 2022.

DEPARTMENT OF REVENUE

Iowa Capital Investment Board Annual Report, pursuant to Iowa Code section 15E.63. Report received on April 25, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Rick and Beth Moeller, Conrad—For celebrating their 50th wedding anniversary.
Senator Sweeney.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Monday, April 25, 2022, 1:35 p.m.

Members Present: Dawson, Chair; Goodwin, Vice Chair; Jochum, Ranking Member; Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun.

Members Absent: None.

Committee Business: Subcommittee of the whole HF 2128 Biofuels HF 2128 Biofuels w/amendment Senator Brown HF 2581 Department of Agriculture Senator Sweeney.

Adjourned: 3:00 p.m.

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 2128, a bill for an act relating to renewable fuels, including ethanol blended gasoline and biodiesel blended fuel used to power internal combustion engines, by providing for compliance requirements and promotional initiatives that relate to establishing classifications and standards for renewable fuels, advertising and selling renewable fuels, storing and dispensing renewable fuels, using state motor vehicles powered by renewable fuels, and taxes, tax credits, and tax refunds relating to renewable fuels; providing penalties and making penalties applicable; and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5143.

Final Vote: Yeas, 16: Dawson, Goodwin, Jochum, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, 1: Bolkcom. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2581, a bill for an act providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 17: Dawson, Goodwin, Jochum, Bolkcom, Brown, Dickey, Dotzler, Green, Petersen, Quirmbach, Schultz, Sinclair, R. Smith, Sweeney, J. Taylor, T. Taylor, and Zaun. Nays, none. Excused, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 2022, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 384 – Allowing counties to enter into agreements to jointly share a county assessor.

Senate File 2128 – Relating to education, including the education of students who are not fully English proficient and the standards applicable to the hiring, developing, and evaluation of community college faculty.

Senate File 2130 – Relating to schools that are required to register with the college student aid commission.

Senate File 2176 – Relating to programs within the department of natural resources, including specifications of procedures relating to solid waste disposal and the repeal of the state interagency Missouri river authority and the mercury-free recycling Act.

Senate File 2197 – Providing for the establishment of a task force related to special education support for students at nonpublic schools.

Senate File 2232 – Relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Senate File 2245 – Providing a personal use exemption from licensing requirements of the Meat and Poultry Inspection Act.

Senate File 2267 – Relating to the establishment of emergency response districts.

Senate File 2279 – Regarding electronic submission of bids for public improvement contracts.

Senate File 2285 – Relating to zoning by counties and cities, and including effective date provisions.

Senate File 2288 – Relating to life insurance company or association investments in foreign countries other than Canada, and including applicability provisions.

Senate File 2295 – Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

Senate File 2296 – Relating to a peace officer's search of garbage placed outside of a person's residence for waste collection in a publicly accessible area.

Senate File 2345 – Relating to the newborn screening.

AMENDMENTS FILED

S–5140	H.F.	2549	Chris Cournoyer
S–5141	S.F.	2195	Chris Cournoyer
S–5142	H.F.	2130	Carrie Koelker
			Waylon Brown
S–5143	H.F.	2128	Ways and Means

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 26, 2022

The Senate met in regular session at 9:01 a.m., Senator Shipley presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grace Tollefson.

The Journal of Monday, April 25, 2022, was approved.

The Senate stood at ease at 9:03 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:13 a.m., President Pro Tempore Zaun presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Celsi, Hogg, and Petersen, until they arrive, on request of Senator Wahls; and Senators Chapman and Rowley, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2128.

House File 2128

On motion of Senator Brown, **House File 2128**, a bill for an act relating to renewable fuels, including ethanol blended gasoline and biodiesel blended fuel used to power internal combustion engines, by providing for compliance requirements and promotional initiatives that relate to establishing classifications and standards for renewable fuels, advertising and selling renewable fuels, storing and dispensing renewable fuels, using state motor vehicles powered by renewable fuels, and taxes, tax credits, and tax refunds relating to renewable fuels; providing penalties and making penalties applicable; and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Brown offered amendment S-5143, filed by the committee on Ways and Means on April 25, 2022, to pages 1–16, 28, 31–32, 36, and 38–43 of the bill, and moved its adoption.

Amendment S-5143 was adopted by a voice vote.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2128), the vote was:

Yea, 42:

Bisignano	Boulton	Brown	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Jochum	Johnson
Kinney	Klimesh	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Nunn
Quirmbach	Ragan	Reichman	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, 3:

Bolkcom Carlin Guth

Absent, 5:

Celsi Chapman Hogg Petersen
Rowley

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2128** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2581.

House File 2581

On motion of Senator Sweeney, **House File 2581**, a bill for an act providing for programs and regulations administered and enforced by the department of agriculture and land stewardship, providing fees, providing penalties, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Sweeney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2581), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren

Lykam	Mathis	Nunn	Quirmbach
Ragan	Reichman	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 5:

Celsi	Chapman	Hogg	Petersen
Rowley			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2338.

Senate File 2338

On motion of Senator Brown, **Senate File 2338**, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Brown offered amendment S-5144, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5144 was adopted by a voice vote.

Senator Brown asked and received unanimous consent that **House File 2345** be substituted for **Senate File 2338**.

House File 2345

On motion of Senator Brown, **House File 2345**, a bill for an act relating to department of transportation employees designated as peace officers, and including effective date provisions, was taken up for consideration.

Senator Brown moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2345), the vote was:

Yea, 44:

Bolkcom	Boulton	Brown	Carlin
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Lykam
Mathis	Nunn	Quirmbach	Ragan
Reichman	Rozemberg	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, 1:

Bisignano

Absent, 5:

Celsi	Chapman	Hogg	Petersen
Rowley			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 2338** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2345** and **2581** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Whitver called up the appointment of Daniel Breitbarth as a member of the Iowa Public Information Board, placed on the Individual Confirmation Calendar on April 6, 2022, found on page 731 of the Senate Journal.

Senator Dawson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yea, 35:

Boulton	Brown	Carlin	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Jochum	Johnson	Klimesh
Koelker	Kraayenbrink	Lofgren	Nunn
Ragan	Reichman	Rozenboom	Schultz
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Wahls	Whitver
Williams	Zaun	Zumbach	

Nays, 10:

Bisignano	Bolkcom	Dotzler	Giddens
Kinney	Lykam	Mathis	Quirmbach
Taylor, T.	Trone Garriott		

Absent, 5:

Celsi	Chapman	Hogg	Petersen
Rowley			

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

RECESS

On motion of Senator Whitver, the Senate recessed at 11:07 a.m. until 2:30 p.m.

RECONVENED

The Senate reconvened at 2:26 p.m., President Pro Tempore Zaun presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 2022, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2383, a bill for an act relating to various matters under the purview of the state, including city and county inspections, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and including applicability provisions.

ALSO: That the House has on April 26, 2022, **concurred** in the Senate amendment and **passed** the following bills in which the concurrence of the House was asked:

House File 2128, a bill for an act relating to renewable fuels, including ethanol blended gasoline and biodiesel blended fuel used to power internal combustion engines, by providing for compliance requirements and promotional initiatives that relate to establishing classifications and standards for renewable fuels, advertising and selling renewable fuels, storing and dispensing renewable fuels, using state motor vehicles powered by renewable fuels, and taxes, tax credits, and tax refunds relating to renewable fuels; providing penalties and making penalties applicable; and including effective date and retroactive applicability provisions.

House File 2198, a bill for an act relating to the minimum age requirements for employees and substitutes working at a child care center.

House File 2507, a bill for an act relating to juvenile justice including juvenile delinquency, child in need of assistance and family in need of assistance proceedings, juvenile justice reform, and juvenile court expenses and costs, and including effective date, applicability, and retroactive applicability provisions.

ALSO: That the House has on April 26, 2022, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2355, a bill for an act relating to employment security benefits.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Mathis and Quirmbach, until they arrive, on request of Senator Wahls.

SENATE RECEDES

House File 2355

Senator Whitver called up for consideration **House File 2355**, a bill for an act relating to employment security benefits, amended by the Senate, and moved that the Senate recede from its amendment.

A record roll call was requested.

On the question “Shall the Senate recede from its amendment?” (H.F. 2355), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Nunn	Petersen	Ragan
Reichman	Rozemberg	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	Zumbach

Nays, none.

Absent, 6:

Celsi	Chapman	Hogg	Mathis
Quirmbach	Rowley		

The motion prevailed and the Senate **receded** from its amendment.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2355), the vote was:

Yeas, 30:

Brown	Carlin	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Nunn	Reichman	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun	Zumbach		

Nays, 14:

Bisignano	Bolkcom	Boulton	Dotzler
Giddens	Jochum	Kinney	Lykam
Petersen	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 6:

Celsi	Chapman	Hogg	Mathis
Quirmbach	Rowley		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Dawson asked and received unanimous consent that **House File 2355** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dawson, the Senate adjourned at 2:34 p.m. until 9:00 a.m., Thursday, April 28, 2022.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Annual Report of the Iowa Comprehensive Health Association, pursuant to Iowa Code section 514E.2(9). Report received on April 26, 2022.

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Act Report, pursuant to Iowa Code section 249A.4. Report received on April 26, 2022.

AMENDMENT FILED

S-5144 S.F. 2338 Waylon Brown

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 28, 2022

The Senate met in regular session at 9:01 a.m., President Pro Tempore Zaun presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Brad Zaun, member of the Senate from Polk County, Urbandale, Iowa.

The Journal of Tuesday, April 26, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:03 a.m. until 11:00 a.m., Monday, May 2, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Service Quarterly Report FY 2022 Quarterly Report #3, pursuant to Iowa Code section 15H.2. Report received on April 27, 2022.

STATE PUBLIC DEFENDER

Indigent Defense System Report, pursuant to Iowa Code section 13B.2A. Report received on April 27, 2022.

DEPARTMENT OF REVENUE

Central Collections Unit (CCU) Quarter Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on April 27, 2022.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 2, 2022

The Senate met in regular session at 11:02 a.m., President Pro Tempore Zaun presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ian Critelli.

The Journal of Thursday, April 28, 2022, was approved.

The Senate stood at ease at 11:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:36 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bisignano and Hogg, until they arrive, on request of Senator Wahls; and Senators Carlin, Nunn, and J. Taylor, until they arrive, on request of Senator Whitver.

HOUSE AMENDMENTS CONSIDERED

Senate File 463

Senator Whitver called up for consideration **Senate File 463**, a bill for an act establishing the occupational therapy licensure compact, amended by the House in House amendment S-5031, filed March 1, 2022.

Senator Costello moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Costello moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 463), the vote was:

Yeas, 45:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 529

Senator Whitver called up for consideration **Senate File 529**, a bill for an act relating to assisted reproduction fraud, and providing penalties, amended by the House in House amendment S-3175, filed April 28, 2021.

Senator Sweeney offered amendment S-5146, filed by her from the floor to pages 1–2 of House amendment S-3175, and moved its adoption.

Amendment S-5146 to House amendment S-3175 was adopted by a voice vote.

Senator Sweeney moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Sweeney moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 529), the vote was:

Yea, 45:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 581

Senator Whitver called up for consideration **Senate File 581**, a bill for an act relating to deer population management, amended by the House in House amendment S-5121, filed April 7, 2022.

Senator Rozenboom withdrew amendment S-5145, filed by him from the floor to pages 1–2 of House amendment S-5121.

Senator Rozenboom offered amendment S-5147, filed by him from the floor to pages 1–2 of House amendment S-5121, and moved its adoption.

Amendment S-5147 to House amendment S-5121 was adopted by a voice vote.

Senator Rozenboom moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Rozenboom moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 581), the vote was:

Yeas, 45:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 463, 529, and 581** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2287

Senator Whitver called up for consideration **Senate File 2287**, a bill for an act relating to used catalytic converter transactions, providing penalties, and making penalties applicable, amended by the House in House amendment S-5122, filed April 12, 2022.

Senator Brown moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Brown moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2287), the vote was:

Yea, 42:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Kraayenbrink	Lofgren	Mathis
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun	Zumbach		

Nays, 3:

Dotzler	Lykam	Smith, J.
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Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2127 and 2202.

House File 2127

On motion of Senator Lofgren, **House File 2127**, a bill for an act relating to payments to child care providers from families participating in the state child care assistance program, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2127), the vote was:

Yeas, 29:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Kraayenbrink
Lofgren	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Whitver	Williams	Zaun
Zumbach			

Nays, 16:

Bolkcom	Boulton	Celsi	Dotzler
Giddens	Jochum	Kinney	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2202

On motion of Senator Costello, **House File 2202**, a bill for an act relating to Medicaid program reporting requirements, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2202), the vote was:

Yeas, 45:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2287** and **House Files 2127** and **2202** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2246 and 2443.

House File 2246

On motion of Senator Edler, **House File 2246**, a bill for an act relating to provisional licensing of interns enrolled in a doctoral degree program in psychology, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2246), the vote was:

Yeas, 45:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun
Zumbach			

Nays, none.

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2443

On motion of Senator Garrett, **House File 2443**, a bill for an act relating to contract enforceability regarding smart contracts and distributed ledger technology, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2443), the vote was:

Yea, 45:

Bolkcom	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Dotzler	Driscoll	Edler
Garrett	Giddens	Goodwin	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 5:

Bisignano	Carlin	Hogg	Nunn
Taylor, J.			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2246 and 2443** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:56 p.m. until 9:00 a.m., Thursday, May 5, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

JUDICIAL BRANCH

Judicial Nominating Commissioners Elections Results Report, pursuant to Iowa Code section 46.9. Report received on May 2, 2022.

OFFICE OF THE SECRETARY OF STATE

Verification of Voters Report, pursuant to Iowa Code section 47.7(2). Report received on May 2, 2022.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 2nd day of May, 2022.

Senate Files 2080, 2233, 2310, 2322, and 2324.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 2, 2022, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 2080 – Relating to the administration of certain physical examinations and student health screenings by school districts, charter schools, or innovation zone schools.

Senate File 2233 – Relating to terms used in the context of land surveying.

Senate File 2310 – Relating to multiple housing cooperatives, including by providing for the conversion to a cooperative under the Iowa cooperative associations Act and merger with a limited liability company.

Senate File 2322 – Relating to the assessment of fees when a person requests examination and copying of public records.

Senate File 2324 – Relating to the designation of real estate teams and the display of real estate licenses, and including applicability provisions.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate:

I am withdrawing the name of Brenna Bird for confirmation as a member of the Iowa Drug Policy Advisory Council for further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5145	S.F.	581	Ken Rozenboom
S-5146	S.F.	529	Annette Sweeney
S-5147	S.F.	581	Ken Rozenboom

JOURNAL OF THE SENATE

ONE HUNDRED SIXTEENTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 5, 2022

The Senate met in regular session at 9:04 a.m., Senator Dickey presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Jake Chapman, president of the Senate from Dallas County, Adel, Iowa.

The Journal of Monday, May 2, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:06 a.m. until 9:00 a.m., Monday, May 9, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

DHS Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on May 4, 2022.

Preferred Drug List Program Report, pursuant to Iowa Code section 249A.20A. Report received on May 4, 2022.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Leah Alliman—For her work in public education. Senator Trone Garriott.

Margaret Burns-Fees—For her work in public education. Senator Trone Garriott.

Ginny Davis—For her work in public education. Senator Trone Garriott.

Maureen Findlay—For her work in public education. Senator Trone Garriott.

Ben Hicks—For his work in public education. Senator Trone Garriott.

Emily House—For her work in public education. Senator Trone Garriott.

Donny Hughes—For his work in public education. Senator Trone Garriott.

Jill Kasparbauer—For her work in public education. Senator Trone Garriott.

Tessa Kelly—For her work in public education. Senator Trone Garriott.

Emily Luymes—For her work in public education. Senator Trone Garriott.

Abigail Miller—For her work in public education. Senator Trone Garriott.

Paige Miller—For her work in public education. Senator Trone Garriott.

Jeremy Mueller—For his work in public education. Senator Trone Garriott.

Kayla Schafbuch—For her work in public education. Senator Trone Garriott.

Matt Spreacker—For his work in public education. Senator Trone Garriott.

Karla St. John—For her work in public education. Senator Trone Garriott.

Teresa Stanzyk—For her work in public education. Senator Trone Garriott.

Katie Teff Blumberg—For her work in public education. Senator Trone Garriott.

Joseph Van Sant—For his work in public education. Senator Trone Garriott.

Sarah Volkens—For her work in public education. Senator Trone Garriott.

Kaitlin Walters—For her work in public education. Senator Trone Garriott.

Pete Westerkamp—For his work in public education. Senator Trone Garriott.

Kacie Whipples—For her work in public education. Senator Trone Garriott.

Andrew Withers—For his work in public education. Senator Trone Garriott.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTIETH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 9, 2022

The Senate met in regular session at 9:00 a.m., President Pro Tempore Zaun presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Brad Zaun, president pro tempore of the Senate from Polk County, Urbandale, Iowa.

The Journal of Thursday, May 5, 2022, was approved.

ADJOURNMENT

On motion of Senator Chapman, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Thursday, May 12, 2022.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-THIRD CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 12, 2022

The Senate met in regular session at 9:00 a.m., President Pro Tempore Zaun presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Brad Zaun, president pro tempore of the Senate from Polk County, Urbandale, Iowa.

The Journal of Monday, May 9, 2022, was approved.

ADJOURNMENT

On motion of Senator Chapman, the Senate adjourned at 9:03 a.m. until 9:00 a.m., Monday, May 16, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral, pursuant to Iowa Code section 12C.20. Report received on May 11, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Prime Minister Albin Kurti—For receiving the Iowa Distinguished Foreign Service medal. Senator Nunn.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 12th day of May, 2022.

Senate Files 586 and 2363.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 12, 2022, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 586 – Relating to banks, making appropriations, and making civil penalties applicable.

Senate File 2363 – Relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 16, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Jake Chapman, president of the Senate from Dallas County, Adel, Iowa.

The Journal of Thursday, May 12, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:07 a.m. until 9:00 a.m., Tuesday, May 17, 2022.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF CORRECTIONS

Use of Offenders in Private Sector Employment Report 7/1/21–9/30/21, pursuant to 2021 Iowa Acts, Chapter 166, section 7. Report received on May 16, 2022.

Use of Offenders in Private Sector Employment Report 10/1/21–12/31/21, pursuant to 2021 Iowa Acts, Chapter 166, section 7. Report received on May 16, 2022.

BOARD OF REGENTS

Continuous Improvement Plan, pursuant to Iowa Code section 262.9. Report received on May 13, 2022.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on May 13, 2022.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, May 17, 2022

The Senate met in regular session at 9:01 a.m., President Chapman presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Jake Chapman, president of the Senate from Dallas County, Adel, Iowa.

The Journal of Monday, May 16, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:03 a.m. until 9:00 a.m., Wednesday, May 18, 2022.

APPENDIX

STUDY BILLS RECEIVED

SSB 3162 Appropriations

Relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date and retroactive applicability provisions.

SSB 3163 Appropriations

Relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing for other properly related matters, and including contingent effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**SSB 3162**

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Lofgren, Mathis, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

SSB 3163

APPROPRIATIONS: Kraayenbrink, Chair; Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Lofgren, Mathis, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-NINTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 18, 2022

The Senate met in regular session at 9:04 a.m., President Pro Tempore Zaun presiding.

Prayer and the Pledge were offered by the Honorable Brad Zaun, president pro tempore of the Senate from Polk County, Urbandale, Iowa.

The Journal of Tuesday, May 17, 2022, was approved.

ADJOURNMENT

On motion of Senator Edler, the Senate adjourned at 9:06 a.m. until 9:00 a.m., Thursday, May 19, 2022.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Mildred Christensen, Janesville—For celebrating her 100th birthday. Senator Driscoll.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Wednesday, May 18, 2022, 11:45 a.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Klimesh, Koelker, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

Members Absent: Johnson and Mathis (both excused).

Committee Business: HF 2337, HF 2560, HF 2558, HF 2564, HF 2575, and SSB 3162.

Adjourned: 1:45 p.m.

INTRODUCTION OF BILL

Senate File 2384, by committee on Appropriations, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2384 (SSB 3162), a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolkcom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Johnson and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2337, a bill for an act relating to underground storage tanks, including by creating the Iowa tanks fund and Iowa tanks fund financing program, repealing the Iowa comprehensive petroleum underground storage tank fund, and eliminating the Iowa comprehensive petroleum underground storage tank fund board, requiring a study, making appropriations, and including effective date and transition provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 19: Kraayenbrink, Lofgren, Bolckom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Klimesh, Koelker, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams. Nays, none. Excused, 2: Johnson and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2558, a bill for an act relating to appropriations to the judicial branch.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5149.

Final Vote: Yeas, 12: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolckom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Johnson and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2560, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and making related statutory changes, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5150.

Final Vote: Yeas, 12: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolckom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Johnson and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2564, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents and certain regents institutions, and the department of agriculture and land stewardship, providing for properly related matters, and including contingent effective date and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5151.

Final Vote: Yeas, 12: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolckom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Johnson and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2575, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for properly related matters, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 12: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolkcom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 2: Johnson and Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)	
Jonathan Whitfield, West Des Moines	05/01/2022 – 04/30/2026
CHIROPRACTIC, BOARD OF (Sec. 147.14(1)(h))	
Jennifer Rasmussen, Cedar Falls	05/01/2022 – 04/30/2025
LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA (Sec. 99G.8)	
Kathleen New, Indianola	05/01/2022 – 04/30/2026
REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4(2))	
Susan Clark, Des Moines	04/18/2022 – 04/30/2024
REAL ESTATE COMMISSION (Sec. 543B.8)	
John Sweeney, Waukon	05/01/2022 – 04/30/2025

The appointments were referred to the committee on **Rules and Administration**.

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate:

I am withdrawing the name of Gene Beinke for confirmation as a member of the Iowa Law Enforcement Academy Council from further consideration by the Senate.

I am withdrawing the name of Devon Wood for confirmation as a member of the Board of Nursing Home Administrators from further consideration by the Senate.

I am withdrawing the name of Sarah Boury for confirmation as a member of the Board of Sign Language Interpreters and Translitterators from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

AMENDMENTS FILED

S-5148	S.F.	2331	Jeff Edler
S-5149	H.F.	2558	Appropriations
S-5150	H.F.	2560	Appropriations
S-5151	H.F.	2564	Appropriations

JOURNAL OF THE SENATE

ONE HUNDRED THIRTIETH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 19, 2022

The Senate met in regular session at 9:05 a.m., President Pro Tempore Zaun presiding.

Prayer was offered by the Honorable Adrian Dickey, member of the Senate from Jefferson County, Packwood, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senator Zaun.

The Journal of Wednesday, May 18, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:07 a.m. until 10:00 a.m., Friday, May 20, 2022.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Benjamin Ahlrichs—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Trey Armistead—For their work in public education. Senator Trone Garriott.

Saumya Balaji—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Kayleen Bertman—For their work in public education. Senator Trone Garriott.

Ida Bonkafo—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Staci Braun—For their work in public education. Senator Trone Garriott.

Cindy Byrnes—For their work in public education. Senator Trone Garriott.

Laura Calvert—For their work in public education. Senator Trone Garriott.

Rebecca Comer—For their work in public education. Senator Trone Garriott.

Dani Cox—For their work in public education. Senator Trone Garriott.

Mia Dukle—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Uma Dukle—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Tracy Ferguson—For their work in public education. Senator Trone Garriott.

Chris Guess—For their work in public education. Senator Trone Garriott.

Sheri Guess—For their work in public education. Senator Trone Garriott.

Holly Heard—For their work in public education. Senator Trone Garriott.

Riley Johnson—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Roaa Kordeir—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Amanda Le—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Jakema Levy—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Derek Louden—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Alyssa Makena—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Christa McClintock—For their work in public education. Senator Trone Garriott.

Lana McKinney—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Kent Miller—For their work in public education. Senator Trone Garriott.

Lucy Murugami—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Fynlan Nadel—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Savannah Nguyen—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Joy Nyamu—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Stacy Peterson—For their work in public education. Senator Trone Garriott.

Lorie Prouty—For their work in public education. Senator Trone Garriott.

Dysean (Gresyn) Schmitz—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Tiz Sheppard—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Jackie Smith—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Melanie Smith—For their work in public education. Senator Trone Garriott.

Jenny Stephens—For their work in public education. Senator Trone Garriott.

Josh Studer—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Aidan Topolinski—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Eric Trudo—For their work in public education. Senator Trone Garriott.

Jasmine Villanueva—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Ann Volk—For their work in public education. Senator Trone Garriott.

Elaine Wang—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Jenna Woodsmall—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

Amanda Wright—For their work in public education. Senator Trone Garriott.

Dustin Wright—For their work in public education. Senator Trone Garriott.

Stacey Wright—For their work in public education. Senator Trone Garriott.

Imman Yimer—For their leadership among students, faculty, and staff during their high school career as a member of CORE. Senator Trone Garriott.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Wednesday, May 18, 2022, 4:00 p.m.

Members Present: Kraayenbrink, Chair; Lofgren, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams.

Members Absent: Mathis (excused).

Committee Business: HF 2578, HF 2579, HF 2559, and SSB 3163.

Adjourned: 5:15 p.m.

INTRODUCTION OF BILL

Senate File 2385, by committee on Appropriations, a bill for an act relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing for other properly related matters, and including contingent effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 2385 (SSB 3163), a bill for an act relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing for other properly related matters, and including contingent effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolkcom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 1: Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2559, a bill for an act relating to appropriations to the justice system.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5152.

Final Vote: Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolkcom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 1: Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2578, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 7: Bolkcom, Celsi, Dotzler, Petersen, Ragan, J. Smith, and T. Taylor. Excused, 1: Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 2579, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5153.

Final Vote: Yeas, 20: Kraayenbrink, Lofgren, Bolkcom, Celsi, Costello, Cournoyer, Dotzler, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Petersen, Ragan, Reichman, Rozenboom, J. Smith, T. Taylor, and Williams. Nays, none. Excused, 1: Mathis.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5152	H.F.	2559	Appropriations
S-5153	H.F.	2579	Appropriations

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FIRST CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, May 20, 2022

The Senate met in regular session at 10:00 a.m., President Pro Tempore Zaun presiding.

Prayer and the Pledge of Allegiance were offered by the Honorable Brad Zaun, president pro tempore of the Senate from Polk County, Urbandale, Iowa.

The Journal of Thursday, May 19, 2022, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:01 a.m. until 10:00 a.m., Monday, May 23, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF PAROLE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on May 20, 2022.

AMENDMENTS FILED

S-5154	H.F.	2575	Chris Cournoyer
S-5155	H.F.	2578	Mark Costello

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FOURTH CALENDAR DAY
SEVENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 23, 2022

The Senate met in regular session at 10:03 a.m., President Chapman presiding.

Prayer was offered by the Honorable Roby Smith, member of the Senate from Scott County, Davenport, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Friday, May 20, 2022, was approved.

The Senate stood at ease at 10:05 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:35 a.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hogg and Wahls, until they arrive, on request of Senator Ragan; and Senators Guth, Kraayenbrink, and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2560 and 2578.

House File 2560

On motion of Senator Rozenboom, **House File 2560**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and making related statutory changes, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rozenboom offered amendment S-5150, filed by the committee on Appropriations on May 18, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5150 was adopted by a voice vote.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2560), the vote was:

Yea, 33:

Bisignano	Brown	Carlin	Chapman
Costello	Cournoyer	Dawson	Dickey
Driscoll	Edler	Garrett	Goodwin
Green	Johnson	Kinney	Klimesh
Koelker	Lofgren	Mathis	Nunn
Quirmbach	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun			

Nay, 12:

Bolkcom	Boulton	Celsi	Dotzler
Giddens	Jochum	Lykam	Petersen
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 5:

Guth	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2578

On motion of Senator Costello, **House File 2578**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Costello offered amendment S-5155, filed by him on May 20, 2022, striking and replacing everything after the enacting clause of the bill.

Senator J. Smith offered amendment S-5161, filed by her from the floor to pages 13 and 14 of amendment S-5155, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5161 to amendment S-5155 be adopted?” (H.F. 2578), the vote was:

Yea, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Nays, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun		

Absent, 4:

Hogg Kraayenbrink Wahls Zumbach

Amendment S-5161 to amendment S-5155 lost.

Senator Costello moved the adoption of amendment S-5155.

Amendment S-5155 was adopted by a voice vote.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2578), the vote was:

Yea, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun		

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 4:

Hogg Kraayenbrink Wahls Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2560 and 2578** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2497 and 2081.

House File 2497

On motion of Senator R. Smith, **House File 2497**, a bill for an act relating to gambling regulation and wagering, concerning cashless wagering, forfeiture and withholding of certain gaming winnings, sports wagering, occupational licenses, and providing penalties, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending amendment and passage, was taken up for consideration.

Senator R. Smith asked and received unanimous consent to withdraw amendment S-5072, filed by the committee on State Government on March 16, 2022, to pages 1–6 and amending the title page of the bill.

Senator R. Smith offered amendment S-5160, filed by him from the floor to pages 1–7 and amending the title page of the bill, and moved its adoption.

Amendment S-5160 was adopted by a voice vote.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2497), the vote was:

Yea, 35:

Bisignano	Bolkcom	Boulton	Brown
Chapman	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Giddens
Goodwin	Green	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Shipley	Smith, J.	Smith, R.	Sweeney
Trone Garriott	Whitver	Williams	

Nays, 11:

Carlin	Celsi	Costello	Garrett
Guth	Mathis	Schultz	Sinclair
Taylor, J.	Taylor, T.	Zaun	

Absent, 4:

Hogg	Kraayenbrink	Wahls	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

House File 2081

On motion of Senator Sinclair, **House File 2081**, a bill for an act relating to teachers, including the assessments administered to practitioner preparation program admission candidates and to practitioner preparation program students prior to students' completion of a practitioner preparation program, field experiences, and certain specified licenses for teachers created by the board of educational examiners, and including notice, effective date, and applicability provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2081), the vote was:

Yea, 46:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lofgren	Lykam	Mathis	Nunn
Petersen	Quirmbach	Ragan	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Whitver
Williams	Zaun		

Nays, none.

Absent, 4:

Hogg

Kraayenbrink

Wahls

Zumbach

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2081 and 2497** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2559.

House File 2559

On motion of Senator Garrett, **House File 2559**, a bill for an act relating to appropriations to the justice system, with report of committee recommending amendment and passage, was taken up for consideration.

Senator T. Taylor asked and received unanimous consent that action on **House File 2559** be **deferred**.

The Senate stood at ease at 12:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:01 p.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lofgren, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2209.

House File 2209

On motion of Senator Cournoyer, **House File 2209**, a bill for an act relating to residents under sixteen years of age accompanying an adult who is hunting or trapping, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2209), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Hogg	Kraayenbrink	Lofgren	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2378

Senator Whitver called up for consideration **Senate File 2378**, a bill for an act relating to beverages, including the barrel tax and the acceptance of beverage containers for refund value, providing penalties, and including effective date provisions, amended by the House in House amendment S-5127, filed April 13, 2022.

Senator Schultz moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Schultz moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2378), the vote was:

Yea, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Kinney	Klimesh
Koelker	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun		

Nays, 15:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Lykam
Mathis	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	

Absent, 5:

Hogg
Zumbach

Kraayenbrink

Lofgren

Wahls

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2378** and **House File 2209** be **immediately messaged** to the House.

BUSINESS PENDING

House File 2559

The Senate resumed consideration of **House File 2559**, a bill for an act relating to appropriations to the justice system, previously deferred.

Senator Garrett offered amendment S-5152, filed by the committee on Appropriations on May 19, 2022, striking and replacing everything after the enacting clause of the bill.

Senator Boulton offered amendment S-5167, filed by him from the floor to pages 11 and 12 of amendment S-5152, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5167 to amendment S-5152 be adopted?” (H.F. 2559), the vote was:

Yea, 16:

Bisignano
Dotzler
Lykam
Ragan

Bolkcom
Giddens
Mathis
Smith, J.

Boulton
Jochum
Petersen
Taylor, T.

Celsi
Kinney
Quirmbach
Trone Garriott

Nays, 29:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun			

Absent, 5:

Hogg	Kraayenbrink	Lofgren	Wahls
Zumbach			

Amendment S-5167 to amendment S-5152 lost.

Senator Quirmbach offered amendment S-5165, filed by him from the floor to page 15 of amendment S-5152, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5165 to amendment S-5152 be adopted?” (H.F. 2559), the vote was:

Yea, 17:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Edler	Giddens	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, T.
Trone Garriott			

Nays, 28:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Nunn
Reichman	Rowley	Rozenboom	Schultz
Shipley	Sinclair	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Absent, 5:

Hogg	Kraayenbrink	Lofgren	Wahls
Zumbach			

Amendment S-5165 to amendment S-5152 lost.

Senator T. Taylor offered amendment S-5163, filed by Senators T. Taylor and Boulton from the floor to page 22 of amendment S-5152.

Senator Garrett raised the point of order that amendment S-5163 to amendment S-5152 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5163 to amendment S-5152 out of order.

Senator Garrett moved the adoption of amendment S-5152.

Amendment S-5152 was adopted by a voice vote.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2559), the vote was:

Yeas, 29:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun			

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 5:

Hogg
Zumbach

Kraayenbrink

Lofgren

Wahls

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2559** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2557.

House File 2557

On motion of Senator Johnson, **House File 2557**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2557), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair

Smith, J.
Taylor, T.
Zaun

Smith, R.
Trone Garriott

Sweeney
Whitver

Taylor, J.
Williams

Nays, none.

Absent, 5:

Hogg
Zumbach

Kraayenbrink

Lofgren

Wahls

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2374

Senator Whitver called up for consideration **Senate File 2374**, a bill for an act relating to alcoholic beverage control and licensing, providing for fees, and including effective date provisions, amended by the House in House amendment S-5124, filed April 12, 2022.

Senator Cournoyer moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Cournoyer moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2374), the vote was:

Yea, 44:

Bisignano
Carlin
Dawson
Edler
Green
Kinney
Mathis
Ragan

Bolkcom
Chapman
Dickey
Garrett
Guth
Klimesh
Nunn
Reichman

Boulton
Costello
Dotzler
Giddens
Jochum
Koelker
Petersen
Rowley

Brown
Cournoyer
Driscoll
Goodwin
Johnson
Lykam
Quirmbach
Rozenboom

Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Whitver	Williams	Zaun

Nays, 1:

Celsi

Absent, 5:

Hogg	Kraayenbrink	Lofgren	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2080.

House File 2080

On motion of Senator Rozenboom, **House File 2080**, a bill for an act relating to school districts that share operational functions, including operational functions in the areas of superintendent management and special education director, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer offered amendment S-5157, filed by Senator Sinclair from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment S-5157 was adopted by a voice vote.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2080), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whitver	Williams
Zaun			

Nay, none.

Absent, 5:

Hogg	Kraayenbrink	Lofgren	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2374** and **House Files 2080** and **2557** be **immediately messaged** to the House.

The Senate stood at ease at 2:08 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:29 p.m., President Chapman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Carlin and Goodwin, until they arrive, on request of Senator Whitver.

**CONSIDERATION OF BILL
(Unfinished Business Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2129.

Senate File 2129

On motion of Senator Sinclair, **Senate File 2129**, a bill for an act relating to students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Sinclair offered amendment S-5164, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5164 was adopted by a voice vote.

Senator Sinclair asked and received unanimous consent that **House File 2165** be **substituted** for **Senate File 2129**.

House File 2165

On motion of Senator Sinclair, **House File 2165**, a bill for an act relating to students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund, was taken up for consideration.

Senator Sinclair offered amendment S-5166, filed by her from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5166 was adopted by a voice vote.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2165), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Green
Guth	Jochum	Johnson	Kinney
Klimesh	Koelker	Lofgren	Lykam
Mathis	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Whitver	Williams	Zaun

Nays, none.

Absent, 6:

Carlin	Goodwin	Hogg	Kraayenbrink
Wahls	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Sinclair asked and received unanimous consent that **Senate File 2129** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2165** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2496.

House File 2496

On motion of Senator Dawson, **House File 2496**, a bill for an act relating to the procedural requirements for placing an officer's name on a Brady-Giglio list, and for a prosecuting agency disclosing exculpatory evidence, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Dawson offered amendment S-5168, filed by him from the floor to pages 1, 2, and 4 of the bill, and moved its adoption.

Amendment S-5168 was adopted by a voice vote.

Senator Dawson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2496), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Goodwin	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2579.

House File 2579

On motion of Senator Johnson, **House File 2579**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Johnson offered amendment S-5153, filed by the committee on Appropriations on May 19, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Johnson offered amendment S-5162, filed by him from the floor to pages 6, 22, and 25 of amendment S-5153, and moved its adoption.

Amendment S-5162 to amendment S-5153 was adopted by a voice vote.

Senator Johnson moved the adoption of amendment S-5153, as amended.

Amendment S-5153 was adopted by a voice vote.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2579), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler

Driscoll	Edler	Garrett	Giddens
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Goodwin	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2333.

Senate File 2333

On motion of Senator J. Taylor, **Senate File 2333**, a bill for an act relating to the uniform commercial code by providing for controllable electronic records, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator J. Taylor offered amendment S-5056, filed by him on March 10, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5056 was adopted by a voice vote.

Senator J. Taylor asked and received unanimous consent that **House File 2445** be substituted for **Senate File 2333**.

House File 2445

On motion of Senator J. Taylor, **House File 2445**, a bill for an act relating to the uniform commercial code by providing for controllable electronic records, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2445), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whittver	Williams
Zaun			

Nays, none.

Absent, 5:

Goodwin	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator J. Taylor asked and received unanimous consent that **Senate File 2333** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2445, 2496, and 2579** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2470.

House File 2470

On motion of Senator Johnson, **House File 2470**, a bill for an act adopting and implementing the recommendations of the artisanal butchery task force, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2470), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whittver	Williams
Zaun			

Nays, none.

Absent, 5:

Goodwin	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2575 and 2564.

House File 2575

On motion of Senator Cournoyer, **House File 2575**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for properly related matters, and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer offered amendment S-5154, filed by her on May 20, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Whitver asked and received unanimous consent that action on amendment S-5154 and **House File 2575** be **deferred**.

House File 2564

On motion of Senator Koelker, **House File 2564**, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents and certain regents institutions, and the department of agriculture and land stewardship, providing for properly related matters, and including contingent effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Koelker offered amendment S-5151, filed by the committee on Appropriations on May 18, 2022, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5151 was adopted by a voice vote.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2564), the vote was:

Yea, 31:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Kinney	Klimesh	Koelker
Lofgren	Mathis	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Sinclair	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	

Nays, 14:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Lykam
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott		

Absent, 5:

Goodwin	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2470 and 2564** be **immediately messaged** to the House.

BUSINESS PENDING

House File 2575

The Senate resumed consideration of **House File 2575**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for properly related matters, and including effective date and retroactive applicability provisions, and amendment S-5154, previously deferred.

Senator Cournoyer offered amendment S-5156, filed by her from the floor to pages 19 and 30 of amendment S-5154, and moved its adoption.

Amendment S-5156 to amendment S-5154 was adopted by a voice vote.

Senator Sinclair offered amendment S-5169, filed by her from the floor to page 30 of amendment S-5154, and moved its adoption.

Amendment S-5169 to amendment S-5154 was adopted by a voice vote.

Senator Cournoyer moved the adoption of amendment S-5154, as amended.

Amendment S-5154 was adopted by a voice vote.

Senator Cournoyer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2575), the vote was:

Yea, 29:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Sinclair	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun			

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 5:

Goodwin	Hogg	Kraayenbrink	Wahls
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2575** be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 4:44 p.m. until 7:00 p.m.

RECONVENED

The Senate reconvened at 8:02 p.m., President Chapman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she returns, on request of Senator Whitver.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2558.

House File 2558

On motion of Senator Garrett, **House File 2558**, a bill for an act relating to appropriations to the judicial branch, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Garrett offered amendment S-5149, filed by the committee on Appropriations on May 18, 2022, striking and replacing everything after the enacting clause of the bill.

Senator Boulton offered amendment S-5171, filed by him from the floor to pages 5–6 of amendment S-5149, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5171 to amendment S-5149 be adopted?” (H.F. 2558), the vote was:

Yea, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Nay, 28:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Absent, 6:

Goodwin	Hogg	Kraayenbrink	Sinclair
Wahls	Zumbach		

Amendment S-5171 to amendment S-5149 lost.

Senator Petersen offered amendment S-5172, filed by her from the floor to page 6 of amendment S-5149.

Senator Garrett raised the point of order that amendment S-5172 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5172 out of order.

The Senate resumed consideration of amendment S-5149.

Senator Boulton raised the point of order that amendment S-5149 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-5149 in order.

Senator Garrett moved the adoption of amendment S-5149.

Amendment S-5149 was adopted by a voice vote.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2558), the vote was:

Yea, 28:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozzenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nay, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 6:

Goodwin
Wahls

Hogg
Zumbach

Kraayenbrink

Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2558** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Senator Carlin, until he arrives, on request of Senator Whitver.

HOUSE AMENDMENT CONSIDERED

Senate File 2367

Senator Whitver called up for consideration **Senate File 2367**, a bill for an act relating to sales, use, and motor vehicle fuel taxes administered by the department of revenue including distributions to local governments and school districts, the liability of sellers, tax refund and tax credit incentives, and motor fuel tax reporting modifications, and providing penalties, and including effective date and applicability provisions, amended by the House in House amendment S-5170, filed May 23, 2022.

Senator Dawson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dawson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2367), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Whitver	Williams	Zaun

Nays, none.

Absent, 6:

Carlin	Hogg	Kraayenbrink	Sinclair
Wahls	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2367** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2385.

Senate File 2385

On motion of Senator Guth, **Senate File 2385**, a bill for an act relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing for other properly related matters, and including contingent effective date provisions, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2385), the vote was:

Yeas, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Smith, J.	Taylor, T.	Trone Garriott

Absent, 6:

Carlin	Hogg	Kraayenbrink	Sinclair
Wahls	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate File 2385** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2401.

House File 2401

On motion of Senator Johnson, **House File 2401**, a bill for an act relating to the disclosure of specified information in connection with designated online marketplace transactions and including effective date provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2401), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Whitver	Williams	Zaun

Nays, none.

Absent, 6:

Carlin	Hogg	Kraayenbrink	Sinclair
Wahls	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2147.

House File 2147

On motion of Senator Reichman, **House File 2147**, a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Reichman offered amendment S-5117, filed by the committee on Appropriations on April 5, 2022, to page 1 of the bill, and moved its adoption.

Amendment S-5117 was adopted by a voice vote.

The Senate stood at ease at 9:33 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:52 p.m., President Chapman presiding.

Senator Reichman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2147), the vote was:

Yea, 37:

Bisignano	Boulton	Brown	Celsi
Chapman	Costello	Cournoyer	Dawson
Dickey	Driscoll	Edler	Garrett
Goodwin	Green	Guth	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Mathis	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Smith, J.	Smith, R.	Sweeney	Taylor, J.
Taylor, T.	Trone Garriott	Whitver	Williams
Zaun			

Nays, 7:

Bolkcom	Dotzler	Giddens	Jochum
Petersen	Quirmbach	Ragan	

Absent, 6:

Carlin
Wahls

Hogg
Zumbach

Kraayenbrink

Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2147 and 2401** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 23, 2022, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2367, a bill for an act relating to sales, use, and motor vehicle fuel taxes administered by the department of revenue including distributions to local governments and school districts, the liability of sellers, tax refund and tax credit incentives, and motor fuel tax reporting modifications, and providing penalties, and including effective date and applicability provisions. (S-5170)

ALSO: That the House has on May 23, 2022, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

Senate File 529, a bill for an act relating to assisted reproduction fraud, and providing penalties.

ALSO: That the House has on May 23, 2022, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 2496, a bill for an act relating to the procedural requirements for placing an officer's name on a Brady-Giglio list, and for a prosecuting agency disclosing exculpatory evidence.

House File 2497, a bill for an act relating to gambling regulation and wagering, concerning cashless wagering, forfeiture and withholding of certain gaming winnings, sports wagering, occupational licenses, and providing penalties.

House File 2549, a bill for an act relating to the establishment of a mental health practitioner loan repayment program, and providing an appropriation.

House File 2559, a bill for an act relating to appropriations to the justice system.

House File 2560, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and making related statutory changes, and including effective date provisions.

House File 2575, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for properly related matters, and including effective date and retroactive applicability provisions.

House File 2578, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

House File 2579, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date and retroactive applicability provisions.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:05 p.m. until 9:00 a.m., Tuesday, May 24, 2022.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF CORRECTIONS

Use of Offenders in Private Sector Employment, pursuant to 2021 Iowa Acts, Chapter 166, section 7. Report received on May 23, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Jane Elizabeth Taylor, Sioux Center—For graduating from Unity Christian High School and being accepted into Oberlin College. Senator Jeff Taylor.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, May 23, 2022, 9:35 a.m.

Members Present: Whitver, Chair; Chapman, Vice Chair; Bolkcom, Brown, Jochum, Ragan, Sinclair, R. Smith, and Zaun.

Members Absent: Wahls, Ranking Member; and Zumbach (both excused).

Committee Business: Approval of minutes. Referral of appointees to En Bloc Calendar.

Adjourned: 9:40 a.m.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to the En Bloc Calendar on May 23, 2022:

EN BLOC CALENDAR

Jonathan Whitfield – Commission on the Status of African Americans

Jennifer Rasmussen – Board of Chiropractic

Kathleen New – Iowa Lottery Board of Directors

Susan Clark – Real Estate Appraiser Examining Board

John Sweeney – Real Estate Commission

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 23rd day of May, 2022.

Senate Files 513, 2260, 2298, 2323, 2366, and 2376.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 23, 2022, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 513 – Relating to persons experiencing a mental health crisis, substance-related disorder crisis, or housing crisis.

Senate File 2260 – Providing for the adoption of certain animals confined by research facilities.

Senate File 2298 – Authorizing a local emergency management commission to assume the duties of a joint 911 service board.

Senate File 2323 – Relating to the inventory of lands managed or owned by the department of natural resources or a county conservation board, and including applicability provisions.

Senate File 2366 – Relating to the assessment and taxation of wind energy conversion property and including effective date, applicability, and retroactive applicability provisions.

Senate File 2376 – Relating to annual all-systems permits issued by the department of transportation for vehicles of excessive weight, and including effective date provisions.

AMENDMENTS FILED

S-5156	H.F.	2575	Chris Cournoyer
S-5157	H.F.	2080	Amy Sinclair
S-5158	S.F.	2231	Mike Klimesh
S-5159	H.F.	2384	Mike Klimesh
S-5160	H.F.	2497	Roby Smith
S-5161	H.F.	2578	Jackie Smith
S-5162	H.F.	2579	Craig Johnson
S-5163	H.F.	2559	Todd Taylor Nate Boulton
S-5164	S.F.	2129	Amy Sinclair
S-5165	H.F.	2559	Herman C. Quirmbach
S-5166	H.F.	2165	Amy Sinclair
S-5167	H.F.	2559	Nate Boulton
S-5168	H.F.	2496	Dan Dawson
S-5169	H.F.	2575	Amy Sinclair
S-5170	S.F.	2367	House
S-5171	H.F.	2558	Nate Boulton
S-5172	H.F.	2558	Janet Petersen

JOURNAL OF THE SENATE

ONE HUNDRED THIRTY-FIFTH CALENDAR DAY
SEVENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, May 24, 2022

The Senate met in regular session at 9:05 a.m., President Chapman presiding.

Prayer was offered by the Honorable Joe Bolkcom, member of the Senate from Johnson County, Iowa City, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Maddox.

The Journal of Monday, May 23, 2022, was approved.

The Senate stood at ease at 9:08 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:10 a.m., President Chapman presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2331.

Senate File 2331

On motion of Senator Edler, **Senate File 2331**, a bill for an act relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Edler offered amendment S-5148, filed by him on May 18, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5148 was adopted by a voice vote.

Senator Edler asked and received unanimous consent that **House File 2546** be substituted for **Senate File 2331**.

House File 2546

On motion of Senator Edler, **House File 2546**, a bill for an act relating to reimbursement of psychiatric intensive inpatient care under the Medicaid program, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2546), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lofgren	Lykam	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Hogg	Kraayenbrink	Mathis	Sinclair
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Edler asked and received unanimous consent that **Senate File 2331** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2546** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2358.

House File 2358

On motion of Senator J. Taylor, **House File 2358**, a bill for an act relating to the Iowa law enforcement academy, with report of committee recommending passage, was taken up for consideration.

Senator J. Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2358), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lofgren	Lykam	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Hogg
Zumbach

Kraayenbrink

Mathis

Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2358** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2468.

House File 2468

On motion of Senator Schultz, **House File 2468**, a bill for an act relating to statutes of limitations on arbitration proceedings and including applicability provisions, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator J. Smith offered amendment S-5173, filed by her from the floor to page 1 and amending the title page of the bill.

Senator Schultz raised the point of order that amendment S-5173 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5173 out of order.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2468), the vote was:

Yeas, 30:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Kinney	Klimesh
Koelker	Lofgren	Nunn	Reichman
Rowley	Rozenboom	Schultz	Shipley
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun		

Nays, 15:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Lykam
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 5:

Hogg	Kraayenbrink	Mathis	Sinclair
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2468** be **immediately messaged** to the House.

The Senate stood at ease at 11:36 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 11:55 a.m., President Chapman presiding.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2298 and 2420.

House File 2298

On motion of Senator Schultz, **House File 2298**, a bill for an act relating to immunization against COVID-19 requirements for enrollment in any licensed child care center, elementary or secondary school, or postsecondary school in Iowa, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2298), the vote was:

Yea, 29:

Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	Dickey	Driscoll
Edler	Garrett	Goodwin	Green
Guth	Johnson	Klimesh	Koelker
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun			

Nay, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 5:

Hogg	Kraayenbrink	Mathis	Sinclair
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

House File 2420

On motion of Senator R. Smith, **House File 2420**, a bill for an act relating to the newborn safe haven Act, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator R. Smith moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2420), the vote was:

Yea, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lofgren	Lykam	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Hogg	Kraayenbrink	Mathis	Sinclair
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2517.

House File 2517

On motion of Senator Costello, **House File 2517**, a bill for an act relating to the reversion of moneys appropriated for a governance and funding of levee districts study, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Costello moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2517), the vote was:

Yeas, 45:

Bisignano	Bolkcom	Boulton	Brown
Carlin	Celsi	Chapman	Costello
Cournoyer	Dawson	Dickey	Dotzler
Driscoll	Edler	Garrett	Giddens
Goodwin	Green	Guth	Jochum
Johnson	Kinney	Klimesh	Koelker
Lofgren	Lykam	Nunn	Petersen
Quirmbach	Ragan	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, J.
Smith, R.	Sweeney	Taylor, J.	Taylor, T.
Trone Garriott	Wahls	Whitver	Williams
Zaun			

Nays, none.

Absent, 5:

Hogg	Kraayenbrink	Mathis	Sinclair
Zumbach			

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2298, 2420, and 2517** be **immediately messaged** to the House.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senator Whitver asked and received unanimous consent to take up for consideration House File 2573.

House File 2573

On motion of Senator Garrett, **House File 2573**, a bill for an act creating funds relating to the abatement of and response to opioid use, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Whitver asked and received unanimous consent that action on **House File 2573** be **deferred**.

The Senate stood at ease at 12:15 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:25 p.m., President Chapman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 24, 2022, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

Senate File 581, a bill for an act relating to deer population management.

ALSO: That the House has on May 24, 2022, passed the following bills in which the concurrence of the House was asked:

Senate File 2373, a bill for an act relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions.

Senate File 2380, a bill for an act to designate February 1 of each year as George Washington Carver Day.

Senate File 2385, a bill for an act relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing for other properly related matters, and including contingent effective date provisions.

ALSO: That the House has on May 24, 2022, concurred in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 2080, a bill for an act relating to school districts that share operational functions, including operational functions in the areas of superintendent management and special education director, and including effective date and applicability provisions.

House File 2165, a bill for an act relating to employment, including modifying provisions related to the list of high-demand jobs created by community colleges and students who are eligible to receive a scholarship from the future ready Iowa skilled workforce last-dollar scholarship fund.

House File 2564, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the state board of regents and certain regents institutions, and the department of agriculture and land stewardship, providing for properly related matters, and including contingent effective date and applicability provisions.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Carlin, until he arrives, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Whitver called up the appointment of Gwendolyn (Gwen) Ecklund as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Zaun moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yea, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nay, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

Senator Whitver called up the appointment of Kathleen Law as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Zaun moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 29:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Kinney	Klimesh	Koelker
Lofgren	Nunn	Reichman	Rowley
Rozenboom	Schultz	Shipley	Smith, R.
Sweeney	Taylor, J.	Whitver	Williams
Zaun			

Nays, 15:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Lykam
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

Senator Whitver called up the appointment of Jeremy Kidd as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Zaun moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

Senator Whitver called up the appointment of Derek Muller as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 30, 2022, found on page 668 of the Senate Journal.

Senator Zaun moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 6:

Carlin Sinclair	Hogg Zumbach	Kraayenbrink	Mathis
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The appointee, having failed to receive a two-thirds vote, was declared to have not been confirmed by the Senate.

BUSINESS PENDING

House File 2573

The Senate resumed consideration of **House File 2573**, a bill for an act creating funds relating to the abatement of and response to opioid use, previously deferred.

Senator Garrett offered amendment S-5129, filed by the committee on Appropriations on April 14, 2022, to page 1 and amending the title page of the bill.

Senator Garrett offered amendment S-5175, filed by him from the floor to pages 1 and 3 and amending the title page of amendment S-5129, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5175 to amendment S-5129 be adopted?” (H.F. 2573), the vote was:

Yea, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 6:

Carlin Sinclair	Hogg Zumbach	Kraayenbrink	Mathis
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Amendment S-5175 to amendment S-5129 was adopted.

Senator Garrett moved the adoption of amendment S-5129, as amended.

A record roll call was requested.

On the question “Shall amendment S-5129 be adopted?” (H.F. 2573), the vote was:

Yeas, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nays, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 6:

Carlin Sinclair	Hogg Zumbach	Kraayenbrink	Mathis
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Amendment S-5129, as amended, was adopted.

Senator Garrett moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2573), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2573** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 771.

House File 771

On motion of Senator Rozenboom, **House File 771**, a bill for an act relating to the self-administration and storage of bronchodilators and bronchodilator canisters and spacers relative to schools and students, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom offered amendment S-5176, filed by him from the floor to pages 1-6 and amending the title page of the bill, and moved its adoption.

Amendment S-5176 was adopted by a voice vote.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 771), the vote was:

Yea, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 771** be **immediately messaged** to the House.

The Senate stood at ease at 4:32 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:05 p.m., President Chapman presiding.

Senator R. Smith took the chair at 5:06 p.m.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 24, 2022, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2147, a bill for an act making an appropriation to support efforts relating to the U.S.S. Iowa and including effective date provisions.

ALSO: That the House has on May 24, 2022, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended, and passed** the following bill in which the concurrence of the Senate is asked:

House File 2558, a bill for an act relating to appropriations to the judicial branch. (S-5177)

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nunn, until he arrives, on request of Senator Whitver.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2411.

House File 2411

On motion of Senator Dickey, **House File 2411**, a bill for an act relating to replacements of permanent prosthetic devices for injured workers, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Dickey offered amendment S-5060, filed by him on March 15, 2022, to page 1 of the bill, and moved its adoption.

Amendment S-5060 was adopted by a voice vote.

Senator Dickey moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2411), the vote was:

Yeas, 43:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	

Nays, none.

Absent, 7:

Carlin	Hogg	Kraayenbrink	Mathis
Nunn	Sinclair	Zumbach	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2411** be **immediately messaged** to the House.

President Chapman took the chair at 5:13 p.m.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2088.

Senate File 2088

On motion of Senator Reichman, **Senate File 2088**, a bill for an act relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Reichman asked and received unanimous consent that **House File 2169** be substituted for **Senate File 2088**.

House File 2169

On motion of Senator Reichman, **House File 2169**, a bill for an act relating to the practices of pharmacy and nursing and the administration of immunizations and vaccinations, and the licensure of nonresident pharmacies, was taken up for consideration.

Senator Reichman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2169), the vote was:

Yea, 43:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	

Nays, none.

Absent, 7:

Carlin
Nunn

Hogg
Sinclair

Kraayenbrink
Zumbach

Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Reichman asked and received unanimous consent that **Senate File 2088** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2169** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2431.

House File 2431

On motion of Senator Schultz, **House File 2431**, a bill for an act relating to the regulation of home-based businesses, including food establishments and home food processing establishments, and providing civil penalties, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano withdrew amendment S-5174, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2431), the vote was:

Yeas, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Kinney	Klimesh	Koelker
Lofgren	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Nays, 15:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Lykam
Petersen	Quirmbach	Ragan	Smith, J.
Taylor, T.	Trone Garriott	Wahls	

Absent, 7:

Carlin	Hogg	Kraayenbrink	Mathis
Nunn	Sinclair	Zumbach	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2431** be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2558

Senator Whitver called up for consideration **House File 2558**, a bill for an act relating to appropriations to the judicial branch, amended by the Senate and further amended by the House in House amendment S-5177 to Senate amendment H-8387, filed May 24, 2022.

Senator Garrett moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Garrett moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2558), the vote was:

Yea, 27:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Reichman	Rowley	Rozenboom	Schultz
Shipley	Smith, R.	Sweeney	Taylor, J.
Whitver	Williams	Zaun	

Nay, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Absent, 7:

Carlin	Hogg	Kraayenbrink	Mathis
Nunn	Sinclair	Zumbach	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2558** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Whitver called up the following eligible appointees on the En Bloc Confirmation Calendar:

Jonathan Whitfield, Commission on the Status of African Americans

Jennifer Rasmussen, Board of Chiropractic

Jack Jones, Engineering and Land Surveying Examining Board

Kathleen New, Iowa Lottery Authority Board of Directors

Susan Clark, Real Estate Appraiser Examining Board

John Sweeney, Real Estate Commission

Dennis Carlson, State Soil Conservation and Water Quality Committee

Senator Whitver moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yea, 43:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Petersen	Quirmbach	Ragan
Reichman	Rowley	Rozenboom	Schultz
Shipley	Smith, J.	Smith, R.	Sweeney
Taylor, J.	Taylor, T.	Trone Garriott	Wahls
Whitver	Williams	Zaun	

Nays, none.

Absent, 7:

Carlin
Nunn

Hogg
Sinclair

Kraayenbrink
Zumbach

Mathis

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

RECESS

On motion of Senator Whitver, the Senate recessed at 5:38 p.m. until 7:30 p.m.

RECONVENED

The Senate reconvened at 9:48 p.m., President Chapman presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House File 2130.

House File 2130

On motion of Senator Koelker, **House File 2130**, a bill for an act relating to registered all-terrain vehicles and off-road utility vehicles, and making penalties applicable, placed on the Unfinished Business Calendar on March 24, 2022, with report of committee recommending passage, was taken up for consideration.

Senator Koelker asked and received unanimous consent to withdraw amendment S-5128, filed by Senators Koelker and Brown on April 13, 2022, striking and replacing everything after the enacting clause of the bill.

With the withdrawal of amendment S-5128, the Chair ruled amendment S-5142, filed by Senators Koelker and Brown on April 25, 2022, to pages 1 and 2 of amendment S-5128, out of order.

Senator Koelker offered amendment S-5178, filed by Senators Koelker and Brown from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5178 was adopted by a voice vote.

Senator Koelker moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2130), the vote was:

Yea, 40:

Bisignano	Boulton	Brown	Chapman
Costello	Cournoyer	Dawson	Dickey
Dotzler	Driscoll	Edler	Garrett
Giddens	Goodwin	Green	Guth
Jochum	Johnson	Kinney	Klimesh
Koelker	Lofgren	Lykam	Nunn
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nay, 4:

Bolkcom	Celsi	Petersen	Quirmbach
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Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2130** be **immediately messaged** to the House.

The Senate stood at ease at 9:54 p.m. until the fall of the gavel.

The Senate resumed session at 10:31 p.m., President Chapman presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2384.

Senate File 2384

On motion of Senator Whitver, **Senate File 2384**, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Whitver offered amendment S-5179, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bolkcom offered amendment S-5181, filed by him from the floor to pages 1–25 and amending the title provisions of amendment S-5179, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5181 to amendment S-5179 be adopted?” (S.F. 2384), the vote was:

Yeas, 16:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Kinney
Lykam	Petersen	Quirmbach	Ragan
Smith, J.	Taylor, T.	Trone Garriott	Wahls

Nays, 28:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Klimesh	Koelker	Lofgren
Nunn	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, R.	Sweeney
Taylor, J.	Whitver	Williams	Zaun

Absent, 6:

Carlin
Sinclair

Hogg
Zumbach

Kraayenbrink

Mathis

Amendment S-5181 to amendment S-5179 lost.

Senator Nunn withdrew amendment S-5180, filed by him from the floor to page 20 of the bill.

Senator Whitver moved the adoption of amendment S-5179.

Amendment S-5179 was adopted by a voice vote.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 24, 2022, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2589, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, providing penalties, making penalties applicable, and including effective date, applicability, and retroactive applicability provisions.

Read first time and attached to **companion Senate File 2384**.

Senator Whitver asked and received unanimous consent that **House File 2589** be **substituted** for **Senate File 2384**.

House File 2589

On motion of Senator Whitver, **House File 2589**, a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Whitver moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2589), the vote was:

Yea, 30:

Brown	Chapman	Costello	Cournoyer
Dawson	Dickey	Driscoll	Edler
Garrett	Goodwin	Green	Guth
Johnson	Kinney	Klimesh	Koelker
Lofgren	Nunn	Quirmbach	Reichman
Rowley	Rozenboom	Schultz	Shipley
Smith, R.	Sweeney	Taylor, J.	Whitver
Williams	Zaun		

Nays, 14:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Jochum	Lykam
Petersen	Ragan	Smith, J.	Taylor, T.
Trone Garriott	Wahls		

Absent, 6:

Carlin	Hogg	Kraayenbrink	Mathis
Sinclair	Zumbach		

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Whitver asked and received unanimous consent that **Senate File 2384** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2589** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 24, 2022, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 771, a bill for an act relating to the self-administration and storage of bronchodilators and bronchodilator canisters and spacers relative to schools and students.

House File 2130, a bill for an act relating to registered all-terrain vehicles and off-road utility vehicles, and making penalties applicable.

House File 2411, a bill for an act relating to replacements of permanent prosthetic devices for injured workers.

House File 2573, a bill for an act creating funds relating to the abatement of and response to opioid use.

The Senate stood at ease at 10:50 p.m. until the fall of the gavel.

The Senate resumed session at 11:27 p.m., President Chapman presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate File 2231.

Senate File 2231

On motion of Senator Klimesh, **Senate File 2231**, a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions, placed on the Unfinished Business Calendar on March 17, 2022, was taken up for consideration.

Senator Klimesh offered amendment S-5158, filed by him on May 23, 2022, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5158 was adopted by a voice vote.

Senator Klimesh asked and received unanimous consent that **House File 2384** be substituted for **Senate File 2231**.

House File 2384

On motion of Senator Klimesh, **House File 2384**, a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions, was taken up for consideration.

Senator Klimesh withdrew amendment S-5159, filed by him on May 23, 2022, to pages 1–7 and 12 of the bill.

Senator Klimesh offered amendment S-5182, filed by him from the floor to pages 1–7, 9, 10, 12, and amending the title page of the bill, and moved its adoption.

Amendment S-5182 was adopted by a voice vote.

Senator Klimesh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2384), the vote was:

Yeas, 44:

Bisignano	Bolkcom	Boulton	Brown
Celsi	Chapman	Costello	Cournoyer
Dawson	Dickey	Dotzler	Driscoll
Edler	Garrett	Giddens	Goodwin
Green	Guth	Jochum	Johnson
Kinney	Klimesh	Koelker	Lofgren
Lykam	Nunn	Petersen	Quirmbach
Ragan	Reichman	Rowley	Rozenboom
Schultz	Shipley	Smith, J.	Smith, R.
Sweeney	Taylor, J.	Taylor, T.	Trone Garriott
Wahls	Whitver	Williams	Zaun

Nays, none.

Absent, 6:

Carlin
Sinclair

Hogg
Zumbach

Kraayenbrink

Mathis

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Klimesh asked and received unanimous consent that **Senate File 2231** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House File 2384** be **immediately messaged** to the House.

REMARKS BY THE PRESIDENT OF THE SENATE

President Chapman provided the following remarks:

Mr. Majority Leader, Colleagues, and Fellow Iowans:

I want to take this opportunity thank all of you for the privilege it is to serve the people of Iowa as the President of the Iowa Senate. As we conclude this legislative session I am reminded of our state motto “Our liberties we prize and our rights we will maintain.” It’s a motto that has resounded from its beginning and still holds true today. The Senate has done tremendous work in preserving, protecting, and defending our rights and our liberties. Over these past two years I am proud of the incredible work and the accomplishments of this legislative body. From protecting girls sports to enacting the largest tax cut in Iowa’s history, to adjourning today with Iowa in a strong economic position; the Iowa Senate will continue to fight for Iowans and Iowa values.

While we want to celebrate our successes, we know there is much work still to be done. I pray my colleagues will remember to always fear God, not man, as we continue to fight to protect our children, and to maintain the rights and liberties for future generations. May God bless each and every one of you and may he continue to bless our great State!

REMARKS BY THE MINORITY LEADER

Senator Wahls provided the following remarks:

As we wrap up the 2022 Legislative session, I am grateful to my Democratic colleagues for the honor of leading our caucus, and I am especially grateful to the several retiring members of my caucus for their decades of dedicated public service to our state. Thank you.

I also thank our smart, caring, and hardworking caucus staff and interns, on both sides of the aisle, and we all grieve the loss of the late Joshua William Bronsink.

Finally, I thank the Secretary of the Senate and his staff, this year's wonderful Senate pages, all the hardworking staff of LSA and DAS who keep this building working, the statehouse press corps, and most importantly, our families and constituents back home.

Iowa's 2022 Legislative Session began with Senate President Jake Chapman accusing teachers and the media of a "sinister agenda," and trying to "normalize sexually deviant behavior against our children, including pedophilia and incest."

And now, the 2022 Legislative Session is ending after a month of overtime with Governor Kim Reynolds campaigning against incumbent members of her own party in the House because she wants to use our public, taxpayer dollars to pay for private school vouchers.

There could be no clearer sign that Republicans have zero interest in addressing the substantial economic headwinds facing our state: inflation, high gas prices, a formula shortage, and the ongoing Reynolds Workforce Crisis. Because rather than tackle these issues head-on, Iowa Republicans have spent 2022 pouring gasoline on the flames of the culture war and made many of these challenges much worse.

On inflation, Iowa Republicans passed tax giveaways that overwhelmingly benefit the ultrarich and big corporations — at the exact moment that corporations are posting record profits because of their high prices.

On gas prices and the formula shortage, Iowa's Republican politicians in Washington voted against legislation to hold Big Oil accountable for their price gouging and voted against legislation to authorize emergency relief for families searching for formula.

And on the Reynolds Workforce Crisis, Republican policies created this crisis. That's why there are fewer Iowans working today than when Governor Reynolds took office, even as the United States has added over ten million new jobs during that same time span. And in 2022, Iowa Republican policies are making the Reynolds Workforce Crisis substantially worse, in four specific ways: (1) Attacking public schools and false accusations of having a "sinister agenda." (2) Continued attacks on Labor rights and unemployment benefits. (3) Refusing to fix our state's worst-in-the-nation childcare crisis. (4) Driving people out of the state with their relentless culture war.

While Republicans falsely accuse teachers of trying to "normalize sexually deviant behavior against our children, including pedophilia and incest," in the words of Senator Chapman on opening day — everyday Iowans know this is simply not true. Here's what we know.

We know that it's Iowa Republican politicians who have blocked efforts to fix Iowa's broken child sex abuse laws, not Democrats. We know that public school teachers are not the enemy.

We know that families with two moms or two dads are just as real as every other Iowa family. We know that nobody is changing their gender just to get an advantage in high school sports. We know that Iowans who have been raped or are the victims of incest and choose an abortion to end an unwanted or medically threatening pregnancy are not murderers.

We know that religion and faith are meant to bring us together, not be used to divide us.

We know that we all do better when we all do better, and that's why the ultrarich and big corporations should pay their fair share in taxes. We know that Iowans who live in mobile homes deserve the same dignity and protections as everyone else who owns their own home. We know that there is dignity in work and that every Iowan who works full time should be able to join the middle class.

We know that Iowa's future can be brighter than our past and that the way things have been is not how they have to be. We know that we can keep more young people in our state, we know a better future is possible, and we'll work with anyone to make that dream a reality.

REMARKS BY THE MAJORITY LEADER

Senator Whitver provided the following remarks:

Friends and colleagues –

I want to start by simply thanking everyone for their hard work this year. Senators, staff, and pages. Thank you for your service to Iowa.

Traditionally, the end of session speech recaps the session just completed. However, this year I want to take a look at the last two years of accomplishments. The 89th General Assembly will go down as one of the most productive and exceptional General Assemblies in Iowa history. It will also go down as one of the most successful.

We took our seats in this chamber in January of 2021, 9 months into the first worldwide pandemic in 100 years. It was a time of hardship for many people. It was a time of great uncertainty. It was a time of great stress for so many Iowans.

It was also a difficult time to legislate. The issues facing us were issues none of us ever expected to address in our years in the Senate. Issues we don't consider when we decided to run for office. Issues like pandemics, vaccine policies, mask requirements, or lockdowns.

It was a time that needed strong leadership. It needed smart leadership. And it needed good leadership.

That leadership was provided by Governor Reynolds through the summer and fall of 2020 when we were not in session.

But when the legislature returned in January of 2021, it was time to get to work WITH the governor to legislate solutions to the issues in front of us. While most governors around the country continued to govern through executive orders, this caucus and this legislature sat down and worked WITH our governor to pass the necessary LEGISLATION to move this state forward. We worked together to lead this state through the challenges brought by the pandemic in a way consistent with the founding principles of this republic.

In January of 2021, the hottest issue in the state was: Should our kids go to school? As liberal school boards literally locked our kids out of school or forced our students into part time school, the Republicans in the legislature stood up and passed one of the first laws in the country saying that no matter where you live, no matter which school you attend... if you want your kids in school, they have the option to go to school 100% of the time in Iowa.

History may look back at this decision as an obvious decision... the easy solution.

It wasn't that easy. Education unions decried the common-sense solution of giving parents and students the option of being in school in person full time. Only a handful of states had the courage and ability to step up and pass legislation to ensure our kids were in school. We were one of them. 32 Republicans in this chamber stood up for our kids to make sure our kids were being educated. Every Democrat voted NO!

As liberal cities and states across the country rushed to DEFUND THE POLICE, Iowa did the opposite. Common sense will tell you that if you defund the police, you will see an increase in crime. This legislature passed one of the most comprehensive Back the Blue bills in the entire country. In Iowa, our law enforcement officers know – when they have our back, we have their back! 32 Republican senators voted to support our law enforcement. Every single Democrat voted NO!

The covid pandemic was also a very difficult for state budgets across the country. A shutdown of the economy for several months naturally had a tremendous impact on our state revenues.

Because of the hard work done by Republicans in the Iowa Legislature on our state budget over the past few years, our finances were strong in March of 2020. The Council of State Governments analyzed every state fiscal situation in March of 2020, and Iowa ranked as the state best prepared to weather the pandemic financially.

If that wasn't enough, because of the decisions made by the governor and this legislature, Iowa opened back up and we were named by Wallet Hub as the one of the fastest states to recover from the pandemic.

Our strong fiscal conservatism has led to record surpluses, record balances in our rainy day funds, and a record amount in our taxpayer relief fund. This year we promised to do what every government should do when it has too much taxpayer money.

Our Ways and Means committee got to work! In 2021, we passed one of the biggest tax reform bills in history. We expedited income tax cuts, we eliminated the death tax in Iowa, and we made good on our promise to fund mental health, while reducing property taxes.

This tax bill would be historic in any normal General Assembly. But continued growth and surpluses positioned us to enact another tax cut. This time the biggest income tax cut in state history! We began our Republican trifecta with a tax rate of 8.9%. This legislature has reduced that rate to 3.9%!

Over the last two years, we have seen relentless government overreach in a way few of us ever could imagine. At every turn, we have had Iowans' backs.

When cities and states across the country were implementing vaccine passports, this legislature stood up to support Iowans. We passed a ban on vaccine passports so Iowans would not be shut out of local businesses due to their personal medical decisions.

When schools continued with unnecessary mask mandates that took power out of parents' hands and defied common sense, we were there for our students. Iowa was one of only a few states to pass a mask mandate ban in our schools.

When the Biden Administration imposed vaccine mandates on millions of employees, we again stood up for Iowa employees and passed a bill last fall to ensure that Iowans would be protected against these unconstitutional mandates.

If there is one thing that I would tell Iowans about the 89th General Assembly...it is this: Republicans in the legislature have had your back. We made sure you kept more of what you earned. We made sure Iowans had the choice to wear a mask and whether to attend school full time. We protected Iowans against the non-stop government overreach by some cities, schools, and the federal government. We have had your back and we made sure common sense prevails in Iowa.

This two-year General Assembly has been productive and historic. As we end this session and head out to talk with our constituents, we know our work is not done. Despite all we have accomplished, we have much more to do. This generational tax cut will be implemented over the next several years and a conservative, sustainable budget must accompany that tax relief.

In addition to implementing tax relief and sustainable budgets, more work remains to give Iowa parents a greater ability to direct their children's education. Iowa has some excellent public schools but they don't always work for every student. Putting parents first has been a theme for Senate Republicans for the last 6 years. From in-person learning, to choosing to wear a mask, and ensuring open enrollment exists for all Iowa students, we have led on empowering parents. We continued that work this year and we will continue to advance that goal next year.

The path forward is clear. I look forward to the next several months of communicating our positive, pro-growth message to Iowans. Followed by the 90th General Assembly, when we will continue to deliver results for this great state.

Thank you, Mr. President.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 105, by Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time under Rule 28 and **placed on calendar**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 105.

Senate Concurrent Resolution 105

On motion of Senator Whitver, **Senate Concurrent Resolution 105**, a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Whitver moved the adoption of Senate Concurrent Resolution 105, which motion prevailed by a voice vote.

The Senate stood at ease at 11:56 p.m. until the fall of the gavel.

The Senate resumed session at 12:10 a.m., President Chapman presiding.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Concurrent Resolution 105** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 24, 2022, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 2384, a bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 105, duly adopted, the day of May 24, 2022, having arrived, President Chapman declared the 2022 Regular Session of the Eighty-ninth General Assembly adjourned sine die.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Institute for Physical Research and Technology (ISU), pursuant to 2021 Iowa Acts, Chapter 171, section 17. Report received on May 24, 2022.

Quarterly Financial Report, pursuant to 2021 Iowa Acts, Chapter 170, section 10. Report received on May 24, 2022.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Laverne Kock, Avoca—For celebrating his 100th birthday. Senator Shipley.

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate:

I am withdrawing the name of Jeremy Price for confirmation as a member of the Electrical Examining Board from further consideration by the Senate.

I am withdrawing the name of Jane Dufoe for confirmation as a member of the Public Employment Relations Board from further consideration by the Senate.

I am withdrawing the name of Erik Helland for confirmation as Chair and member of the Public Employment Relations Board from further consideration by the Senate.

I am withdrawing the name of Ritchie Kurtenbach for confirmation as a member of the Iowa Workforce Development Board from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

REPORTS OF THE SECRETARY OF THE SENATE

May 24, 2022

The Honorable Kim Reynolds
Governor of Iowa
Via Email

Re: Notice of Senate Disapproval of a Gubernatorial Nominee

Dear Governor Reynolds:

On May 24, 2022, the Iowa Senate failed to approve the confirmation of Gwen Ecklund as a member of the State Judicial Nominating Commission. Pursuant to Iowa Code section 2.32(11), this disapproval triggers certain timelines.

Notice of this disapproval is hereby being filed with your office on May 24, 2022.

If you have any questions or concerns, please notify me.

Sincerely,

W. Charles Smithson
Secretary of the Senate

May 24, 2022

The Honorable Kim Reynolds
Governor of Iowa
Via Email

Re: Notice of Senate Disapproval of a Gubernatorial Nominee

Dear Governor Reynolds:

On May 24, 2022, the Iowa Senate failed to approve the confirmation of Jeremy Kidd as a member of the State Judicial Nominating Commission. Pursuant to Iowa Code section 2.32(11), this disapproval triggers certain timelines.

Notice of this disapproval is hereby being filed with your office on May 24, 2022.

If you have any questions or concerns, please notify me.

Sincerely,

W. Charles Smithson
Secretary of the Senate

May 24, 2022

The Honorable Kim Reynolds
Governor of Iowa
Via Email

Re: Notice of Senate Disapproval of a Gubernatorial Nominee

Dear Governor Reynolds:

On May 24, 2022, the Iowa Senate failed to approve the confirmation of Kathleen Law as a member of the State Judicial Nominating Commission. Pursuant to Iowa Code section 2.32(11), this disapproval triggers certain timelines.

Notice of this disapproval is hereby being filed with your office on May 24, 2022.

If you have any questions or concerns, please notify me.

Sincerely,

W. Charles Smithson
Secretary of the Senate

May 24, 2022

The Honorable Kim Reynolds
Governor of Iowa
Via Email

Re: Notice of Senate Disapproval of a Gubernatorial Nominee

Dear Governor Reynolds:

On May 24, 2022, the Iowa Senate failed to approve the confirmation of Derek Muller as a member of the State Judicial Nominating Commission. Pursuant to Iowa Code section 2.32(11), this disapproval triggers certain timelines.

Notice of this disapproval is hereby being filed with your office on May 24, 2022.

If you have any questions or concerns, please notify me.

Sincerely,

W. Charles Smithson
Secretary of the Senate

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 24th day of May, 2022.

Senate Files 333, 463, 551, 577, 2190, 2287, and 2334.

W. CHARLES SMITHSON
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 24, 2022, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 333 – Relating to authorized emergency vehicles, making penalties applicable, and including effective date and applicability provisions.

Senate File 463 – Establishing the occupational therapy licensure compact and the audiology and speech language pathology interstate compact.

Senate File 551 – Relating to fire fighters and emergency medical services members operating certain vehicles.

Senate File 577 – Relating to a certificate of nonviable birth.

Senate File 2190 – Relating to the use of child labor for certain bakery machine occupations utilizing pizza dough rollers.

Senate File 2287 – Relating to used catalytic converter transactions, providing penalties, and making penalties applicable.

Senate File 2334 – Relating to shotguns that may be used to hunt turkey.

AMENDMENTS FILED

S-5173	H.F.	2468	Jackie Smith
S-5174	H.F.	2431	Tony Bisignano
S-5175	H.F.	2573	Julian B. Garrett
S-5176	H.F.	771	Ken Rozenboom
S-5177	H.F.	2558	House

S-5178	H.F.	2130	Carrie Koelker Waylon Brown
S-5179	S.F.	2384	Jack Whitver
S-5180	S.F.	2384	Zach Nunn
S-5181	S.F.	2384	Joe Bolkcom
S-5182	H.F.	2384	Mike Klimesh

SENATE REPORTS RECEIVED AFTER ADJOURNMENT

The following is a record of Senate reports received after the close of the 2022 Regular Session.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 15, 2022.

DEPARTMENT OF EDUCATION

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9. Report received on June 1, 2022.

Special Education Federal Reports, pursuant to Iowa Code section 256B.3. Report received on June 21, 2022.

DEPARTMENT OF HUMAN SERVICES

Child Abuse Registry Report, pursuant to Iowa Code section 235A.23. Report received on June 16, 2022.

Department of Human Services Operational and Program Expenditures Report, pursuant to 2021 Iowa Acts, Chapter 182, section 28. Report received on June 2, 2022.

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13. Report received on June 23, 2022.

Emergency Rule Expenditure Report, pursuant to 2021 Iowa Acts, Chapter 182, section 32. Report received on June 2, 2022.

Medicaid Managed Care Contracts Notification Report, pursuant to 2020 Iowa Acts, Chapter 1121, section 1. Report received on June 20, 2022.

Medicaid Managed Care Oversight Quarterly Meeting Minutes, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on June 13, 2022.

Medicaid Managed Care Oversight Quarterly Report, pursuant to 2016 Iowa Acts, Chapter 1139, section 93. Report received on June 16, 2022.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L4. Report received on June 9, 2022.

Temporary Assistance for Needy Families Block Grant Expenditures, pursuant to 2021 Iowa Acts, Chapter 182, section 7. Report received on June 2, 2022.

DEPARTMENT OF MANAGEMENT

Block Grants Report, pursuant to Iowa Code section 8.22. Report received on June 21, 2022.

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on June 22, 2022.

Joint Investment Trust Report—Department of Management, pursuant to Iowa Code section 12B.10A. Report received on June 22, 2022.

Judicial Review Report—Department of Management, pursuant to Iowa Code section 625.29. Report received on June 22, 2022.

Reversion Report—Training and Technology Expenditures Report—Department of Management, pursuant to Iowa Code section 8.62. Report received on June 22, 2022.

State Tort Claims Report, pursuant to Iowa Code section 669.12. Report received on June 22, 2022.

DEPARTMENT OF PUBLIC SAFETY

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 15, 2022.

DEPARTMENT OF REVENUE

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on June 23, 2022.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor on the 1st day of June, 2022:

Senate Files 183, 522, 2337, 2370, and 2383.

ALSO: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor on the 2nd day of June, 2022:

Senate Files 529, 581, 2367, 2373, 2374, 2378, 2380, and 2385.

W. CHARLES SMITHSON
Secretary of the Senate

SENATE BILLS APPROVED AFTER ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2022 Regular Session:

SENATE BILLS APPROVED

Senate File 183—Relating to a construction manager-at-risk commercial construction alternative delivery method and prohibiting certain other alternative delivery methods in the public sector and including effective date and applicability provisions. Approved June 14, 2022.

Senate File 522—Relating to older individuals and dependent adults and creating certain criminal offenses and civil actions, and providing penalties. Approved June 15, 2022.

Senate File 529—Relating to assisted reproduction fraud, and providing penalties. Approved June 14, 2022.

Senate File 581—Relating to fishing and hunting licenses and permits. Approved June 17, 2022.

Senate File 2337—Relating to third-party testers and test examiners for commercial driver's license knowledge and driving skills tests. Approved June 14, 2022.

Senate File 2367—Relating to state taxation by specifying when returns are due, striking sales tax exemptions and exempting other products, and modifying distributions of revenue to local governments and school districts, the liability of sellers, the franchise tax, motor fuel tax reporting, tax refunds and credits, and the individual state income tax, and providing penalties, and including effective date, applicability, and retroactive applicability provisions. Approved June 17, 2022.

Senate File 2370—Relating to aircraft, including special certificates issued to aircraft manufacturers, transporters, and dealers, and sales tax exemptions associated with aircraft, providing fees, making penalties applicable, and including effective date and applicability provisions. Approved June 14, 2022.

Senate File 2373—Relating to the enforcement of the lake Manawa and Waubonsie state park user fee pilot programs, and including effective date and applicability provisions. Approved June 13, 2022.

Senate File 2374—Concerning the regulation of food and beverages, relating to alcoholic beverage control and delivery of restaurant food, providing for fees and civil penalties, and including effective date and applicability provisions. Approved June 7, 2022.

Senate File 2378—Relating to beverage containers control provisions, including handling fees, refund value, applicability to certain beverages, and acceptance of beverage containers, providing penalties, and including effective date provisions. Approved June 17, 2022.

Senate File 2380—To designate February 1 of each year as George Washington Carver Day. Approved June 16, 2022.

Senate File 2383—Relating to various matters under the purview of the state, including city and county inspections, work-based learning, recruitment of health care professionals, regulations affecting veterans and military spouses, insurance producer temporary licenses, and including applicability provisions. Approved June 16, 2022.

Senate File 2385—Relating to and making appropriations involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, providing for other properly related matters, and including contingent effective date provisions. Approved June 17, 2022.

REPORT OF THE SECRETARY OF THE SENATE

June 21, 2022

The Honorable Paul Pate
Secretary of State
Via Email

Re: Filing of Constitutional Amendment Certificates of Newspaper Selections

Dear Secretary Pate:

Please find the attached “Certificate of Newspapers for Constitutional Amendment Publication” concerning HJR 5, SJR 9, and HJR 2005. These documents are required to be filed with your office pursuant to Iowa Code section 49A.3 as part of the “proof of publication” process involving proposed amendments to the Iowa Constitution.

Sincerely,

W. Charles Smithson
Secretary of the Senate

AMENDMENTS FILED

EIGHTY-NINTH GENERAL ASSEMBLY

2021 REGULAR SESSION

S-5001

1 Amend Senate Resolution 101 as follows:
2 1. Page 3, by striking lines 19 through 29 and inserting:
3 <The secretary of the senate shall inform the ethics
4 committee of the financial statements that are filed and shall
5 report to the ethics committee the names of any candidates
6 for senate who appear not to have filed complete financial
7 statements. The secretary of the senate shall request that a
8 candidate for senate who has failed to complete the financial
9 statement or appears to have filed an incomplete financial
10 report to do so within five days. If a candidate for senate
11 does not file a complete financial statement within five days,
12 the candidate shall be fined fifty dollars, payable to the
13 Iowa senate for deposit in the general fund, and the ethics
14 committee may require the candidate to appear before the
15 committee.>

CARRIE KOELKER

S-5002

1 Amend the amendment, S-5001, to Senate Resolution 101, as
2 follows:
3 1. Page 1, after line 1 by inserting:
4 <___. Page 2, line 15, after <comply,> by inserting <the
5 senator shall be fined fifty dollars, payable to the Iowa
6 senate for deposit in the general fund, and>>
7 2. By renumbering as necessary.

ROBERT M. HOGG

S-5003

1 Amend Senate File 2204 as follows:
2 1. Page 1, line 10, by striking <one-fourth> and inserting
3 <one-half>
4 2. Page 1, line 24, by striking <one-fourth> and inserting
5 <one-half>
6 3. Page 2, line 28, by striking <ten> and inserting <five>
7 4. Page 6, after line 1 by inserting:
8 <Sec. ___. CODE SECTION 257.8 — IMPLEMENTATION. The
9 requirements of section 257.8, subsections 1 and 2, regarding
10 the enactment of bills establishing the state percent of growth
11 and the categorical state percent of growth within thirty
12 days of the transmission of the governor's budget required by

- 13 February 1 under section 8.21 during the regular legislative
14 session beginning in the base year, do not apply to this Act.>
15 5. By renumbering as necessary.

AMY SINCLAIR

S-5004

- 1 Amend House File 2316, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, lines 9 and 10, by striking ~~<two and one-half>~~
4 and inserting <five>
5 2. Page 1, line 24, by striking ~~<two and one-half>~~ and
6 inserting <five>

HERMAN C. QUIRMBACH

S-5005

- 1 Amend House File 2316, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 257.1, subsection 2, paragraph b, Code
5 2022, is amended to read as follows:
6 b. For the budget year commencing July 1, 1999, and for
7 each succeeding budget year beginning before July 1, 2022,
8 the regular program foundation base per pupil is eighty-seven
9 and five-tenths percent of the regular program state cost per
10 pupil. For the budget year commencing July 1, 2022, and for
11 each succeeding budget year, the regular program foundation
12 base per pupil is eighty-eight and four-tenths percent of the
13 regular program state cost per pupil. For the budget year
14 commencing July 1, 1991, and for each succeeding budget year
15 the special education support services foundation base is
16 seventy-nine percent of the special education support services
17 state cost per pupil. The combined foundation base is the sum
18 of the regular program foundation base, the special education
19 support services foundation base, the total teacher salary
20 supplement district cost, the total professional development
21 supplement district cost, the total early intervention
22 supplement district cost, the total teacher leadership
23 supplement district cost, the total area education agency
24 teacher salary supplement district cost, the total mental
25 health supplement district cost, and the total area education
26 agency professional development supplement district cost.
27 Sec. ___. Section 257.1, subsection 3, Code 2022, is amended
28 to read as follows:
29 3. *Computations rounded.* In making computations and
30 payments under this chapter, except in the case of computations
31 relating to funding of special education support services,
32 media services, and educational services provided through the
33 area education agencies, and the teacher salary supplement, the

34 professional development supplement, the early intervention
35 supplement, the mental health supplement, and the teacher

Page 2

1 leadership supplement, the department of management shall round
2 amounts to the nearest whole dollar.
3 Sec. ___. Section 257.4, subsection 1, paragraph a, Code
4 2022, is amended by adding the following new subparagraph:
5 **NEW SUBPARAGRAPH.** (11) The total mental health supplement
6 district cost.>
7 2. Page 1, line 32, after <leadership supplement,> by
8 inserting <the mental health supplement>
9 3. Page 2, after line 33 by inserting:
10 <Sec. ___. Section 257.9, Code 2022, is amended by adding
11 the following new subsection:
12 **NEW SUBSECTION.** 12. *Mental health supplement state cost*
13 *per pupil.* For the budget year beginning July 1, 2022, the
14 mental health supplement state cost per pupil is equal to
15 one-half percent of the regular program state cost per pupil
16 for the budget year beginning July 1, 2022. The mental
17 health supplement state cost per pupil for the budget year
18 beginning July 1, 2023, and succeeding budget years, shall be
19 the amount calculated by the department of management under
20 this subsection for the base year plus a supplemental state
21 aid amount that is equal to the mental health supplement
22 categorical state percent of growth, pursuant to section
23 257.8, subsection 2, for the budget year, multiplied by the
24 amount calculated by the department of management under this
25 subsection for the base year.
26 Sec. ___. Section 257.10, subsection 8, paragraph a, Code
27 2022, is amended to read as follows:
28 a. Combined district cost is the sum of the regular
29 program district cost per pupil multiplied by the weighted
30 enrollment, the special education support services district
31 cost, the total teacher salary supplement district cost, the
32 total professional development supplement district cost, the
33 total mental health supplement district cost, the total early
34 intervention supplement district cost, and the total teacher
35 leadership supplement district cost, plus the sum of the

Page 3

1 additional district cost allocated to the district to fund
2 media services and educational services provided through the
3 area education agency, the area education agency total teacher
4 salary supplement district cost and the area education agency
5 total professional development supplement district cost.
6 Sec. ___. Section 257.10, Code 2022, is amended by adding
7 the following new subsection:
8 **NEW SUBSECTION.** 12A. *Mental health supplement district cost*
9 *per pupil and district cost.*

10 a. For the budget year beginning July 1, 2022, and each
11 succeeding budget year, the mental health supplement district
12 cost per pupil is equal to the mental health supplement state
13 cost per pupil as determined under section 257.9, subsection
14 12, for the same budget year.
15 b. The total mental health supplement district cost is the
16 product of the mental health supplement district cost per pupil
17 multiplied by the school district's weighted enrollment for the
18 budget year.
19 c. The funds calculated under this subsection shall be
20 used by the school district for costs to employ student
21 mental health and behavioral staff and professionals including
22 school counselors, school nurses, and school social workers,
23 and for evidence-based mental health services, supports,
24 and programming. Funding provided under this subsection is
25 intended to supplement, not supplant, existing school district
26 funding for student mental health and behavioral professionals
27 and services.>
28 4. By renumbering as necessary.

CLAIRE A. CELSI

S-5006

1 Amend House File 2316, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 256C.4, subsection 1, paragraphs b, d,
5 and f, Code 2022, are amended to read as follows:
6 b. (1) A school district approved to participate in the
7 preschool program may authorize expenditures for the district's
8 preschool programming from any of the revenue sources available
9 to the district from the sources listed in chapter 298A,
10 provided the expenditures are within the uses permitted for the
11 revenue source, including from the school district's general
12 fund as provided in subparagraph (2), or from the school
13 district's flexibility account under section 298A.2, subsection
14 2. In addition, the use of the revenue source for preschool
15 or prekindergarten programming must have been approved prior
16 to any expenditure from the revenue source for the district's
17 approved local program.
18 (2) For the school budget year beginning July 1, 2023,
19 and succeeding budget years, if fifty percent of a district's
20 actual enrollment of eligible students in the preschool
21 programming for the budget year, determined under section
22 256C.5, subsection 1, paragraph "c", is greater than the
23 school district's preschool budget enrollment for the budget
24 year, the district shall be eligible to receive a preschool
25 on-time funding budget adjustment for the budget year to be
26 funded using revenues from the school district's general
27 fund. The adjustment shall not exceed an amount equal to the
28 difference between fifty percent of the actual enrollment for

29 the budget year as determined under section 256C.5, subsection
30 1, paragraph "c," and the preschool budget enrollment for the
31 budget year, multiplied by the regular program state cost
32 per pupil. The board of directors of a school district that
33 wishes to receive a budget adjustment shall adopt a resolution
34 approving the use of funds from the district's general fund
35 and notify the department of education and the department of

Page 2

1 management annually, but not earlier than November 1.
2 d. Preschool foundation aid funding shall not be commingled
3 with the other state aid payments made under section 257.16
4 to a school district and shall be accounted for by the local
5 school district separately from the other state aid payments.
6 Preschool foundation aid payments made to school districts are
7 miscellaneous income for purposes of chapter 257. A school
8 district shall maintain a separate listing within its budget
9 for preschool foundation aid payments received and expenditures
10 made. A school district shall certify to the department of
11 education that preschool foundation aid funding received by
12 the school district was used to supplement, not supplant,
13 moneys otherwise received and used by the school district for
14 preschool programming.
15 f. The receipt of funding by a school district for the
16 purposes of this chapter, the need for additional funding
17 for the purposes of this chapter, or the enrollment count of
18 eligible students under this chapter shall not be considered
19 to be unusual circumstances, create an unusual need for
20 additional funds, or qualify under any other circumstances
21 that may be used by the school budget review committee to
22 grant supplemental aid to or establish a modified supplemental
23 amount for a school district under section 257.31. However,
24 a school district may approve the use of funds from the
25 school district's general fund as provided in paragraph "a",
26 subparagraph (2), if additional funding under this chapter
27 is needed as the result of the enrollment count of eligible
28 students in the district's program.>
29 2. Title page, line 4, after <to> by inserting <certain
30 funding and>
31 3. By renumbering as necessary.

SARAH TRONE GARRIOTT

S-5007

1 Amend House File 2316, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 6, after line 1 by inserting:
4 <Sec. ___. CLASSROOM FUNDING SUPPLEMENT — APPROPRIATION.
5 1. For the school budget year beginning July 1, 2022, each
6 school district shall receive a classroom funding supplement.

7 The supplement for each district shall be in an amount equal
8 to the share of the appropriation under subsection 5 that is
9 proportionate to the school district's enrollment in grades
10 kindergarten through eight for the school budget year beginning
11 July 1, 2021, as a share of the total enrollment in grades
12 kindergarten through eight for the school budget year beginning
13 July 1, 2021, among all school districts.

14 2. The classroom funding supplement shall be miscellaneous
15 income, shall be deposited in the general fund of the school
16 district, and shall not be included in district cost.

17 3. The classroom funding supplement amount received by a
18 school district shall be used by the school district during the
19 school budget years beginning on or after July 1, 2022, and
20 ending before July 1, 2025, and shall be used as follows:

21 a. For school districts that have an average class size
22 for grades kindergarten through eight during the school year
23 beginning July 1, 2021, of eighteen students or greater, the
24 classroom funding supplement may be used to address student
25 underperformance following the beginning of the COVID-19
26 pandemic by funding early intervention initiatives and reducing
27 class sizes among grades kindergarten through eight.

28 b. If the school district does not meet the class-size
29 threshold under paragraph "a", the classroom funding
30 supplements may be used by a school district for the same
31 purposes allowed for the teacher salary supplement funding
32 under section 257.10, subsection 9, and for the hiring of
33 additional teachers, teacher recruitment bonuses, and teacher
34 retention bonuses.

35 4. The classroom funding supplement shall be paid in full

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1 at the same time and in the same manner as the final monthly
2 foundation aid payment under section 257.16 for the fiscal year
3 ending June 30, 2022.

4 5. There is appropriated from the general fund of the state
5 to the department of management for the fiscal year beginning
6 July 1, 2021, fifteen million dollars to make all supplement
7 payments as calculated under this section.>

8 2. Title page, line 6, after <payments,> by inserting
9 <establishing certain funding, making appropriations,>

10 3. By renumbering as necessary.

NATE BOULTON

S-5008

1 Amend House File 2316, as amended, passed, and reprinted by
2 the House, as follows:

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

4 <Section 1. Section 135.173A, subsection 4, paragraph p,
5 Code 2022, is amended to read as follows:

6 p. One person who is part of a local program implementing
7 the statewide preschool program for ~~four year old young~~
8 children under chapter 256C.

9 Sec. ___. Section 135.173A, subsection 6, paragraph f, Code
10 2022, is amended to read as follows:

11 f. Make recommendations for improving collaborations
12 between the child care programs involving the department of
13 human services and programs supporting the education and
14 development of young children including but not limited to the
15 federal head start program; the statewide preschool program
16 for ~~four year old young~~ children; and the early childhood,
17 at-risk, and other early education programs administered by the
18 department of education.

19 Sec. ___. Section 256C.1, subsections 1 and 4, Code 2022,
20 are amended to read as follows:

21 1. "*Approved local program*" means a school district's
22 program for ~~four year old young~~ children approved by the
23 department of education to provide high quality preschool
24 instruction.

25 4. "*Preschool program*" means the statewide preschool program
26 for ~~four year old young~~ children created in accordance with
27 this chapter.

28 Sec. ___. Section 256C.2, Code 2022, is amended to read as
29 follows:

30 **256C.2 Statewide preschool program for ~~four year old young~~ children — purpose.**

32 1. A statewide preschool program for ~~four year old young~~
33 children is established. The purpose of the preschool program
34 is to provide an opportunity for all young children in the
35 state to enter school ready to learn by expanding voluntary

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1 access to quality preschool curricula ~~for all children who are~~
2 ~~four years old~~.
3 2. The state board shall adopt rules in accordance with
4 chapter 17A as necessary to implement the preschool program as
5 provided in this chapter.

6 Sec. ___. Section 256C.3, subsection 1, paragraphs a and b,
7 Code 2022, are amended to read as follows:

8 a. A child who is a resident of Iowa and ~~who~~ is four
9 years of age on or before September 15 of a school year shall
10 be eligible to enroll in the preschool program under this
11 chapter. ~~For school budget years beginning July 1, 2023, July~~
12 ~~1, 2024, and July 1, 2025, a child who is a resident of Iowa~~
13 ~~and who reaches five years of age on or after March 15 but on~~
14 ~~or before September 15 of the calendar year during which the~~
15 ~~school year begins shall be eligible to enroll in the preschool~~
16 ~~program under this chapter if the school district elects to~~
17 ~~enroll children who are five years of age for the three-year~~
18 ~~period. For school districts that elect to enroll children~~
19 ~~who are five years of age during such three-year period, a~~

20 child who enrolled as a four-year-old may enroll again as a
21 five-year-old. However, if insufficient space is available in
22 a preschool program for all eligible children, priority for
23 enrollment shall be given to children who are four years of age
24 on or before September 15 of a school year. If such a child is
25 enrolled under this chapter, the child shall be considered to
26 be of compulsory attendance age as provided in section 299.1A,
27 subsection 3.

28 b. If space and funding are available, including funding
29 from another school district account or fund from which
30 preschool program expenditures are authorized by law, a school
31 district approved to participate in the preschool program
32 may enroll and pay the cost of attendance for a ~~younger or~~
33 ~~older~~ child in the preschool program ~~who does not satisfy the~~
34 ~~requirements under paragraph "a"~~; however, the child shall not
35 be counted for state funding purposes.

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1 Sec. ___. Section 256C.3, subsection 4, paragraphs b and c,
2 Code 2022, are amended to read as follows:
3 b. Subject to implementation of chapter 28E agreements
4 between a school district and community-based providers of
5 services to four-year-old children and eligible five-year-old
6 children, a four-year-old child or eligible five-year-old child
7 who is enrolled in a child care center or child development
8 home licensed or registered under chapter 237A, or in an
9 existing public or private preschool program, shall be eligible
10 for services provided by the school district's local preschool
11 program.
12 c. A school district shall participate in data collection
13 and performance measurement processes and reporting as defined
14 by rule. In addition to preschool program data collection,
the school district data collected by the department shall
include data related to the number and birth month and year
of pupils who enroll in kindergarten, including all-day,
half-day, or transitional kindergarten programs, for more
than one school year and whether those pupils previously or
concurrently enrolled in the school district's approved local
program. To the extent feasible, the data reporting relating
to kindergarten program enrollment shall be done in a manner
so as to avoid duplication of individual pupil data within
multiple categories.

25 Sec. ___. Section 256C.3, subsection 4, Code 2022, is
26 amended by adding the following new paragraph:
27 NEW PARAGRAPH. e. For budget years beginning on or after
28 July 1, 2023, each approved local program shall provide
29 consultation services for parents or guardians of children
30 enrolled in the approved local program and parents or guardians
31 of children eligible to enroll in the approved local program to
32 assist parents or guardians in assessing the child's readiness
33 for enrollment in kindergarten or in a preschool program, as

34 applicable.

35 Sec. ___. Section 256C.4, subsection 2, Code 2022, is

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1 amended to read as follows:

2 2. *Eligible student enrollment.*

3 a. To be included as an eligible student in the enrollment
4 count of the preschool programming provided by a school
5 district approved to participate in the preschool program, a
6 child must be four years of satisfy the age by September 15
7 requirements of section 256C.3, subsection 1, paragraph "a", in
8 the base year and be attending the school district's approved
9 local program.

10 b. The enrollment count of eligible students shall not
11 include a child who is included in the enrollment count
12 determined under section 257.6 or a child who is served by
13 a program already receiving state or federal funds for the
14 purpose of the provision of four-year-old or five-year-old
15 preschool programming while the child is being served by the
16 program. Such preschool programming includes but is not
17 limited to child development assistance programs provided under
18 chapter 256A, special education programs provided under section
19 256B.9, school ready children grant programs and other programs
20 provided under chapter 256I, and federal head start programs
21 and the services funded by Tit. I of the federal Elementary and
22 Secondary Education Act of 1965.>

23 2. Page 6, after line 1 by inserting:

24 <Sec. ___. Section 298A.2, subsection 2, paragraph a,
25 subparagraph (1), Code 2022, is amended to read as follows:

26 (1) An approved local program under the statewide preschool
27 program for four year old young children under chapter 256C.

28 Sec. ___. Section 298A.2, subsection 2, paragraph c,
29 subparagraph (1), Code 2022, is amended to read as follows:

30 (1) Start-up costs for an approved local program under the
31 statewide preschool program for four year old young children
32 under chapter 256C.

33 Sec. ___. Section 299.1A, subsection 3, Code 2022, is
34 amended to read as follows:

35 3. A child who has reached the age of four by September 15

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1 or five and who is enrolled in the statewide preschool program
2 under chapter 256C shall be considered to be of compulsory
3 attendance age unless the parent or guardian of the child
4 submits written notice to the school district implementing the
5 program of the parent's or guardian's intent to remove the
6 child from enrollment in the preschool program.>

7 3. Page 6, after line 10 by inserting:

8 <Sec. ___. APPLICABILITY. The following apply July 1, 2023,
9 for school budget years beginning on or after that date:

- 10 1. The section of this Act amending section 135.173A,
11 subsection 4, paragraph "p".
- 12 2. The section of this Act amending section 135.173A,
13 subsection 6, paragraph "f".
- 14 3. The section of this Act amending section 256C.1,
15 subsections 1 and 4.
- 16 4. The section of this Act amending section 256C.2.
- 17 5. The section of this Act amending section 256C.3,
18 subsection 1, paragraphs "a" and "b".
- 19 6. The section of this Act amending section 256C.3,
20 subsection 4, paragraphs "b" and "c".
- 21 7. The section of this Act enacting section 256C.3,
22 subsection 4, paragraph "e".
- 23 8. The section of this Act amending section 256C.4,
24 subsection 2.
- 25 9. The section of this Act amending section 298A.2,
26 subsection 2, paragraph "a", subparagraph (1).
- 27 10. The section of this Act amending section 298A.2,
28 subsection 2, paragraph "c", subparagraph (1).
- 29 11. The section of this Act amending section 299A.1A,
30 subsection 3.>
- 31 4. Title page, line 4, after <to> by inserting <certain
32 programs and>
- 33 5. By renumbering as necessary.

JACKIE SMITH

S-5009

- 1 Amend Senate File 2295 as follows:
- 2 1. By striking page 68, line 19, through page 69, line 2.
- 3 2. By renumbering as necessary.

COMMITTEE ON JUDICIARY
BRAD ZAUN, CHAIRPERSON

S-5010

- 1 Amend Senate File 2294 as follows:
- 2 1. By striking page 34, line 25, through page 35, line 4.
- 3 2. By renumbering as necessary.

COMMITTEE ON JUDICIARY
BRAD ZAUN, CHAIRPERSON

S-5011

- 1 Amend Senate File 2233 as follows:
- 2 1. Page 1, line 10, by striking <shall> and inserting <may>

3 2. Page 1, line 11, by striking <surveys> and inserting
4 <surveys, as defined by the United States national geodetic
5 survey or a successor agency.>

WAYLON BROWN

S-5012

1 Amend Senate File 2268 as follows:
2 1. Page 1, line 8, after <age.> by inserting <At least
3 thirty days prior to a child care center increasing its
4 child-to-staff ratio, the child care center shall provide
5 written notice of the prospective child-to-staff ratio increase
6 to the parents of children currently attending the child care
7 center.>

PAM JOCHUM

S-5013

1 Amend Senate File 2285 as follows:
2 1. By striking page 1, line 35, through page 2, line 5, and
3 inserting <the municipality exercising this power. A city may
4 request, but shall not require, from a property owner affected
5 by zoning regulations pursuant to this section the consent
6 to annexation under chapter 368 as a condition of receiving
7 approval for a zoning classification, special or conditional
8 use, variance, permit, or division of land into two or more
9 tracts.>

MIKE KLIMESH

S-5014

1 Amend Senate File 2279 as follows:
2 1. Page 1, after line 9 by inserting:
3 <Sec. ___. Section 26.10, subsection 1, Code 2022, is
4 amended to read as follows:
5 1. The date and time that each bid is received by the
6 governmental entity, together with the name of the person
7 receiving the bid, shall be recorded on the envelope containing
8 the bid. If bids are received in an electronic format as
9 provided in section 26.7, the governmental entity shall
10 electronically record the date and time each bid is received.
11 All bids received after the deadlines for submission of
12 bids as stated in the project specifications shall not be
13 considered and shall be returned to the late bidder unopened.
14 The governmental entity shall open, announce the amount of
15 the bids, and file all proposals received, at the time and
16 place specified in the notice to bidders. The governmental
17 entity may, by resolution, award the contract for the public
18 improvement to the bidder submitting the lowest responsive,

19 responsible bid, determined as provided in section 26.9, or
20 the governmental entity may reject all bids received, fix a
21 new date for receiving bids, and order publication of a new
22 notice to bidders. The governmental entity shall retain the
23 bid security furnished by the successful bidder until the
24 approved contract form has been executed, a bond has been filed
25 by the bidder guaranteeing the performance of the contract, and
26 the contract and bond have been approved by the governmental
27 entity. The provisions of chapter 573, where applicable, apply
28 to contracts awarded under this chapter.>
29 2. By renumbering as necessary.

MIKE KLIMESH

S-5015

1 Amend Senate File 2329 as follows:
2 1. Page 3, by striking lines 13 through 15 and inserting:
3 <5. This section shall not prevent the admission of any
4 evidence based upon forfeiture by wrongdoing.>

TOM SHIPLEY

S-5016

1 Amend Senate File 2277 as follows:
2 1. Page 2, line 11, after <city> by inserting <However,
3 if a city uses moneys from its general fund to cover costs to
4 repair or replace damaged police, fire, or emergency medical
5 services equipment or vehicles, the city may deposit into its
6 general fund an amount of moneys received from the payment,
7 award, judgment, or insurance settlement that is equal to the
8 amount used from the general fund; the city shall deposit any
9 remaining amount received from the payment, award, judgment, or
10 insurance settlement into the relevant fund for police, fire,
11 or other emergency services.>

MIKE KLIMESH

S-5017

1 Amend Senate File 2362 as follows:
2 1. By striking page 8, line 28, through page 9, line 11.
3 2. By renumbering as necessary.

CHRIS COURNOYER

S-5018

- 1 Amend Senate File 493 as follows:
2 1. Page 1, line 1, by striking <2021> and inserting <2022>

JEFF TAYLOR

S-5019

- 1 Amend Senate File 2086 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 16.2D, subsection 1, Code 2022, is
5 amended to read as follows:
6 1. A council on homelessness is created consisting of
7 ~~thirty eight voting twenty members, eleven of whom are voting~~
8 members and nine of whom are nonvoting members. At all times,
9 at least one voting member shall be a member of a minority
10 group.
11 Sec. 2. Section 16.2D, subsection 2, paragraph a, Code 2022,
12 is amended to read as follows:
13 a. ~~(1) Twenty six Eleven voting members of from~~ the general
14 public appointed to two-year staggered terms by the governor
15 in consultation with the nominating committee under subsection
16 4, ~~paragraph “a”.~~
17 ~~(1)~~ (2) Voting members Members from the general
18 public may include but are not limited to the following
19 types of individuals and representatives of the following
20 programs: homeless or formerly homeless individuals and their
21 family members, youth shelters, faith-based organizations,
22 local homeless service providers, emergency shelters,
23 transitional housing providers, family and domestic violence
24 shelters, private business, local government, ~~veterans or~~
25 veteran organizations, and community-based organizations.
26 ~~(2)~~ (3) Five Two of the twenty six voting eleven members
27 selected from the general public shall be individuals who are
28 homeless, formerly homeless, or family members of homeless or
29 formerly homeless individuals.
30 ~~(3) One of the twenty six members selected from the general~~
31 ~~public shall be a representative of the Iowa state association~~
32 ~~of counties.~~
33 ~~(4) One of the twenty six members selected from the general~~
34 ~~public shall be a representative of the Iowa league of cities.~~
35 Sec. 3. Section 16.2D, subsection 2, paragraph b, Code 2022,

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- 1 is amended by striking the paragraph and inserting in lieu
2 thereof the following:
3 b. Nine nonvoting agency director members consisting of all
4 of the following:
5 (1) The director of the department of education or the

6 director's designee.
7 (2) The director of human services or the director's
8 designee.
9 (3) The attorney general or the attorney general's
10 designee.
11 (4) The director of public health or the director's
12 designee.
13 (5) The director of the department on aging or the
14 director's designee.
15 (6) The director of the department of corrections or the
16 director's designee.
17 (7) The director of the department of workforce development
18 or the director's designee.
19 (8) The executive director of the Iowa finance authority or
20 the executive director's designee.
21 (9) The director of the department of veterans affairs or
22 the director's designee.
23 Sec. 4. Section 16.2D, subsection 3, Code 2022, is amended
24 by striking the subsection.
25 Sec. 5. Section 16.2D, subsection 4, paragraph a, Code 2022,
26 is amended by striking the paragraph and inserting in lieu
27 thereof the following:
28 a. The council shall annually elect five members to a
29 nominating committee, at least two of whom shall be nonvoting
30 members and at least two of whom shall be voting members. The
31 governor shall appoint members of the general public to the
32 council from names the nominating commission submits to the
33 governor.
34 Sec. 6. Section 16.2D, subsection 6, paragraphs a and b,
35 Code 2022, are amended by striking the paragraphs and inserting

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1 in lieu thereof the following:
2 a. Seven voting members of the council shall constitute
3 a quorum. Any action taken by the council shall require the
4 affirmative vote of a majority of the quorum. The majority
5 shall not include any member who has a conflict of interest
6 and a statement by a member who asserts a conflict of interest
7 shall be conclusive for this purpose.
8 b. The council shall annually elect a chairperson and vice
9 chairperson from the membership of the council, and other
10 officers as determined by the council.
11 Sec. 7. Section 16.2D, subsection 8, paragraphs d and e,
12 Code 2022, are amended by striking the paragraphs.
13 Sec. 8. Section 16.2D, subsection 9, Code 2022, is amended
14 by striking the subsection and inserting in lieu thereof the
15 following:
16 9. The council shall file a point-in-time report on
17 homelessness in Iowa with the governor and the general assembly
18 on or before December 1 of each year.
19 Sec. 9. TRANSITION — APPOINTMENT AND TERM OF MEMBERS ON THE

20 IOWA COUNCIL ON HOMELESSNESS. Notwithstanding any provision of
21 section 16.2D, Code 2022, and any provision to the contrary as
22 enacted in this Act, the terms of all members from the general
23 public serving on the Iowa council of homelessness on July 1,
24 2022, shall terminate as of that date. The governor shall
25 appoint eleven members of the general public to the council
26 from names submitted by a nominating committee comprised of
27 the nine agency director members on the council. It is the
28 intent of the general assembly that the governor should appoint
29 at least eight members from the general public whose terms
30 terminated on July 1, 2022, in the interest of maintaining
31 institutional knowledge on the council. All new general public
32 members shall be appointed by not later than September 1, 2022,
33 with five members appointed to terms ending June 30, 2023, and
34 six members appointed to terms ending June 30, 2024. All terms
35 beginning on or after July 1, 2023, shall be subject to the

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1 provision of this Act amending section 16.2D, subsection 2,
2 paragraph "a".>

CARRIE KOELKER

S-5020

1 Amend Senate File 2323 as follows:
2 1. Page 1, line 3, after <1.> by inserting <a.>
3 2. Page 1, line 6, by striking <maintain>
4 3. Page 1, by striking lines 7 through 16 and inserting
5 <managed or owned on behalf of the state by the department.>
6 4. Page 1, before line 17 by inserting:
7 b. The department shall maintain the inventory created in
8 paragraph "a" on the department's internet site and update the
9 inventory within sixty days of the department acquiring new
10 property or acquiring a management interest in any property.
11 The department shall also update the inventory within sixty
12 days of receiving a report of a county conservation board's
13 acquisition of property as required under paragraph "c".
14 The inventory shall include the common name, county, acres
15 acquired, seller, year of acquisition, price paid, federal
16 moneys used, state moneys used, county moneys used, and the
17 manager of all land owned or managed by the department or by a
18 county conservation board.
19 c. Each county conservation board shall regularly submit
20 to the department in a manner determined by the department and
21 consistent with section 350.4, subsection 3, an inventory of
22 all land owned or managed by the respective county conservation
23 board.>

24 5. Title page, line 1, by striking <state>
25 6. Title page, line 2, by striking <resources.> and
26 inserting <resources or a county conservation board.>

TOM SHIPLEY

S-5021

1 Amend Senate File 2206 as follows:

2 1. By striking everything after the enacting clause and

3 inserting:

4 <DIVISION I

5 SALE OF CERTAIN QUALIFIED STOCK — NET CAPITAL GAIN EXCLUSION

6 Section 1. Section 422.7, Code 2022, is amended by adding

7 the following new subsection:

8 NEW SUBSECTION. 63. *a.* Subtract the following percentage

9 of the net capital gain from the sale or exchange of capital

10 stock of a qualified corporation for which an election is made

11 by an employee-owner:

12 (1) For the tax year beginning in the 2023 calendar year,
13 thirty-three percent.

14 (2) For the tax year beginning in the 2024 calendar year,
15 sixty-six percent.

16 (3) For tax years beginning on or after January 1, 2025, one
17 hundred percent.

18 *b.* (1) An employee-owner is entitled to make one
19 irrevocable lifetime election to exclude the net capital gain
20 from the sale or exchange of capital stock of one qualified
21 corporation which capital stock was acquired by the employee-
22 owner while employed and on account of employment by such
23 qualified corporation.

24 (2) The election shall apply to all subsequent sales
25 or exchanges of qualifying capital stock of the elected
26 corporation within fifteen years of the date of the election,
27 provided that the subsequent sales or exchanges were of capital
28 stock in the same qualified corporation and were acquired by
29 the employee-owner while employed and on account of employment
30 by such qualified corporation.

31 (3) The election shall apply to qualifying capital stock
32 that has been transferred by inter vivos gift from the
33 employee-owner to the employee-owner's spouse or to a trust
34 for the benefit of the employee-owner's spouse following the
35 transfer. This subparagraph (3) shall apply to a spouse

- 1 only if the spouse was married to the employee-owner on the
2 date of the sale or exchange or the date of death of the
3 employee-owner.
4 (4) If the employee-owner dies after having sold or
5 exchanged qualifying capital stock without having made an
6 election under this subsection, the surviving spouse or, if

7 there is no surviving spouse, the personal representative of
8 the employee-owner's estate, may make the election that would
9 have qualified under this subsection.

10 (5) The election shall be made in the manner and form
11 prescribed by the department and shall be included with the
12 taxpayer's state income tax return for the taxable year in
13 which the election is made.

14 c. For purposes of this subsection:

15 (1) "*Capital stock*" means common or preferred stock, either
16 voting or nonvoting. "*Capital stock*" does not include stock
17 rights, stock warrants, stock options, or debt securities.

18 (2) "*Employee-owner*" means an individual who owns capital
19 stock in a qualified corporation for at least ten years, which
20 capital stock was acquired by the individual while employed and
21 on account of employment by such corporation for at least ten
22 cumulative years.

23 (3) "*Personal representative*" means the same as defined in
24 section 633.3, or if there is no such personal representative
25 appointed, then the person legally authorized to perform
26 substantially the same functions.

27 (4) (a) "*Qualified corporation*" means, with respect to an
28 employee-owner, a corporation which, at the time of the first
29 sale or exchange for which an election is made by the employee-
30 owner under this subsection, meets all of the following
31 conditions:

32 (i) The corporation employed individuals in this state for
33 at least ten years.

34 (ii) The corporation has had at least five shareholders for
35 the ten years prior to the first sale or exchange under this

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1 subsection.

2 (iii) The corporation has had at least two shareholders or
3 groups of shareholders who are not related for the ten years
4 prior to the first sale or exchange under this subsection.

5 Two persons are considered related when, under section 318 of
6 the Internal Revenue Code, one is a person who owns, directly
7 or indirectly, capital stock that if directly owned would be
8 attributed to the other person, or is the brother, sister,
9 aunt, uncle, cousin, niece, or nephew of the other person who
10 owns capital stock either directly or indirectly.

11 (b) "*Qualified corporation*" includes any member of an Iowa
12 affiliated group if the Iowa affiliated group includes a member
13 that has employed individuals in this state for at least ten
14 years. For purposes of this subparagraph division, "*Iowa*
15 *affiliated group*" means an affiliated group that has made a
16 valid election to file an Iowa consolidated income tax return
17 under section 422.37 in the year in which the deduction under
18 this subsection is claimed. "*Member*" includes any entity
19 included in the consolidated return under section 422.37,
20 subsection 2, for the tax year in which the deduction is

21 claimed.

22 (c) "*Qualified corporation*" also includes any corporation
23 that was a party to a reorganization that was entirely or
24 substantially tax free if such reorganization occurred during
25 or after the employment of the employee-owner.

26 Sec. 2. EFFECTIVE DATE. This division of this Act takes
27 effect January 1, 2023.

28 Sec. 3. APPLICABILITY. This division of this Act applies to
29 tax years beginning on or after January 1, 2023.

DIVISION II

RETIRED FARMER LEASE INCOME EXCLUSION

32 Sec. 4. Section 422.7, Code 2022, is amended by adding the
33 following new subsection:

34 **NEW SUBSECTION.** 21A. *a.* Subtract, to the extent included,
35 net income received by an eligible individual pursuant to a

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1 farm tenancy agreement covering real property held by the
2 eligible individual for ten or more years, if the eligible
3 individual materially participated in a farming business for
4 ten or more years.

5 *b.* An individual who elects to exclude income received
6 pursuant to a farm tenancy agreement under this subsection
7 shall not claim any of the following in the tax year in which
8 the election is made or in any succeeding year:

9 (1) The capital gain exclusion under section 422.7,
10 subsection 21.

11 (2) The beginning farmer tax credit under section 422.11E.

12 *c.* Married individuals who file separate state income tax
13 returns shall allocate their combined annual exclusion limit
14 to each spouse in the proportion that each spouse's respective
15 net income from a farm tenancy agreement bears to the total net
16 income from a farm tenancy agreement.

17 *d.* The department shall establish criteria, by rule,
18 relating to whether and how a surviving spouse may claim the
19 income exclusion for which a deceased eligible individual would
20 have been eligible under this subsection.

21 *e.* Net income from a farm tenancy agreement earned,
22 received, or reported by an entity taxed as a partnership
23 for federal tax purposes, an S corporation, or a trust or
24 estate is not eligible for the election and deduction in this
25 subsection, even if such net income ultimately passes through
26 to an eligible individual.

27 *f.* For purposes of this subsection:

28 (1) "*Eligible individual*" means an individual who is
29 disabled or who is fifty-five years of age or older at the time
30 the election is made, who no longer materially participates in
31 a farming business at the time the election is made, and who,

32 as an owner-lessor, is party to a farm tenancy agreement.
33 (2) "*Farm tenancy agreement*" means a written agreement
34 outlining the rights and obligations of an owner-lessor and a
35 tenant-lessee where the tenant-lessee has a farm tenancy as

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1 defined in section 562.1A. A "*farm tenancy agreement*" includes
2 cash leases, crop share leases, or livestock share leases.
3 (3) "*Farming business*" means the production, care, growing,
4 harvesting, preservation, handling, or storage of crops
5 or forest or fruit trees; the production, care, feeding,
6 management, and housing of livestock; or horticulture, all
7 intended for profit.
8 (4) "*Livestock*" means the same as defined in section 717.1.
9 (5) "*Materially participated*" means the same as "*material
participation*" in section 469(h) of the Internal Revenue Code.
10 Sec. 5. EFFECTIVE DATE. This division of this Act takes
11 effect January 1, 2023.
12 Sec. 6. APPLICABILITY. This division of this Act applies to
13 tax years beginning on or after January 1, 2023.

14 DIVISION III
15 RETIRED FARMER CAPITAL GAIN EXCLUSION
16 Sec. 7. Section 422.7, subsection 21, Code 2022, is amended
17 by striking the subsection and inserting in lieu thereof the
18 following:
20 21. a. For purposes of this subsection:
21 (1) "*Farming business*" means the production, care, growing,
22 harvesting, preservation, handling, or storage of crops
23 or forest or fruit trees; the production, care, feeding,
24 management, and housing of livestock; or horticulture, all for
25 intended profit.
26 (2) "*Held*" shall be determined with reference to the holding
27 period provisions of section 1223 of the Internal Revenue Code
28 and the federal regulations pursuant thereto.
29 (3) "*Livestock*" means the same as defined in section 717.1.
30 (4) "*Materially participated*" means the same as "*material
participation*" in section 469(h) of the Internal Revenue Code.
32 (5) (a) "*Real property used in a farming business*" means
33 all tracts of land and the improvements and structures located
34 on such tracts which are in good faith used primarily for
35 a farming business. Buildings which are primarily used or

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1 intended for human habitation are deemed to be used in a
2 farming business when the building is located on or adjacent
3 to the parcel used in the farming business. Land and the
4 nonresidential improvements and structures located on such land
5 that shall be considered to be used primarily in a farming
6 business include but are not limited to land, improvements
7 or structures used for the storage or maintenance of farm

8 machinery or equipment, for the drying, storage, handling,
9 or preservation of agricultural crops, or for the storage of
10 farm inputs, feed, or manure. Real property used in a farming
11 business shall also include woodland, wasteland, pastureland,
12 and idled land used for the conservation of natural resources
13 including soil and water.

14 (b) Real property classified as agricultural property for
15 Iowa property tax purposes, except real property described
16 in section 441.21, subsection 12, paragraph "a" or "b",
17 shall be presumed to be real property used in a farming
18 business. This presumption is rebuttable by the department by
19 a preponderance of evidence that the real property did not meet
20 the requirements of subparagraph division (a).

21 (6) "*Relative*" means a person that satisfies one or more of
22 the following conditions:

23 (a) The individual is related to the taxpayer by
24 consanguinity or affinity within the second degree as
25 determined by common law.

26 (b) The individual is a lineal descendent of the taxpayer.

27 For purposes of this subparagraph division, "*lineal descendent*"
28 means children of the taxpayer, including legally adopted
29 children and biological children, stepchildren, grandchildren,
30 great-grandchildren, and any other lineal descendent of the
31 taxpayer.

32 (c) An entity in which an individual who satisfies the
33 conditions of either subparagraph division (a) or (b) has a
34 legal or equitable interest as an owner, member, partner, or
35 beneficiary.

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1 (7) "*Retired farmer*" means an individual who is disabled
2 or who is fifty-five years of age or older and who no longer
3 materially participates in a farming business when an exclusion
4 and deduction is claimed under this subsection.

5 b. Subtract the net capital gain from the sale of real
6 property used in a farming business if one of the following
7 conditions are satisfied:

8 (1) The taxpayer has materially participated in a farming
9 business for a minimum of ten years and has held the real
10 property used in a farming business for a minimum of ten years.
11 If the taxpayer is a retired farmer, the taxpayer is considered
12 to meet the material participation requirement if the taxpayer
13 materially participated in a farming business for ten years or
14 more in the aggregate, prior to making an election under this
15 subsection.

16 (2) The taxpayer has held the real property used in a
17 farming business which is sold to a relative of the taxpayer.

18 c. For a taxpayer who is a retired farmer, subtract the
19 net capital gain from the sale of cattle or horses held by
20 the taxpayer for breeding, draft, dairy, or sporting purposes
21 for a period of twenty-four months or more from the date of

22 acquisition; but only if the taxpayer materially participated
23 in the farming business for five of the eight years preceding
24 the farmer's retirement or disability and who has sold all or
25 substantially all of the taxpayer's interest in the farming
26 business by the time the election under this paragraph is made.
27 d. For a taxpayer who is a retired farmer, subtract the net
28 capital gain from the sale of breeding livestock, other than
29 cattle and horses, if the livestock is held by the taxpayer for
30 a period of twelve months or more from the date of acquisition;
31 but only if the taxpayer materially participated in the farming
32 business for five of the eight years preceding the farmer's
33 retirement or disability and who has sold all or substantially
34 all of the taxpayer's interest in the farming business by the
35 time the election under this paragraph is made.

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1 e. A taxpayer who is a retired farmer may make, subject to
2 the limitations described in paragraphs "f" and "g", a single,
3 lifetime election to exclude all qualifying capital gains under
4 paragraphs "b", "c", and "d".
5 f. A taxpayer who is a retired farmer who elects to exclude
6 capital gains under paragraph "b", "c", or "d" shall not claim
7 the beginning farmer tax credit under section 422.11E or the
8 exclusion for net income received pursuant to a farm tenancy
9 agreement in section 422.7, subsection 21A, in the tax year in
10 which this election is made or in any subsequent year.
11 g. A taxpayer who is a retired farmer who claims the
12 beginning farmer tax credit under section 422.11E shall not,
13 in the same year, make an election under this subsection. A
14 taxpayer who is a retired farmer and who elects to exclude
15 the net income received from a farm tenancy agreement under
16 section 422.7, subsection 21A, shall not, in the same tax year
17 or in any subsequent tax year, make the election under this
18 subsection.
19 h. Married individuals who file separate state income tax
20 returns shall allocate their combined annual net capital gain
21 exclusion under paragraphs "b", "c", and "d" to each spouse in
22 the proportion that each spouse's respective net capital gain
23 bears to the total net capital gain.
24 i. The department shall establish criteria, by rule,
25 relating to whether and how a surviving spouse may claim the
26 income exclusion for which a deceased retired farmer would have
27 been eligible under this subsection.
28 Sec. 8. REPEAL. 2018 Iowa Acts, chapter 1161, section 113,
29 is repealed.
30 Sec. 9. REPEAL. 2019 Iowa Acts, chapter 162, section 1, is
31 repealed.
32 Sec. 10. EFFECTIVE DATE. This division of this Act takes
33 effect January 1, 2023.
34 Sec. 11. APPLICABILITY.
35 1. This division of this Act applies to tax years beginning

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1 on or after January 1, 2023.
2 2. This division of this Act applies to sales consummated on
3 or after the effective date of this division of this Act, and
4 sales consummated prior to the effective date of this division
5 of this Act shall be governed by the law as it existed prior to
6 the effective date of this division of this Act.

DIVISION IV

INDIVIDUAL INCOME TAX RATES — TAX YEARS 2023–2025

9 Sec. 12. Section 422.5, subsection 3, paragraph b, Code
10 2022, is amended to read as follows:

11 b. (1) In lieu of the computation in subsection 1 or
12 2, or in paragraph "a" of this subsection, if the married
13 persons', filing jointly ~~or filing separately on a combined~~
14 ~~return~~, head of household's, or surviving spouse's net income
15 exceeds thirteen thousand five hundred dollars, the regular
16 tax imposed under this subchapter shall be the lesser of the
17 ~~maximum alternate state individual income tax rate specified in~~
18 ~~subparagraph (2)~~ times the portion of the net income in excess
19 of thirteen thousand five hundred dollars or the regular tax
20 liability computed without regard to this sentence. Taxpayers
21 electing to file separately shall compute the alternate tax
22 described in this paragraph using the total net income of the
23 ~~husband and wife spouses~~. The alternate tax described in this
24 paragraph does not apply if one spouse elects to carry back or
25 carry forward the loss as provided in section 422.9, subsection
26 3.

27 (2) (a) (A) For the tax year beginning on or after
28 January 1, 2023, but before January 1, 2024, the alternate tax
29 rate is 6.00 percent.

30 (B) For the tax year beginning on or after January 1, 2024,
31 but before January 1, 2025, the alternate tax rate is 5.70
32 percent.

33 (C) For the tax year beginning on or after January 1, 2025,
34 but before January 1, 2026, the alternate tax rate is 5.20
35 percent.

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1 (ii) This subparagraph division (a) is repealed January 1,
2 2026.

3 (b) For tax years beginning on or after January 1, 2026, the
4 alternate tax rate is 4.50 percent.

5 Sec. 13. Section 422.5, subsection 3B, paragraph b, Code
6 2022, is amended to read as follows:

7 b. (1) In lieu of the computation in subsection 1, 2, or 3,
8 if the married persons', filing jointly ~~or filing separately on~~
9 ~~a combined return~~, head of household's, or surviving spouse's
10 net income exceeds thirty-two thousand dollars, the regular
11 tax imposed under this subchapter shall be the lesser of the
12 ~~maximum alternate state individual income tax rate specified in~~

13 subparagraph (2) times the portion of the net income in excess
14 of thirty-two thousand dollars or the regular tax liability
15 computed without regard to this sentence. Taxpayers electing
16 to file separately shall compute the alternate tax described in
17 this paragraph using the total net income of the ~~husband and~~
18 ~~wife spouses~~. The alternate tax described in this paragraph
19 does not apply if one spouse elects to carry back or carry
20 forward the loss as provided in section 422.9, subsection 3.

21 (2) (a) (A) For the tax year beginning on or after
22 January 1, 2023, but before January 1, 2024, the alternate tax
23 rate is 6.00 percent.

24 (B) For the tax year beginning on or after January 1, 2024,
25 but before January 1, 2025, the alternate tax rate is 5.70
26 percent.

27 (C) For the tax year beginning on or after January 1, 2025,
28 but before January 1, 2026, the alternate tax rate is 5.20
29 percent.

30 (ii) This subparagraph division (a) is repealed January 1,
31 2026.

32 (b) For tax years beginning on or after January 1, 2026, the
33 alternate tax rate is 4.50 percent.

34 Sec. 14. Section 422.5, subsection 6, Code 2022, is amended
35 to read as follows:

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1 6. a. Upon determination of the latest cumulative inflation
2 factor, the director shall multiply each dollar amount set
3 forth in section 422.5A by this cumulative inflation factor,
4 shall round off the resulting product to the nearest one
5 dollar, and shall incorporate the result into the income tax
6 forms and instructions for each tax year.

7 b. This subsection is repealed on January 1, 2026.

8 Sec. 15. Section 422.5A, Code 2022, is amended by striking
9 the section and inserting in lieu thereof the following:

10 **422.5A Tax rates.**

11 1. a. The tax imposed in section 422.5 shall be calculated
12 using the following rates in the following tax years in the
13 case of married persons filing jointly:

14 (1) For the tax year beginning on or after January 1, 2023,
15 but before January 1, 2024:

16 (a) On taxable income from 0 through \$12,000, the rate of
17 4.40 percent.

18 (b) On taxable income exceeding \$12,000 but not exceeding
19 \$60,000, the rate of 4.82 percent.

20 (c) On taxable income exceeding \$60,000 but not exceeding
21 \$150,000, the rate of 5.70 percent.

22 (d) On taxable income exceeding \$150,000, the rate of 6.00
23 percent.

24 (2) For the tax year beginning on or after January 1, 2024,
25 but before January 1, 2025:

26 (a) On taxable income from 0 through \$12,000, the rate of

27 4.40 percent.
28 (b) On taxable income exceeding \$12,000 but not exceeding
29 \$60,000, the rate of 4.82 percent.
30 (c) On taxable income exceeding \$60,000, the rate of 5.70
31 percent.
32 (3) For the tax year beginning on or after January 1, 2025,
33 but before January 1, 2026:
34 (a) On taxable income from 0 through \$12,000, the rate of
35 4.40 percent.

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1 (b) On taxable income exceeding \$12,000, the rate of 4.82
2 percent.
3 b. The tax imposed in section 422.5 shall be calculated
4 using the following rates in the following tax years in the
5 case of any other taxpayer other than married persons filing
6 jointly:
7 (1) For the tax year beginning on or after January 1, 2023,
8 but before January 1, 2024:
9 (a) On taxable income from 0 through \$6,000, the rate of
10 4.40 percent.
11 (b) On taxable income exceeding \$6,000 but not exceeding
12 \$30,000, the rate of 4.82 percent.
13 (c) On taxable income exceeding \$30,000 but not exceeding
14 \$75,000, the rate of 5.70 percent.
15 (d) On taxable income exceeding \$75,000, the rate of 6.00
16 percent.
17 (2) For the tax year beginning on or after January 1, 2024,
18 but before January 1, 2025:
19 (a) On taxable income from 0 through \$6,000, the rate of
20 4.40 percent.
21 (b) On taxable income exceeding \$6,000 but not exceeding
22 \$30,000, the rate of 4.82 percent.
23 (c) On taxable income exceeding \$30,000, the rate of 5.70
24 percent.
25 (3) For the tax year beginning on or after January 1, 2025,
26 but before January 1, 2026:
27 (a) On taxable income from 0 through \$6,000, the rate of
28 4.40 percent.
29 (b) On taxable income exceeding \$6,000, the rate of 4.82
30 percent.
31 2. This section is repealed January 1, 2026.
32 Sec. 16. REPEAL. 2018 Iowa Acts, chapter 1161, section 107,
33 is repealed.
34 Sec. 17. EFFECTIVE DATE. This division of this Act takes
35 effect January 1, 2023.

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1 Sec. 18. APPLICABILITY. This division of this Act applies
2 to tax years beginning on or after January 1, 2023.

DIVISION V

INDIVIDUAL INCOME TAX — FLAT RATE

Sec. 19. Section 421.27, subsection 9, paragraph a, subparagraph (3), Code 2022, is amended to read as follows:

(3) In the case of all other entities, including corporations described in section 422.36, subsection 5, and all other entities required to file an information return under section 422.15, subsection 2, the entity's Iowa net income after the application of the Iowa business activity ratio, if applicable, multiplied by the ~~top~~ income tax rate imposed under section ~~422.5A~~ ~~422.5~~ for the tax year, less any Iowa tax credits available to the entity.

Sec. 20. Section 422.5, subsection 1, paragraph a, Code 2022, is amended to read as follows:

a. A tax is imposed upon every resident and nonresident of the state which tax shall be levied, collected, and paid annually upon and with respect to the entire taxable income as defined in this subchapter at ~~rates as provided in section~~ ~~422.5A~~ ~~a rate of four percent.~~

Sec. 21. Section 422.16B, subsection 2, paragraph a, Code 2022, is amended to read as follows:

a. (1) A pass-through entity shall file a composite return on behalf of all nonresident members and shall report and pay the income or franchise tax imposed under this chapter at the maximum state income or franchise tax rate applicable to the member under section ~~422.5A~~ ~~422.5~~, 422.33, or 422.63 on the nonresident members' distributive shares of the income from the pass-through entity.

(2) The tax rate applicable to a tiered pass-through entity shall be the ~~maximum~~ state income tax rate under section ~~422.5A~~ ~~422.5~~.

Sec. 22. Section 422.25A, subsection 5, paragraph c, subparagraphs (3), (4), and (5), Code 2022, are amended to read

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as follows:

(3) Determine the total distributive share of all final federal partnership adjustments and positive reallocation adjustments as modified by this title that are reported to nonresident individual partners and nonresident fiduciary partners and allocate and apportion such adjustments as provided in section 422.33 at the partnership or tiered partner level, and multiply the resulting amount by the ~~maximum~~ individual income tax rate pursuant to section ~~422.5A~~ ~~422.5~~ for the reviewed year.

(4) For the total distributive share of all final federal partnership adjustments and positive reallocation adjustments as modified by this title that are reported to tiered partners:

(a) Determine the amount of such adjustments which are of a type that would be subject to sourcing to Iowa under section

422.8, subsection 2, paragraph "a", as a nonresident, and then

17 determine the portion of this amount that would be sourced to
18 Iowa under those provisions as if the tiered partner were a
19 nonresident.
20 (b) Determine the amount of such adjustments which are of
21 a type that would not be subject to sourcing to Iowa under
22 section 422.8, subsection 2, paragraph "a", as a nonresident.
23 (c) Determine the portion of the amount in subparagraph
24 division (b) that can be established, as prescribed by the
25 department by rule, to be properly allocable to indirect
26 partners that are nonresident partners or other partners not
27 subject to tax on the adjustments.
28 (d) Multiply the total of the amounts determined in
29 subparagraph divisions (a) and (b), reduced by any amount
30 determined in subparagraph division (c), by the ~~highest~~
31 individual income tax rate pursuant to section ~~422.5A~~ 422.5 for
32 the reviewed year.
33 (5) For the total distributive share of all final federal
34 partnership adjustments and positive reallocation adjustments
35 as modified by this title that are reported to resident

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1 individual partners and resident fiduciary partners, multiply
2 that amount by the ~~highest~~ individual income tax rate pursuant
3 to section ~~422.5A~~ 422.5 for the reviewed year.
4 Sec. 23. EFFECTIVE DATE. This division of this Act takes
5 effect January 1, 2026.
6 Sec. 24. APPLICABILITY. This division of this Act applies
7 to tax years beginning on or after January 1, 2026.
8 DIVISION VI
9 RETIREMENT INCOME
10 Sec. 25. Section 8.57E, subsection 2, Code 2022, is amended
11 to read as follows:
12 2. Moneys in the taxpayer relief fund shall only be used
13 pursuant to appropriations or transfers made by the general
14 assembly for tax relief, including but not limited to increases
15 in the general retirement income exclusion under section ~~422.7~~,
16 subsection 31, or reductions in income tax rates.
17 Sec. 26. Section 422.5, subsection 3, paragraph a, Code
18 2022, is amended to read as follows:
19 a. The tax shall not be imposed on a resident or nonresident
20 whose net income, as defined in section 422.7, is thirteen
21 thousand five hundred dollars or less in the case of married
22 persons filing jointly or filing separately on a combined
23 return, heads of household, and surviving spouses or nine
24 thousand dollars or less in the case of all other persons; but
25 in the event that the payment of tax under this subchapter
26 would reduce the net income to less than thirteen thousand five
27 hundred dollars or nine thousand dollars as applicable, then
28 the tax shall be reduced to that amount which would result
29 in allowing the taxpayer to retain a net income of thirteen
30 thousand five hundred dollars or nine thousand dollars as

31 applicable. The preceding sentence does not apply to estates
32 or trusts. For the purpose of this subsection, the entire net
33 income, including any part of the net income not allocated
34 to Iowa, shall be taken into account. ~~For purposes of this~~
35 ~~subsection, net income includes all amounts of pensions or~~

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1 ~~other retirement income, except for military retirement pay~~
2 ~~excluded under section 422.7, subsection 31A, paragraph "a", or~~
3 ~~section 422.7, subsection 31B, paragraph "a", received from any~~
4 ~~source which is not taxable under this subchapter as a result~~
5 ~~of the government pension exclusions in section 422.7, or any~~
6 ~~other state law.~~ If the combined net income of a husband and
7 wife exceeds thirteen thousand five hundred dollars, neither
8 of them shall receive the benefit of this subsection, and it
9 is immaterial whether they file a joint return or separate
10 returns. However, if a husband and wife file separate returns
11 and have a combined net income of thirteen thousand five
12 hundred dollars or less, neither spouse shall receive the
13 benefit of this paragraph, if one spouse has a net operating
14 loss and elects to carry back or carry forward the loss as
15 provided in section 422.9, subsection 3. A person who is
16 claimed as a dependent by another person as defined in section
17 422.12 shall not receive the benefit of this subsection if
18 the person claiming the dependent has net income exceeding
19 thirteen thousand five hundred dollars or nine thousand dollars
20 as applicable or the person claiming the dependent and the
21 person's spouse have combined net income exceeding thirteen
22 thousand five hundred dollars or nine thousand dollars as
23 applicable.

24 Sec. 27. Section 422.5, subsection 3B, paragraph a, Code
25 2022, is amended to read as follows:

26 a. The tax shall not be imposed on a resident or nonresident
27 who is at least sixty-five years old on December 31 of
28 the tax year and whose net income, as defined in section
29 422.7, is thirty-two thousand dollars or less in the case
30 of married persons filing jointly or filing separately on a
31 combined return, heads of household, and surviving spouses or
32 twenty-four thousand dollars or less in the case of all other
33 persons; but in the event that the payment of tax under this
34 subchapter would reduce the net income to less than thirty-two
35 thousand dollars or twenty-four thousand dollars as applicable,

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1 then the tax shall be reduced to that amount which would result
2 in allowing the taxpayer to retain a net income of thirty-two
3 thousand dollars or twenty-four thousand dollars as applicable.
4 The preceding sentence does not apply to estates or trusts.
5 For the purpose of this subsection, the entire net income,
6 including any part of the net income not allocated to Iowa,

7 shall be taken into account. ~~For purposes of this subsection,~~
8 ~~net income includes all amounts of pensions or other retirement~~
9 ~~income, except for military retirement pay excluded under~~
10 ~~section 422.7, subsection 31A, paragraph "a", or section 422.7,~~
11 ~~subsection 31B, paragraph "a", received from any source which is~~
12 ~~not taxable under this subchapter as a result of the government~~
13 ~~pension exclusions in section 422.7, or any other state law.~~
14 If the combined net income of a husband and wife exceeds
15 thirty-two thousand dollars, neither of them shall receive the
16 benefit of this subsection, and it is immaterial whether they
17 file a joint return or separate returns. However, if a husband
18 and wife file separate returns and have a combined net income
19 of thirty-two thousand dollars or less, neither spouse shall
20 receive the benefit of this paragraph, if one spouse has a net
21 operating loss and elects to carry back or carry forward the
22 loss as provided in section 422.9, subsection 3. A person
23 who is claimed as a dependent by another person as defined in
24 section 422.12 shall not receive the benefit of this subsection
25 if the person claiming the dependent has net income exceeding
26 thirty-two thousand dollars or twenty-four thousand dollars
27 as applicable or the person claiming the dependent and the
28 person's spouse have combined net income exceeding thirty-two
29 thousand dollars or twenty-four thousand dollars as applicable.
30 Sec. 28. Section 422.7, subsection 31, Code 2022, is amended
31 to read as follows:
32 31. *a. For a person who is disabled, or is fifty five years*
33 *of age or older, or is the surviving spouse of an individual or*
34 *a survivor having an insurable interest in an individual who*
35 *would have qualified for the exemption under this subsection*

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1 ~~for the tax year, subtract Subtract~~, to the extent included,
2 the total amount of ~~received from~~ a governmental or other
3 pension or retirement ~~pay plan~~, including, ~~but not limited~~
4 ~~to~~, defined benefit or defined contribution plans, annuities,
5 individual retirement accounts, plans maintained or contributed
6 to by an employer, or maintained or contributed to by a
7 self-employed person as an employer, and deferred compensation
8 plans or any earnings attributable to the deferred compensation
9 plans, up to a maximum of six thousand dollars for a person,
10 other than a husband or wife, who files a ~~separate state income~~
11 ~~tax return and up to a maximum of twelve thousand dollars~~
12 ~~for a husband and wife who file a joint state income tax~~
13 ~~return. However, a surviving spouse who is not disabled or~~
14 ~~fifty five years of age or older can only exclude the amount~~
15 ~~of pension or retirement pay received as a result of the death~~
16 ~~of the other spouse. A husband and wife filing separate state~~
17 ~~income tax returns or separately on a combined state return~~
18 ~~are allowed a combined maximum exclusion under this subsection~~
19 ~~of up to twelve thousand dollars. The twelve thousand dollar~~
20 ~~exclusion shall be allocated to the husband or wife in the~~

21 proportion that each spouse's respective pension and retirement
22 pay received bears to total combined pension and retirement
23 pay received received by a person who is disabled, or is
24 fifty-five years of age or older, or is the surviving spouse of
25 an individual or is a survivor having an insurable interest in
26 an individual who would have qualified for the exemption under
27 this subsection for the tax year.
28 b. Married taxpayers who file separate state income tax
29 returns shall allocate their combined annual exclusion amount
30 to each spouse in the proportion that each spouse's respective
31 income received from a pension or retirement plan bears to the
32 total combined pension or retirement pay received.
33 c. A taxpayer who is not disabled or fifty-five years of
34 age or older and who receives pension or retirement pay as a
35 surviving spouse or as a survivor with an insurable interest

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1 in an individual who would have qualified for the exemption
2 for the tax year may only exclude the amount received from a
3 pension or retirement plan in the tax year as a result of the
4 death of the decedent.
5 Sec. 29. EFFECTIVE DATE. This division of this Act takes
6 effect January 1, 2023.
7 Sec. 30. APPLICABILITY. This division of this Act applies
8 to tax years beginning on or after January 1, 2023.
9 DIVISION VII
10 TAXPAYER RELIEF FUND
11 Sec. 31. Section 8.57E, Code 2022, is amended by adding the
12 following new subsection:
13 NEW SUBSECTION. 5. a. For the purposes of tax relief
14 provided in this Act, the following amounts shall be
15 transferred from the taxpayer relief fund to the general fund
16 of the state for the following fiscal years:
17 (1) For the fiscal year beginning July 1, 2022, and ending
18 June 30, 2023, one hundred thirteen million dollars.
19 (2) For the fiscal year beginning July 1, 2023, and ending
20 June 30, 2024, one hundred fifty-nine million one hundred
21 thousand dollars.
22 (3) For the fiscal year beginning July 1, 2024, and ending
23 June 30, 2025, ninety-two million three hundred thousand
24 dollars.
25 (4) For the fiscal year beginning July 1, 2025, and ending
26 June 30, 2026, two hundred fifty-nine million four hundred
27 thousand dollars.
28 (5) For the fiscal year beginning July 1, 2026, and ending
29 June 30, 2027, one hundred ninety-five million six hundred
30 thousand dollars.
31 (6) For the fiscal year beginning July 1, 2027, and ending

32 June 30, 2028, nine million six hundred thousand dollars.
33 b. This subsection is repealed July 1, 2028.>
34 2. Title page, by striking lines 1 through 7 and inserting
35 <An Act relating to state revenue and finance by modifying the

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1 individual income tax, making appropriations, and including
2 effective date and applicability provisions.>

DAN DAWSON

S-5022

1 Amend House File 2317, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 **<DIVISION I**
5 **SALE OF CERTAIN QUALIFIED STOCK — NET CAPITAL GAIN EXCLUSION**
6 Section 1. Section 422.7, Code 2022, is amended by adding
7 the following new subsection:
8 **NEW SUBSECTION**. 63. a. Subtract the following percentage
9 of the net capital gain from the sale or exchange of capital
10 stock of a qualified corporation for which an election is made
11 by an employee-owner:
12 (1) For the tax year beginning in the 2023 calendar year,
13 thirty-three percent.
14 (2) For the tax year beginning in the 2024 calendar year,
15 sixty-six percent.
16 (3) For tax years beginning on or after January 1, 2025, one
17 hundred percent.
18 b. (1) An employee-owner is entitled to make one
19 irrevocable lifetime election to exclude the net capital
20 gain from the sale or exchange of capital stock of one
21 qualified corporation which capital stock was acquired by the
22 employee-owner while employed and on account of employment by
23 such qualified corporation.
24 (2) The election shall apply to all subsequent sales
25 or exchanges of qualifying capital stock of the elected
26 corporation within fifteen years of the date of the election,
27 provided that the subsequent sales or exchanges were of capital
28 stock in the same qualified corporation and were acquired by
29 the employee-owner while employed and on account of employment
30 by such qualified corporation.
31 (3) The election shall apply to qualifying capital stock
32 that has been transferred by inter vivos gift from the
33 employee-owner to the employee-owner's spouse or to a trust
34 for the benefit of the employee-owner's spouse following the
35 transfer. This subparagraph (3) shall apply to a spouse

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1 only if the spouse was married to the employee-owner on the
2 date of the sale or exchange or the date of death of the
3 employee-owner.
4 (4) If the employee-owner dies after having sold or
5 exchanged qualifying capital stock without having made an
6 election under this subsection, the surviving spouse or, if
7 there is no surviving spouse, the personal representative of
8 the employee-owner's estate, may make the election that would
9 have qualified under this subsection.
10 (5) The election shall be made in the manner and form
11 prescribed by the department and shall be included with the
12 taxpayer's state income tax return for the taxable year in
13 which the election is made.
14 c. For purposes of this subsection:
15 (1) "*Capital stock*" means common or preferred stock, either
16 voting or nonvoting. "*Capital stock*" does not include stock
17 rights, stock warrants, stock options, or debt securities.
18 (2) "*Employee-owner*" means an individual who owns capital
19 stock in a qualified corporation for at least ten years, which
20 capital stock was acquired by the individual while employed and
21 on account of employment by such corporation for at least ten
22 cumulative years.
23 (3) "*Personal representative*" means the same as defined in
24 section 633.3, or if there is no such personal representative
25 appointed, then the person legally authorized to perform
26 substantially the same functions.
27 (4) (a) "*Qualified corporation*" means, with respect to an
28 employee-owner, a corporation which, at the time of the first
29 sale or exchange for which an election is made by the employee-
30 owner under this subsection, meets all of the following
31 conditions:
32 (i) The corporation employed individuals in this state for
33 at least ten years.
34 (ii) The corporation has had at least five shareholders for
35 the ten years prior to the first sale or exchange under this

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1 subsection.
2 (iii) The corporation has had at least two shareholders or
3 groups of shareholders who are not related for the ten years
4 prior to the first sale or exchange under this subsection.
5 Two persons are considered related when, under section 318 of
6 the Internal Revenue Code, one is a person who owns, directly
7 or indirectly, capital stock that if directly owned would be
8 attributed to the other person, or is the brother, sister,
9 aunt, uncle, cousin, niece, or nephew of the other person who
10 owns capital stock either directly or indirectly.
11 (b) "*Qualified corporation*" includes any member of an Iowa
12 affiliated group if the Iowa affiliated group includes a member

13 that has employed individuals in this state for at least ten
14 years. For purposes of this subparagraph division, "Iowa
15 affiliated group" means an affiliated group that has made a
16 valid election to file an Iowa consolidated income tax return
17 under section 422.37 in the year in which the deduction under
18 this subsection is claimed. "Member" includes any entity
19 included in the consolidated return under section 422.37,
20 subsection 2, for the tax year in which the deduction is
21 claimed.

22 (c) "*Qualified corporation*" also includes any corporation
23 that was a party to a reorganization that was entirely or
24 substantially tax free if such reorganization occurred during
25 or after the employment of the employee-owner.

26 Sec. 2. EFFECTIVE DATE. This division of this Act takes
27 effect January 1, 2023.

28 Sec. 3. APPLICABILITY. This division of this Act applies to
29 tax years beginning on or after January 1, 2023.

DIVISION II

RETIRED FARMER LEASE INCOME EXCLUSION

32 Sec. 4. Section 422.7, Code 2022, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 21A. *a.* Subtract, to the extent included,
35 net income received by an eligible individual pursuant to a

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1 farm tenancy agreement covering real property held by the
2 eligible individual for ten or more years, if the eligible
3 individual materially participated in a farming business for
4 ten or more years.

5 *b.* An individual who elects to exclude income received
6 pursuant to a farm tenancy agreement under this subsection
7 shall not claim any of the following in the tax year in which
8 the election is made or in any succeeding year:

9 (1) The capital gain exclusion under subsection 21.
10 (2) The beginning farmer tax credit under section 422.11E.
11 *c.* Married individuals who file separate state income tax
12 returns shall allocate their combined annual exclusion limit
13 to each spouse in the proportion that each spouse's respective
14 net income from a farm tenancy agreement bears to the total net
15 income from a farm tenancy agreement.

16 *d.* The department shall establish criteria, by rule,
17 relating to whether and how a surviving spouse may claim the
18 income exclusion for which a deceased eligible individual would
19 have been eligible under this subsection.

20 *e.* Net income from a farm tenancy agreement earned,
21 received, or reported by an entity taxed as a partnership
22 for federal tax purposes, an S corporation, or a trust or
23 estate is not eligible for the election and deduction in this
24 subsection, even if such net income ultimately passes through
25 to an eligible individual.

26 *f.* For purposes of this subsection:

27 (1) “*Eligible individual*” means an individual who is
28 disabled or who is fifty-five years of age or older at the time
29 the election is made, who no longer materially participates in
30 a farming business at the time the election is made, and who,
31 as an owner-lessor, is party to a farm tenancy agreement.
32 (2) “*Farm tenancy agreement*” means a written agreement
33 outlining the rights and obligations of an owner-lessor and a
34 tenant-lessee where the tenant-lessee has a farm tenancy as
35 defined in section 562.1A. A “*farm tenancy agreement*” includes

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1 cash leases, crop share leases, or livestock share leases.
2 (3) “*Farming business*” means the production, care, growing,
3 harvesting, preservation, handling, or storage of crops
4 or forest or fruit trees; the production, care, feeding,
5 management, and housing of livestock; or horticulture, all
6 intended for profit.
7 (4) “*Livestock*” means the same as defined in section 717.1.
8 (5) “*Materially participated*” means the same as “*material
participation*” in section 469(h) of the Internal Revenue Code.
10 Sec. 5. EFFECTIVE DATE. This division of this Act takes
11 effect January 1, 2023.
12 Sec. 6. APPLICABILITY. This division of this Act applies to
13 tax years beginning on or after January 1, 2023.

DIVISION III

RETIRED FARMER CAPITAL GAIN EXCLUSION

16 Sec. 7. Section 422.7, subsection 21, Code 2022, is amended
17 by striking the subsection and inserting in lieu thereof the
18 following:

19 21. *a.* For purposes of this subsection:
20 (1) “*Farming business*” means the production, care, growing,
21 harvesting, preservation, handling, or storage of crops
22 or forest or fruit trees; the production, care, feeding,
23 management, and housing of livestock; or horticulture, all for
24 intended profit.
25 (2) “*Held*” shall be determined with reference to the holding
26 period provisions of section 1223 of the Internal Revenue Code
27 and the federal regulations pursuant thereto.
28 (3) “*Livestock*” means the same as defined in section 717.1.
29 (4) “*Materially participated*” means the same as “*material
participation*” in section 469(h) of the Internal Revenue Code.
31 (5) (a) “*Real property used in a farming business*” means
32 all tracts of land and the improvements and structures located
33 on such tracts which are in good faith used primarily for
34 a farming business. Buildings which are primarily used or
35 intended for human habitation are deemed to be used in a

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1 farming business when the building is located on or adjacent
2 to the parcel used in the farming business. Land and the

3 nonresidential improvements and structures located on such land
4 that shall be considered to be used primarily in a farming
5 business include but are not limited to land, improvements
6 or structures used for the storage or maintenance of farm
7 machinery or equipment, for the drying, storage, handling,
8 or preservation of agricultural crops, or for the storage of
9 farm inputs, feed, or manure. Real property used in a farming
10 business shall also include woodland, wasteland, pastureland,
11 and idled land used for the conservation of natural resources
12 including soil and water.

13 (b) Real property classified as agricultural property for
14 Iowa property tax purposes, except real property described
15 in section 441.21, subsection 12, paragraph "a" or "b",
16 shall be presumed to be real property used in a farming
17 business. This presumption is rebuttable by the department by
18 a preponderance of evidence that the real property did not meet
19 the requirements of subparagraph division (a).

20 (6) "*Relative*" means a person that satisfies one or more of
21 the following conditions:

22 (a) The individual is related to the taxpayer by
23 consanguinity or affinity within the second degree as
24 determined by common law.

25 (b) The individual is a lineal descendent of the taxpayer.
26 For purposes of this subparagraph division, "*lineal descendent*"
27 means children of the taxpayer, including legally adopted
28 children and biological children, stepchildren, grandchildren,
29 great-grandchildren, and any other lineal descendent of the
30 taxpayer.

31 (c) An entity in which an individual who satisfies the
32 conditions of either subparagraph division (a) or (b) has a
33 legal or equitable interest as an owner, member, partner, or
34 beneficiary.

35 (7) "*Retired farmer*" means an individual who is disabled

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1 or who is fifty-five years of age or older and who no longer
2 materially participates in a farming business when an exclusion
3 and deduction is claimed under this subsection.

4 b. Subtract the net capital gain from the sale of real
5 property used in a farming business if one of the following
6 conditions are satisfied:

7 (1) The taxpayer has materially participated in a farming
8 business for a minimum of ten years and has held the real
9 property used in a farming business for a minimum of ten years.
10 If the taxpayer is a retired farmer, the taxpayer is considered
11 to meet the material participation requirement if the taxpayer
12 materially participated in a farming business for ten years or
13 more in the aggregate, prior to making an election under this
14 subsection.

15 (2) The taxpayer has held the real property used in a
16 farming business which is sold to a relative of the taxpayer.

17 c. For a taxpayer who is a retired farmer, subtract the
18 net capital gain from the sale of cattle or horses held by
19 the taxpayer for breeding, draft, dairy, or sporting purposes
20 for a period of twenty-four months or more from the date of
21 acquisition; but only if the taxpayer materially participated
22 in the farming business for five of the eight years preceding
23 the farmer's retirement or disability and who has sold all or
24 substantially all of the taxpayer's interest in the farming
25 business by the time the election under this paragraph is made.

26 d. For a taxpayer who is a retired farmer, subtract the net
27 capital gain from the sale of breeding livestock, other than
28 cattle and horses, if the livestock is held by the taxpayer for
29 a period of twelve months or more from the date of acquisition;
30 but only if the taxpayer materially participated in the farming
31 business for five of the eight years preceding the farmer's
32 retirement or disability and who has sold all or substantially
33 all of the taxpayer's interest in the farming business by the
34 time the election under this paragraph is made.

35 e. A taxpayer who is a retired farmer may make, subject to

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1 the limitations described in paragraphs "f" and "g", a single,
2 lifetime election to exclude all qualifying capital gains under
3 paragraphs "b", "c", and "d".

4 f. A taxpayer who is a retired farmer who elects to exclude
5 capital gains under paragraph "b", "c", or "d" shall not claim
6 the beginning farmer tax credit under section 422.11E or the
7 exclusion for net income received pursuant to a farm tenancy
8 agreement in subsection 21A, in the tax year in which this
9 election is made or in any subsequent year.

10 g. A taxpayer who is a retired farmer who claims the
11 beginning farmer tax credit under section 422.11E shall not,
12 in the same year, make an election under this subsection. A
13 taxpayer who is a retired farmer and who elects to exclude
14 the net income received from a farm tenancy agreement under
15 subsection 21A, shall not, in the same tax year or in any
16 subsequent tax year, make the election under this subsection.

17 h. Married individuals who file separate state income tax
18 returns shall allocate their combined annual net capital gain
19 exclusion under paragraphs "b", "c", and "d" to each spouse in
20 the proportion that each spouse's respective net capital gain
21 bears to the total net capital gain.

22 i. The department shall establish criteria, by rule,
23 relating to whether and how a surviving spouse may claim the
24 income exclusion for which a deceased retired farmer would have
25 been eligible under this subsection.

26 Sec. 8. REPEAL. 2018 Iowa Acts, chapter 1161, section 113,
27 is repealed.

28 Sec. 9. REPEAL. 2019 Iowa Acts, chapter 162, section 1, is
29 repealed.

30 Sec. 10. EFFECTIVE DATE. This division of this Act takes

31 effect January 1, 2023.
32 Sec. 11. APPLICABILITY.
33 1. This division of this Act applies to tax years beginning
34 on or after January 1, 2023.
35 2. This division of this Act applies to sales consummated on

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1 or after the effective date of this division of this Act, and
2 sales consummated prior to the effective date of this division
3 of this Act shall be governed by the law as it existed prior to
4 the effective date of this division of this Act.

5 DIVISION IV

6 INDIVIDUAL INCOME TAX RATES — TAX YEARS 2023–2025

7 Sec. 12. Section 422.5, subsection 3, paragraph b, Code
8 2022, is amended to read as follows:

9 b. (1) In lieu of the computation in subsection 1 or
10 2, or in paragraph "a" of this subsection, if the married
11 persons', filing jointly ~~or filing separately on a combined~~
12 ~~return~~, head of household's, or surviving spouse's net income
13 exceeds thirteen thousand five hundred dollars, the regular
14 tax imposed under this subchapter shall be the lesser of the
15 ~~maximum alternate~~ state individual income tax rate specified in
16 subparagraph (2) times the portion of the net income in excess
17 of thirteen thousand five hundred dollars or the regular tax
18 liability computed without regard to this sentence. Taxpayers
19 electing to file separately shall compute the alternate tax
20 described in this paragraph using the total net income of the
21 ~~husband and wife spouses~~. The alternate tax described in this
22 paragraph does not apply if one spouse elects to carry back or
23 carry forward the loss as provided in section 422.9, subsection
24 3.

25 (2) (a) (A) For the tax year beginning on or after
26 January 1, 2023, but before January 1, 2024, the alternate tax
27 rate is 6.00 percent.

28 (B) For the tax year beginning on or after January 1, 2024,
29 but before January 1, 2025, the alternate tax rate is 5.70
30 percent.

31 (C) For the tax year beginning on or after January 1, 2025,
32 but before January 1, 2026, the alternate tax rate is 5.20
33 percent.

34 (ii) This subparagraph division (a) is repealed January 1,
35 2026.

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1 (b) For tax years beginning on or after January 1, 2026, the
2 alternate tax rate is 4.40 percent.
3 Sec. 13. Section 422.5, subsection 3B, paragraph b, Code
4 2022, is amended to read as follows:
5 b. (1) In lieu of the computation in subsection 1, 2, or 3,
6 if the married persons', filing jointly ~~or filing separately on~~

7 ~~a combined return~~, head of household's, or surviving spouse's
8 net income exceeds thirty-two thousand dollars, the regular
9 tax imposed under this subchapter shall be the lesser of the
10 ~~maximum alternate~~ state individual income tax rate specified in
11 subparagraph (2) times the portion of the net income in excess
12 of thirty-two thousand dollars or the regular tax liability
13 computed without regard to this sentence. Taxpayers electing
14 to file separately shall compute the alternate tax described in
15 this paragraph using the total net income of the ~~husband and~~
16 ~~wife spouses~~. The alternate tax described in this paragraph
17 does not apply if one spouse elects to carry back or carry
18 forward the loss as provided in section 422.9, subsection 3.

19 (2) (a) (A) For the tax year beginning on or after
20 January 1, 2023, but before January 1, 2024, the alternate tax
21 rate is 6.00 percent.

22 (B) For the tax year beginning on or after January 1, 2024,
23 but before January 1, 2025, the alternate tax rate is 5.70
24 percent.

25 (C) For the tax year beginning on or after January 1, 2025,
26 but before January 1, 2026, the alternate tax rate is 5.20
27 percent.

28 (ii) This subparagraph division (a) is repealed January 1,
29 2026.

30 (b) For tax years beginning on or after January 1, 2026, the
31 alternate tax rate is 4.40 percent.

32 Sec. 14. Section 422.5, subsection 6, Code 2022, is amended
33 to read as follows:

34 6. a. Upon determination of the latest cumulative inflation
35 factor, the director shall multiply each dollar amount set

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1 forth in section 422.5A by this cumulative inflation factor,
2 shall round off the resulting product to the nearest one
3 dollar, and shall incorporate the result into the income tax
4 forms and instructions for each tax year.

5 b. This subsection is repealed on January 1, 2026.

6 Sec. 15. Section 422.5A, Code 2022, is amended by striking
7 the section and inserting in lieu thereof the following:

8 **422.5A Tax rates.**

9 1. a. The tax imposed in section 422.5 shall be calculated
10 using the following rates in the following tax years in the
11 case of married persons filing jointly:

12 (1) For the tax year beginning on or after January 1, 2023,
13 but before January 1, 2024:

14 (a) On taxable income from 0 through \$12,000, the rate of
15 4.40 percent.

16 (b) On taxable income exceeding \$12,000 but not exceeding
17 \$60,000, the rate of 4.82 percent.

18 (c) On taxable income exceeding \$60,000 but not exceeding
19 \$150,000, the rate of 5.70 percent.

20 (d) On taxable income exceeding \$150,000, the rate of 6.00

21 percent.

22 (2) For the tax year beginning on or after January 1, 2024,
23 but before January 1, 2025:

24 (a) On taxable income from 0 through \$12,000, the rate of
25 4.40 percent.

26 (b) On taxable income exceeding \$12,000 but not exceeding
27 \$60,000, the rate of 4.82 percent.

28 (c) On taxable income exceeding \$60,000, the rate of 5.70
29 percent.

30 (3) For the tax year beginning on or after January 1, 2025,
31 but before January 1, 2026:

32 (a) On taxable income from 0 through \$12,000, the rate of
33 4.40 percent.

34 (b) On taxable income exceeding \$12,000, the rate of 4.82
35 percent.

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1 b. The tax imposed in section 422.5 shall be calculated
2 using the following rates in the following tax years in the
3 case of any other taxpayer other than married persons filing
4 jointly:

5 (1) For the tax year beginning on or after January 1, 2023,
6 but before January 1, 2024:

7 (a) On taxable income from 0 through \$6,000, the rate of
8 4.40 percent.

9 (b) On taxable income exceeding \$6,000 but not exceeding
10 \$30,000, the rate of 4.82 percent.

11 (c) On taxable income exceeding \$30,000 but not exceeding
12 \$75,000, the rate of 5.70 percent.

13 (d) On taxable income exceeding \$75,000, the rate of 6.00
14 percent.

15 (2) For the tax year beginning on or after January 1, 2024,
16 but before January 1, 2025:

17 (a) On taxable income from 0 through \$6,000, the rate of
18 4.40 percent.

19 (b) On taxable income exceeding \$6,000 but not exceeding
20 \$30,000, the rate of 4.82 percent.

21 (c) On taxable income exceeding \$30,000, the rate of 5.70
22 percent.

23 (3) For the tax year beginning on or after January 1, 2025,
24 but before January 1, 2026:

25 (a) On taxable income from 0 through \$6,000, the rate of
26 4.40 percent.

27 (b) On taxable income exceeding \$6,000, the rate of 4.82
28 percent.

29 2. This section is repealed January 1, 2026.

30 Sec. 16. REPEAL. 2018 Iowa Acts, chapter 1161, section 107,
31 is repealed.

32 Sec. 17. EFFECTIVE DATE. This division of this Act takes
33 effect January 1, 2023.

34 Sec. 18. APPLICABILITY. This division of this Act applies

35 to tax years beginning on or after January 1, 2023.

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1 DIVISION V
2 INDIVIDUAL INCOME TAX — FLAT RATE
3 Sec. 19. Section 421.27, subsection 9, paragraph a,
4 subparagraph (3), Code 2022, is amended to read as follows:
5 (3) In the case of all other entities, including
6 corporations described in section 422.36, subsection 5, and all
7 other entities required to file an information return under
8 section 422.15, subsection 2, the entity's Iowa net income
9 after the application of the Iowa business activity ratio,
10 if applicable, multiplied by the ~~top~~ income tax rate imposed
11 under section ~~422.5A~~ ~~422.5~~ for the tax year, less any Iowa tax
12 credits available to the entity.

13 Sec. 20. Section 422.5, subsection 1, paragraph a, Code
14 2022, is amended to read as follows:

15 a. A tax is imposed upon every resident and nonresident
16 of the state which tax shall be levied, collected, and paid
17 annually upon and with respect to the entire taxable income
18 as defined in this subchapter at ~~rates as provided in section~~
19 ~~422.5A~~ a rate of three and nine-tenths percent.

20 Sec. 21. Section 422.16B, subsection 2, paragraph a, Code
21 2022, is amended to read as follows:

22 a. (1) A pass-through entity shall file a composite return
23 on behalf of all nonresident members and shall report and pay
24 the income or franchise tax imposed under this chapter at the
25 maximum state income or franchise tax rate applicable to the
26 member under section ~~422.5A~~ ~~422.5~~, 422.33, or 422.63 on the
27 nonresident members' distributive shares of the income from the
28 pass-through entity.

29 (2) The tax rate applicable to a tiered pass-through entity
30 shall be the ~~maximum~~ state income tax rate under section ~~422.5A~~
31 ~~422.5~~.

32 Sec. 22. Section 422.25A, subsection 5, paragraph c,
33 subparagraphs (3), (4), and (5), Code 2022, are amended to read
34 as follows:

35 (3) Determine the total distributive share of all final

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1 federal partnership adjustments and positive reallocation
2 adjustments as modified by this title that are reported to
3 nonresident individual partners and nonresident fiduciary
4 partners and allocate and apportion such adjustments as
5 provided in section 422.33 at the partnership or tiered
6 partner level, and multiply the resulting amount by the ~~maximum~~
7 individual income tax rate pursuant to section ~~422.5A~~ ~~422.5~~ for
8 the reviewed year.
9 (4) For the total distributive share of all final federal
10 partnership adjustments and positive reallocation adjustments

as modified by this title that are reported to tiered partners:

(a) Determine the amount of such adjustments which are of a type that would be subject to sourcing to Iowa under section 422.8, subsection 2, paragraph "a", as a nonresident, and then determine the portion of this amount that would be sourced to Iowa under those provisions as if the tiered partner were a nonresident.

(b) Determine the amount of such adjustments which are of a type that would not be subject to sourcing to Iowa under section 422.8, subsection 2, paragraph "a", as a nonresident.

(c) Determine the portion of the amount in subparagraph division (b) that can be established, as prescribed by the department by rule, to be properly allocable to indirect partners that are nonresident partners or other partners not subject to tax on the adjustments.

(d) Multiply the total of the amounts determined in subparagraph divisions (a) and (b), reduced by any amount determined in subparagraph division (c), by the highest individual income tax rate pursuant to section 422.5A 422.5 for the reviewed year.

(5) For the total distributive share of all final federal partnership adjustments and positive reallocation adjustments as modified by this title that are reported to resident individual partners and resident fiduciary partners, multiply that amount by the highest individual income tax rate pursuant

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1 to section ~~422.5A~~ 422.5 for the reviewed year.

2 Sec. 23. **EFFECTIVE DATE.** This division of this Act takes

3 effect January 1, 2026.

4 Sec. 24. **APPLICABILITY.** This division of this Act applies

5 to tax years beginning on or after January 1, 2026.

6 **DIVISION VI**

7 **RETIREMENT INCOME**

8 Sec. 25. Section 422.5, subsection 3, paragraph a, Code

9 2022, is amended to read as follows:

10 *a. The tax shall not be imposed on a resident or nonresident*

11 *whose net income, as defined in section 422.7, is thirteen*

12 *thousand five hundred dollars or less in the case of married*

13 *persons filing jointly or filing separately on a combined*

14 *return, heads of household, and surviving spouses or nine*

15 *thousand dollars or less in the case of all other persons; but*

16 *in the event that the payment of tax under this subchapter*

17 *would reduce the net income to less than thirteen thousand five*

18 *hundred dollars or nine thousand dollars as applicable, then*

19 *the tax shall be reduced to that amount which would result*

20 *in allowing the taxpayer to retain a net income of thirteen*

21 *thousand five hundred dollars or nine thousand dollars as*

22 *applicable. The preceding sentence does not apply to estates*

23 *or trusts. For the purpose of this subsection, the entire net*

24 *income, including any part of the net income not allocated*

25 to Iowa, shall be taken into account. ~~For purposes of this~~
26 ~~net income includes all amounts of pensions or~~
27 ~~other retirement income, except for military retirement pay~~
28 ~~excluded under section 422.7, subsection 31A, paragraph "a", or~~
29 ~~section 422.7, subsection 31B, paragraph "a", received from any~~
30 ~~source which is not taxable under this subchapter as a result~~
31 ~~of the government pension exclusions in section 422.7, or any~~
32 ~~other state law.~~ If the combined net income of a husband and
33 wife exceeds thirteen thousand five hundred dollars, neither
34 of them shall receive the benefit of this subsection, and it
35 is immaterial whether they file a joint return or separate

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1 returns. However, if a husband and wife file separate returns
2 and have a combined net income of thirteen thousand five
3 hundred dollars or less, neither spouse shall receive the
4 benefit of this paragraph, if one spouse has a net operating
5 loss and elects to carry back or carry forward the loss as
6 provided in section 422.9, subsection 3. A person who is
7 claimed as a dependent by another person as defined in section
8 422.12 shall not receive the benefit of this subsection if
9 the person claiming the dependent has net income exceeding
10 thirteen thousand five hundred dollars or nine thousand dollars
11 as applicable or the person claiming the dependent and the
12 person's spouse have combined net income exceeding thirteen
13 thousand five hundred dollars or nine thousand dollars as
14 applicable.

15 Sec. 26. Section 422.5, subsection 3B, paragraph a, Code
16 2022, is amended to read as follows:

17 a. The tax shall not be imposed on a resident or nonresident
18 who is at least sixty-five years old on December 31 of
19 the tax year and whose net income, as defined in section
20 422.7, is thirty-two thousand dollars or less in the case
21 of married persons filing jointly or filing separately on a
22 combined return, heads of household, and surviving spouses or
23 twenty-four thousand dollars or less in the case of all other
24 persons; but in the event that the payment of tax under this
25 subchapter would reduce the net income to less than thirty-two
26 thousand dollars or twenty-four thousand dollars as applicable,
27 then the tax shall be reduced to that amount which would result
28 in allowing the taxpayer to retain a net income of thirty-two
29 thousand dollars or twenty-four thousand dollars as applicable.
30 The preceding sentence does not apply to estates or trusts.
31 For the purpose of this subsection, the entire net income,
32 including any part of the net income not allocated to Iowa,
33 shall be taken into account. ~~For purposes of this subsection,~~
34 ~~net income includes all amounts of pensions or other retirement~~
35 ~~income, except for military retirement pay excluded under~~

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1 section 422.7, subsection 31A, paragraph "a", or section 422.7,
2 subsection 31B, paragraph "a", received from any source which is
3 not taxable under this subchapter as a result of the government
4 pension exclusions in section 422.7, or any other state law.
5 If the combined net income of a husband and wife exceeds
6 thirty-two thousand dollars, neither of them shall receive the
7 benefit of this subsection, and it is immaterial whether they
8 file a joint return or separate returns. However, if a husband
9 and wife file separate returns and have a combined net income
10 of thirty-two thousand dollars or less, neither spouse shall
11 receive the benefit of this paragraph, if one spouse has a net
12 operating loss and elects to carry back or carry forward the
13 loss as provided in section 422.9, subsection 3. A person
14 who is claimed as a dependent by another person as defined in
15 section 422.12 shall not receive the benefit of this subsection
16 if the person claiming the dependent has net income exceeding
17 thirty-two thousand dollars or twenty-four thousand dollars
18 as applicable or the person claiming the dependent and the
19 person's spouse have combined net income exceeding thirty-two
20 thousand dollars or twenty-four thousand dollars as applicable.

21 Sec. 27. Section 422.7, subsection 31, Code 2022, is amended
22 to read as follows:

23 31. a. For a person who is disabled, or is fifty five years
24 of age or older, or is the surviving spouse of an individual or
25 a survivor having an insurable interest in an individual who
26 would have qualified for the exemption under this subsection
27 for the tax year, subtract Subtract, to the extent included,
28 the total amount of received from a governmental or other
29 pension or retirement pay plan, including, but not limited
30 to, defined benefit or defined contribution plans, annuities,
31 individual retirement accounts, plans maintained or contributed
32 to by an employer, or maintained or contributed to by a
33 self-employed person as an employer, and deferred compensation
34 plans or any earnings attributable to the deferred compensation
35 plans, up to a maximum of six thousand dollars for a person,

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1 other than a husband or wife, who files a separate state income
2 tax return and up to a maximum of twelve thousand dollars
3 for a husband and wife who file a joint state income tax
4 return. However, a surviving spouse who is not disabled or
5 fifty five years of age or older can only exclude the amount
6 of pension or retirement pay received as a result of the death
7 of the other spouse. A husband and wife filing separate state
8 income tax returns or separately on a combined state return
9 are allowed a combined maximum exclusion under this subsection
10 of up to twelve thousand dollars. The twelve thousand dollar
11 exclusion shall be allocated to the husband or wife in the
12 proportion that each spouse's respective pension and retirement

13 ~~pay received bears to total combined pension and retirement~~
14 ~~pay received received by a person who is disabled, or is~~
15 ~~fifty-five years of age or older, or is the surviving spouse of~~
16 ~~an individual or is a survivor having an insurable interest in~~
17 ~~an individual who would have qualified for the exemption under~~
18 ~~this subsection for the tax year.~~

19 *b. Married taxpayers who file separate state income tax*
20 *returns shall allocate their combined annual exclusion amount*
21 *to each spouse in the proportion that each spouse's respective*
22 *income received from a pension or retirement plan bears to the*
23 *total combined pension or retirement pay received.*

24 *c. A taxpayer who is not disabled or fifty-five years of*
25 *age or older and who receives pension or retirement pay as a*
26 *surviving spouse or as a survivor with an insurable interest*
27 *in an individual who would have qualified for the exemption*
28 *for the tax year may only exclude the amount received from a*
29 *pension or retirement plan in the tax year as a result of the*
30 *death of the decedent.*

31 Sec. 28. EFFECTIVE DATE. This division of this Act takes
32 effect January 1, 2023.

33 Sec. 29. APPLICABILITY. This division of this Act applies
34 to tax years beginning on or after January 1, 2023.

35 DIVISION VII

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1 RESEARCH ACTIVITIES TAX CREDIT

2 Sec. 30. Section 15.335, subsection 4, paragraph a, Code
3 2022, is amended to read as follows:

4 *a. In lieu of the credit amount computed in subsection 2,*
5 *an eligible business ~~may~~ shall elect to compute the credit*
6 *amount for qualified research expenses incurred in this state*
7 *in a manner consistent with the alternative simplified credit*
8 *described in section 41(c)(4) of the Internal Revenue Code if*
9 *the taxpayer elected or was required to use the alternative*
10 *simplified credit method for federal income tax purposes for*
11 *the same taxable year. The taxpayer may make this election*
12 *regardless of the method used for the taxpayer's federal income*
13 *tax. The election made under this paragraph is for the tax*
14 *year and the taxpayer may use another or the same method for*
15 *any subsequent tax year.*

16 Sec. 31. Section 15.335, subsection 5, Code 2022, is amended
17 to read as follows:

18 5. The credit allowed in this section is in addition to
19 the credit authorized in section 422.10 and section 422.33,
20 subsection 5. However, if the alternative credit computation
21 method is used in section 422.10 or section 422.33, subsection
22 5, the credit allowed in this section shall also be computed
23 using that method. The regular or alternative credit allowed
24 in this section shall be computed according to the same claim,
25 calculation, and refund limitations in section 422.10 and
26 section 422.33, subsection 5, as applicable, including those

27 described in section 422.10, subsection 1, paragraph "a", and
28 section 422.10, subsection 1, paragraph "b", subparagraph
29 (3), and section 422.10, subsection 4, and those described in
30 section 422.33, subsection 5, paragraph "b", subparagraph (2),
31 and section 422.33, subsection 5, paragraphs "e" and "g".
32 Sec. 32. Section 15.335, subsection 8, Code 2022, is amended
33 to read as follows:
34 8. a. Any The following percentage of any credit in excess
35 of the tax liability for the taxable year shall be refunded

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1 with interest in accordance with section 421.60, subsection 2,
2 paragraph "e":
3 (1) For the tax year beginning on or after January 1, 2023,
4 but before January 1, 2024, ninety-five percent.
5 (2) For the tax year beginning on or after January 1, 2024,
6 but before January 1, 2025, ninety percent.
7 (3) For the tax year beginning on or after January 1, 2025,
8 but before January 1, 2026, eighty-five percent.
9 (4) For the tax year beginning on or after January 1, 2026,
10 but before January 1, 2027, eighty percent.
11 (5) For tax years beginning on or after January 1, 2027,
12 seventy-five percent.
13 b. In lieu of claiming a refund, a taxpayer may elect to
14 have the overpayment otherwise eligible for a refund shown on
15 its final, completed return credited to the tax liability for
16 the following tax year.
17 Sec. 33. Section 422.10, subsection 1, paragraph a, Code
18 2022, is amended by adding the following new subparagraph:
19 NEW SUBPARAGRAPH. (3) The credit provided in this section
20 is claimed on a return filed by the due date for filing the
21 return, including extensions of time. If timely claimed, the
22 business shall not increase the credit claim on an amended
23 return or otherwise unless either of the following apply:
24 (a) The amended return is filed within six months of the due
25 date for filing the return which includes extensions of time.
26 (b) The increase results from an audit or examination by the
27 internal revenue service or the department.
28 Sec. 34. Section 422.10, subsection 1, paragraph b, Code
29 2022, is amended by adding the following new subparagraph:
30 NEW SUBPARAGRAPH. (3) For the purpose of calculating
31 the state's apportioned share of the qualifying expenditures
32 for increasing research activities in subparagraph (2), the
33 following criteria shall apply only to the determination of
34 qualified research expenditures in this state:
35 (a) Wages paid to an employee for qualified services,

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1 or contract research expenses paid to a third party for
2 the performance of qualified research services, shall only

3 constitute qualified research expenses in this state if the
4 services are performed in this state, and if the following
5 conditions are met, as applicable:
6 (i) For qualified services performed by employees, during
7 the period of the tax year that the business is engaging in one
8 or more research projects, a majority of the total services
9 performed by the employee for the business are directly related
10 to those research projects.
11 (ii) For the performance of qualified research services
12 by a third party, during the period of the business's tax
13 year that the third party is performing research services for
14 the business, a majority of the total services performed by
15 the person for the third party are directly related to those
16 research projects of the business.
17 (b) The substantially all rule for determining qualified
18 services as described in section 41(b)(2)(B) of the Internal
19 Revenue Code and Treas. Reg. 1.41-2(d)(2) does not apply.
20 (c) Amounts paid for the right to use computers as described
21 in section 41(b)(2)(A)(iii) of the Internal Revenue Code shall
22 not be qualified research expenses in this state.
23 (d) For tax years beginning on or after January 1, 2023, but
24 before January 1, 2027, amounts paid for supplies as defined
25 in section 41(b)(2)(C) of the Internal Revenue Code shall only
26 constitute qualified research expenses in this state if the
27 supplies directly relate to research performed in this state
28 and shall be limited to the following allowable percentages:
29 (i) For the tax year beginning on or after January 1, 2023,
30 but before January 1, 2024, eighty percent of the amounts paid
31 for supplies directly related to research performed in this
32 state.
33 (ii) For the tax year beginning on or after January 1, 2024,
34 but before January 1, 2025, sixty percent of the amounts paid
35 for supplies directly related to research performed in this

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1 state.
2 (iii) For the tax year beginning on or after January 1,
3 2025, but before January 1, 2026, forty percent of the amounts
4 paid for supplies directly related to research performed in
5 this state.
6 (iv) For the tax year beginning on or after January 1, 2026,
7 but before January 1, 2027, twenty percent of the amounts paid
8 for supplies directly related to research performed in this
9 state.
10 (e) For tax years beginning on or after January 1, 2027,
11 amounts paid for supplies as defined in section 41(b)(2)(C)
12 of the Internal Revenue Code shall not be qualified research
13 expenses in this state.
14 Sec. 35. Section 422.10, subsection 1, paragraphs c and d,
15 Code 2022, are amended to read as follows:
16 c. In lieu of the credit amount computed in paragraph "b",

17 subparagraph (1), subparagraph division (a), a taxpayer ~~may~~
18 shall elect to compute the credit amount for qualified research
19 expenses incurred in this state in a manner consistent with the
20 alternative simplified credit described in section 41(c)(4)
21 of the Internal Revenue Code if the taxpayer elected or was
22 required to use the alternative simplified credit method for
23 federal income tax purposes for the same taxable year. The
24 taxpayer may make this election regardless of the method used
25 for the taxpayer's federal income tax. The election made under
26 this paragraph is for the tax year and the taxpayer may use
27 another or the same method for any subsequent year.

28 d. For purposes of the alternate credit computation method
29 in paragraph "c", the following criteria shall apply:

30 (1) The credit percentages applicable to qualified research
31 expenses described in section 41(c)(4)(A) and clause (ii) of
32 section 41(c)(4)(B) of the Internal Revenue Code are four
33 and fifty-five hundredths percent and one and ninety-five
34 hundredths percent, respectively.

35 (2) Basic research payments and qualified research expenses

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1 shall only include amounts for research conducted in this
2 state. A taxpayer's qualified research expenses in this state
3 and average prior year qualified research expenses in this
4 state shall be determined in accordance with the criteria in
5 subsection 1, paragraph "b", subparagraph (3).

6 Sec. 36. Section 422.10, subsection 3, paragraph b, Code
7 2022, is amended to read as follows:

8 b. For purposes of this section, "*basic research payment*"
9 and "*qualified research expense*" mean the same as defined
10 for the federal credit for increasing research activities
11 under section 41 of the Internal Revenue Code, except that
12 for the alternative simplified credit such amounts are for
13 research conducted within this state as otherwise described in
14 subsection 1, paragraph "b", subparagraph (3), and subsection
15 1, paragraph "d", subparagraph (2).

16 Sec. 37. Section 422.10, subsection 4, Code 2022, is amended
17 to read as follows:

18 4. a. (1) Any The following percentage of any credit in
19 excess of the tax liability imposed by section 422.5 less the
20 amounts of nonrefundable credits allowed under this subchapter
21 for the taxable year shall be refunded with interest in
22 accordance with section 421.60, subsection 2, paragraph "e":
23 (a) For the tax year beginning on or after January 1, 2023,
24 but before January 1, 2024, ninety percent.
25 (b) For the tax year beginning on or after January 1, 2024,
26 but before January 1, 2025, eighty percent.
27 (c) For the tax year beginning on or after January 1, 2025,
28 but before January 1, 2026, seventy percent.
29 (d) For the tax year beginning on or after January 1, 2026,
30 but before January 1, 2027, sixty percent.

31 (2) In lieu of claiming a refund pursuant to this paragraph,
32 a taxpayer may elect to have the overpayment otherwise eligible
33 for a refund shown on the taxpayer's final, completed return
34 credited to the tax liability for the following taxable year.
35 b. Commencing with tax years beginning on or after

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1 January 1, 2027, fifty percent of any credit in excess of the
2 tax liability imposed by section 422.5 less the amounts of
3 nonrefundable credits allowed under this subchapter for the
4 taxable year shall be refunded with interest in accordance
5 with section 421.60, subsection 2, paragraph "e". In lieu of
6 claiming a refund, a taxpayer may elect to have the overpayment
7 otherwise eligible for a refund shown on the taxpayer's
8 final, completed return credited to the tax liability for the
9 following taxable year.
10 c. In applying the credit in this section against tax
11 liability and computing the eligible refund amount, the credit
12 shall be applied after all nonrefundable credits available
13 to the taxpayer are applied, but before any other refundable
14 credit available to the taxpayer is applied.
15 Sec. 38. Section 422.33, subsection 5, paragraph b, Code
16 2022, is amended to read as follows:
17 b. (1) The state's apportioned share of the qualifying
18 expenditures for increasing research activities is a percent
19 equal to the ratio of qualified research expenditures in this
20 state to the total qualified research expenditures.
21 (2) For the purpose of calculating the state's apportioned
22 share of the qualifying expenditures for increasing research
23 activities in subparagraph (1), the following criteria
24 shall apply only to the determination of qualified research
25 expenditures in this state:
26 (a) Wages paid to an employee for qualified services,
27 or contract research expenses paid to a third party for
28 the performance of qualified research services, shall only
29 constitute qualified research expenses in this state if the
30 services are performed in this state, and if the following
31 conditions are met, as applicable:
32 (i) For qualified services performed by employees, during
33 the period of the tax year that the business is engaging in one
34 or more research projects, a majority of the total services
35 performed by the employee for the business are directly related

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1 to those research projects.
2 (ii) For the performance of qualified research services
3 by a third party, during the period of the business's tax
4 year that the third party is performing research services for
5 the business, a majority of the total services performed by
6 the person for the third party are directly related to those

7 research projects of the business.
8 (b) The substantially all rule for determining qualified
9 services as described in section 41(b)(2)(B) of the Internal
10 Revenue Code and Treas. Reg. 1.41-2(d)(2) does not apply.
11 (c) Amounts paid for the right to use computers as described
12 in section 41(b)(2)(A)(iii) of the Internal Revenue Code shall
13 not be qualified research expenses in this state.
14 (d) For tax years beginning on or after January 1, 2023, but
15 before January 1, 2027, amounts paid for supplies as defined
16 in section 41(b)(2)(C) of the Internal Revenue Code shall only
17 constitute qualified research expenses in this state if the
18 supplies directly relate to research performed in this state
19 and shall be limited to the following allowable percentages:
20 (i) For the tax year beginning on or after January 1, 2023,
21 but before January 1, 2024, eighty percent of the amounts paid
22 for supplies directly related to research performed in this
23 state.
24 (ii) For the tax year beginning on or after January 1, 2024,
25 but before January 1, 2025, sixty percent of the amounts paid
26 for supplies directly related to research performed in this
27 state.
28 (iii) For the tax year beginning on or after January 1,
29 2025, but before January 1, 2026, forty percent of the amounts
30 paid for supplies directly related to research performed in
31 this state.
32 (iv) For the tax year beginning on or after January 1, 2026,
33 but before January 1, 2027, twenty percent of the amounts paid
34 for supplies directly related to research performed in this
35 state.

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1 (e) For tax years beginning on or after January 1, 2027,
2 amounts paid for supplies as defined in section 41(b)(2)(C)
3 of the Internal Revenue Code shall not be qualified research
4 expenses in this state.
5 Sec. 39. Section 422.33, subsection 5, paragraphs c and d,
6 Code 2022, are amended to read as follows:
7 c. In lieu of the credit amount computed in paragraph "a",
8 subparagraph (1), a corporation may shall elect to compute
9 the credit amount for qualified research expenses incurred
10 in this state in a manner consistent with the alternative
11 simplified credit described in section 41(c)(4) of the Internal
12 Revenue Code if the taxpayer elected or was required to use
the alternative simplified credit method for federal income
13 tax purposes for the same taxable year. The taxpayer may make
14 this election regardless of the method used for the taxpayer's
15 federal income tax. The election made under this paragraph is
16 for the tax year and the taxpayer may use another or the same
17 method for any subsequent year.
18 d. For purposes of the alternate credit computation method
19 in paragraph "c", the following criteria shall apply:

21 (1) The credit percentages applicable to qualified research
22 expenses described in section 41(c)(4)(A) and clause (ii) of
23 section 41(c)(4)(B) of the Internal Revenue Code are four
24 and fifty-five hundredths percent and one and ninety-five
25 hundredths percent, respectively.
26 (2) Basic research payments and qualified research expenses
27 shall only include amounts for research conducted in this
28 state. A taxpayer's qualified research expenses in this state
29 and average prior year qualified research expenses in this
30 state shall be determined in accordance with the rules in
31 paragraph "b", subparagraph (2).

32 Sec. 40. Section 422.33, subsection 5, paragraph e, Code
33 2022, is amended by adding the following new subparagraph:
34 NEW SUBPARAGRAPH. (3) The credit provided in this
35 subsection is claimed on a return filed by the due date for

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1 filing the return, including extensions of time. If timely
2 claimed, the business shall not increase the credit claim on
3 an amended return or otherwise unless either of the following
4 apply:
5 (a) The amended return is filed within six months of the due
6 date for filing the return which includes extensions of time.
7 (b) The increase results from an audit or examination by the
8 internal revenue service or the department.
9 Sec. 41. Section 422.33, subsection 5, paragraph f,
10 subparagraph (2), Code 2022, is amended to read as follows:
11 (2) For purposes of this subsection, "*basic research*
12 *payment*" and "*qualified research expense*" mean the same as
13 defined for the federal credit for increasing research
14 activities under section 41 of the Internal Revenue Code,
15 except that for the alternative simplified credit such amounts
16 ~~are for research conducted within this state as otherwise~~
17 described in paragraph "b", subparagraph (2), and paragraph "d",
18 subparagraph (2).
19 Sec. 42. Section 422.33, subsection 5, paragraph g, Code
20 2022, is amended to read as follows:
21 g. (1) Any The following percentage of the credit
22 in excess of the tax liability for the taxable year shall
23 be refunded with interest in accordance with section 421.60,
24 subsection 2, paragraph "e":
25 (i) For the tax year beginning on or after January 1, 2023,
26 but before January 1, 2024, ninety percent.
27 (ii) For the tax year beginning on or after January 1, 2024,
28 but before January 1, 2025, eighty percent.
29 (iii) For the tax year beginning on or after January 1,
30 2025, but before January 1, 2026, seventy percent.
31 (iv) For the tax year beginning on or after January 1, 2026,
32 but before January 1, 2027, sixty percent.

33 (b) In lieu of claiming a refund pursuant to this
34 subparagraph, a taxpayer may elect to have the overpayment
35 otherwise eligible for a refund shown on its final, completed

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1 return credited to the tax liability for the following taxable
2 year.
3 (2) Commencing with tax years beginning on or after January
4 1, 2027, fifty percent of any credit in excess of the tax
5 liability for the taxable year shall be refunded with interest
6 in accordance with section 421.60, subsection 2, paragraph "e".
7 In lieu of claiming a refund, a taxpayer may elect to have
8 the overpayment otherwise eligible for a refund shown on its
9 final, completed return credited to the tax liability for the
10 following taxable year.
11 (3) In applying the credit in this subsection against tax
12 liability and computing the eligible refund amount, the credit
13 shall be applied after all nonrefundable credits available
14 to the taxpayer are applied, but before any other refundable
15 credit available to the taxpayer is applied.

16 Sec. 43. EFFECTIVE DATE. This division of this Act takes
17 effect January 1, 2023.

18 Sec. 44. APPLICABILITY. This division of this Act applies
19 to tax years beginning on or after January 1, 2023.

20 DIVISION VIII
21 OTHER TAX CREDITS

22 Sec. 45. Section 15.119, subsection 2, paragraph a, Code
23 2022, is amended by adding the following new subparagraph:
24 **NEW SUBPARAGRAPH.** (3) In allocating tax credits pursuant
25 to this subsection, the authority shall prioritize issuing
26 additional research activities tax credits pursuant to section
27 15.335.

28 Sec. 46. Section 15.293A, subsection 1, paragraph c,
29 subparagraph (2), Code 2022, is amended to read as follows:

30 (2) (a) A tax credit in excess of the taxpayer's liability
31 for the tax year is refundable if all of the following
32 conditions are met:

33 ↳ (i) The taxpayer is an investor making application for
34 tax credits provided in this section and is an entity organized
35 under chapter 504 and qualifying under section 501(c)(3) of the

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1 Internal Revenue Code as an organization exempt from federal
2 income tax under section 501(a) of the Internal Revenue Code.
3 ↳ (ii) The taxpayer establishes during the application
4 process described in section 15.293B that the requirement in
5 subparagraph division (a) is satisfied. The authority, when
6 issuing a certificate to a taxpayer that meets the requirements
7 in this subparagraph (2), shall indicate on the certificate
8 that such requirements have been satisfied.

9 (b) For a tax credit deemed refundable pursuant to
10 subparagraph division (a), the following percentage of the tax
11 credit in excess of the taxpayer's liability for the tax year
12 is refundable:

13 (i) For the tax year beginning on or after January 1, 2023,
14 but before January 1, 2024, ninety-five percent.

15 (ii) For the tax year beginning on or after January 1, 2024,
16 but before January 1, 2025, ninety percent.

17 (iii) For the tax year beginning on or after January 1,
18 2025, but before January 1, 2026, eighty-five percent.

19 (iv) For the tax year beginning on or after January 1, 2026,
20 but before January 1, 2027, eighty percent.

21 (v) For tax years beginning on or after January 1, 2027,
22 seventy-five percent.

23 Sec. 47. Section 15.293A, subsection 2, paragraph d, Code
24 2022, is amended to read as follows:

25 d. Tax credit certificates issued under this section may
26 be transferred to any person or entity, except a tax credit
27 certificate that is refundable under subsection 1, paragraph
28 "c", subparagraph (2), shall not be transferable. Within
29 ninety days of transfer, the transferee shall submit the
30 transferred tax credit certificate to the department of revenue
31 along with a statement containing the transferee's name, tax
32 identification number, and address, the denomination that each
33 replacement tax credit certificate is to carry, and any other
34 information required by the department of revenue.

35 Sec. 48. Section 15E.305, subsection 2, paragraph a, Code

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1 2022, is amended to read as follows:

2 a. The maximum amount of tax credits granted to a taxpayer
3 shall not exceed five percent one hundred thousand dollars of
4 the aggregate amount of tax credits authorized.

5 Sec. 49. Section 15.331C, subsection 1, Code 2022, is
6 amended to read as follows:

7 1. a. An eligible business may claim a tax credit in an
8 amount equal to the sales and use taxes paid by a third-party
9 developer under chapter 423 for gas, electricity, water, or
10 sewer utility services, goods, wares, or merchandise, or
11 on services rendered, furnished, or performed to or for a
12 contractor or subcontractor and used in the fulfillment of a
13 written contract relating to the construction or equipping of
14 a facility of the eligible business. Taxes attributable to
15 intangible property and furniture and furnishings shall not
16 be included, but taxes attributable to racks, shelving, and
17 conveyor equipment to be used in a warehouse or distribution
18 center shall be included. Any credit in excess of the tax
19 liability for the tax year may be credited to the tax liability
20 for the following seven years or until depleted, whichever
21 occurs earlier. An eligible business may elect to receive a
22 refund as a refund the following percentage of all or a portion

23 of ~~an unused~~ any tax credit in excess of the tax liability as
24 follows:
25 (1) For the tax year beginning on or after January 1, 2023,
26 but before January 1, 2024, ninety-five percent.
27 (2) For the tax year beginning on or after January 1, 2024,
28 but before January 1, 2025, ninety percent.
29 (3) For the tax year beginning on or after January 1, 2025,
30 but before January 1, 2026, eighty-five percent.
31 (4) For the tax year beginning on or after January 1, 2026,
32 but before January 1, 2027, eighty percent.
33 (5) For tax years beginning on or after January 1, 2027,
34 seventy-five percent.
35 b. In lieu of claiming a refund, a taxpayer may elect to

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1 have the overpayment otherwise eligible for a refund shown on
2 the taxpayer's final, completed return credited to the tax
3 liability for the following seven years or until depleted,
4 whichever occurs earlier.

5 Sec. 50. Section 404A.2, subsection 4, Code 2022, is amended
6 to read as follows:

7 4. a. For a tax credit claimed by an eligible taxpayer
8 or a transferee for qualified rehabilitation projects
9 with agreements entered into on or after July 1, 2014, the
10 following percentage of any credit in excess of the taxpayer's
11 tax liability for the tax year may be refunded ~~or, at the~~ to the
12 taxpayer's election, credited to the taxpayer's tax liability
13 for the following five years or until depleted, whichever is
14 earlier:

15 (1) For the tax year beginning on or after January 1, 2023,
16 but before January 1, 2024, ninety-five percent.

17 (2) For the tax year beginning on or after January 1, 2024,
18 but before January 1, 2025, ninety percent.

19 (3) For the tax year beginning on or after January 1, 2025,
20 but before January 1, 2026, eighty-five percent.

21 (4) For the tax year beginning on or after January 1, 2026,
22 but before January 1, 2027, eighty percent.

23 (5) For tax years beginning on or after January 1, 2027,
24 seventy-five percent.

25 b. In lieu of claiming a refund, a taxpayer may elect to
26 have the overpayment otherwise eligible for a refund shown on
27 the taxpayer's final, completed return credited to the tax
28 liability for the following five tax years or until depleted,
29 whichever is earlier.

30 c. A tax credit shall not be carried back to a tax year
31 prior to the tax year in which the taxpayer redeems the tax
32 credit. As used in this subsection, "taxpayer" includes
33 an eligible taxpayer or a person transferred a tax credit
34 certificate pursuant to subsection 3.

35 Sec. 51. Section 422.12N, Code 2022, is amended by adding

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1 the following new subsections:

2 NEW SUBSECTION. 6. This section does not apply to a
3 geothermal heat pump installation occurring after December 31,
4 2023.

5 NEW SUBSECTION. 7. This section is repealed January 1,
6 2034.

7 Sec. 52. Section 422.33, subsection 9, paragraph a, Code
8 2022, is amended to read as follows:

9 a. (1) The taxes imposed under this subchapter shall be
10 reduced by an assistive device tax credit. A small business
11 purchasing, renting, or modifying an assistive device or making
12 workplace modifications for an individual with a disability
13 who is employed or will be employed by the small business is
14 eligible, subject to availability of credits, to receive this
15 assistive device tax credit which is equal to fifty percent of
16 the first five thousand dollars paid during the tax year for
17 the purchase, rental, or modification of the assistive device
18 or for making the workplace modifications. Any The following
19 percentage of any credit in excess of the tax liability shall
20 be refunded with interest in accordance with section 421.60,
21 subsection 2, paragraph "e", as follows:

22 (a) For the For the tax year beginning on or after January
23 1, 2023, but before January 1, 2024, ninety-five percent.

24 (b) For the tax year beginning on or after January 1, 2024,
25 but before January 1, 2025, ninety percent.

26 (c) For the tax year beginning on or after January 1, 2025,
27 but before January 1, 2026, eighty-five percent.

28 (d) For the tax year beginning on or after January 1, 2026,
29 but before January 1, 2027, eighty percent.

30 (e) For tax years beginning on or after January 1, 2027,
31 seventy-five percent.

32 (2) In lieu of claiming a refund, a taxpayer may elect to
33 have the overpayment otherwise eligible for a refund shown on
34 the taxpayer's final, completed return credited to the tax
35 liability for the following tax year. If the small business

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1 elects to take the assistive device tax credit, the small
2 business shall not deduct for Iowa tax purposes any amount of
3 the cost of an assistive device or workplace modifications
4 which is deductible for federal income tax purposes.

5 Sec. 53. PRESERVATION OF EXISTING RIGHTS. This division
6 of this Act is not intended to and shall not limit, modify, or
7 otherwise adversely affect any amount of tax credit issued,
8 awarded, or allowed prior to January 1, 2023, nor shall it
9 limit, modify, or otherwise adversely affect a taxpayer's right
10 to claim or redeem a tax credit issued, awarded, or allowed
11 prior to January 1, 2023, including but not limited to any tax
12 credit carryforward amount.

13 Sec. 54. EFFECTIVE DATE. This division of this Act takes
14 effect January 1, 2023.

15 Sec. 55. APPLICABILITY. This division of this Act applies
16 to tax years beginning on or after January 1, 2023.

17 DIVISION IX

18 CORPORATE INCOME TAX RATES — ADJUSTMENTS

19 Sec. 56. Section 422.33, subsection 1, Code 2022, is amended
20 to read as follows:

21 1. a. A tax is imposed annually upon each corporation doing
22 business in this state, or deriving income from sources within
23 this state, in an amount computed by applying the following
24 rates of taxation to the net income received by the corporation
25 during the income year:

26 ~~a. (1)~~ On the first twenty-five thousand dollars of taxable
27 income, or any part thereof, the rate of six percent for tax
28 years beginning prior to January 1, 2021, and the rate of
29 five and one-half percent for tax years beginning on or after
30 January 1, 2021.

31 ~~b. (2)~~ On taxable income between twenty-five thousand
32 dollars and one hundred thousand dollars or any part thereof,
33 the rate of eight percent for tax years beginning prior to
34 January 1, 2021, and the rate of five and one-half percent for
35 tax years beginning on or after January 1, 2021.

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1 ~~e. (3)~~ On taxable income between one hundred thousand
2 dollars and two hundred fifty thousand dollars or any part
3 thereof, the rate of ten percent for tax years beginning prior
4 to January 1, 2021, and the rate of nine percent for tax years
5 beginning on or after January 1, 2021.

6 ~~d. (4)~~ On taxable income of two hundred fifty thousand
7 dollars or more, the rate of twelve percent for tax years
8 beginning prior to January 1, 2021, and the rate of nine
9 and eight-tenths percent for tax years beginning on or after
10 January 1, 2021.

11 b. (1) (a) Notwithstanding paragraph "a", the department
of management and the department of revenue shall determine
corporate income tax rates as provided in this paragraph. A
tax rate in this subsection shall remain in effect until the
tax rate is adjusted pursuant to this paragraph.

12 (b) By November 1, 2022, and by November 1 each year
thereafter, the department of management shall determine the
net corporate income tax receipts for the fiscal year preceding
the determination date. If net corporate income tax receipts
for the preceding fiscal year exceed seven hundred million
dollars, the department of revenue shall adjust and apply new
corporate income tax rates as provided in subparagraph (2).

13 (2) (a) If a determination has been made that net
14 corporate income tax receipts for the preceding fiscal year
15 exceeded seven hundred million dollars, the department of
16 revenue shall adjust the tax rates specified in paragraph "a".

27 subparagraphs (3) and (4), and apply the adjusted rates for tax
28 years beginning on or after the next January 1 following the
29 determination date.
30 (b) (i) The tax rates subject to adjustment shall be
31 adjusted in such a way that when combined with all the other
32 rates specified in paragraph "a", the tax rates would have
33 generated net corporate income tax receipts that equal seven
34 hundred million dollars in the preceding fiscal year.
35 (ii) When adjusting the tax rates, the tax rates shall be

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1 adjusted as follows:
2 (A) The tax rate in effect that corresponds with the
3 specified tax rate in paragraph "a", subparagraph (4),
4 shall first be adjusted but not below the tax rate in effect
5 that corresponds with the specified rate in paragraph "a",
6 subparagraph (3).
7 (B) If after the adjustment in subparagraph part (A) is
8 made, and an additional adjustment is necessary, the tax rates
9 that correspond with the rates specified in paragraph "a",
10 subparagraphs (3) and (4), shall be adjusted on an equal basis.
11 (iii) The tax rates adjusted pursuant to this paragraph
12 shall not be adjusted below five and one-half percent.
13 (iv) The tax rates, when adjusted, shall be rounded down to
14 the nearest one-tenth of one percent.
15 (3) If a tax rate is adjusted pursuant to this paragraph,
16 the director of revenue shall cause an advisory notice
17 containing the new corporate tax rates to be published in the
18 Iowa administrative bulletin and on the internet site of the
19 department of revenue. The calculation and publication of the
20 adjusted tax rate by the director of revenue is exempt from
21 chapter 17A, and shall be submitted for publication by the
22 first December 31 following the determination date to adjust
23 the tax rates.

DIVISION X

CORPORATE INCOME TAX — FLAT RATE

26 Sec. 57. Section 422.33, subsection 1, Code 2022, is amended
27 by striking the subsection and inserting in lieu thereof the
28 following:

29 1. A tax is imposed annually upon each corporation doing
30 business in this state, or deriving income from sources within
31 this state, in an amount computed by applying the rate of
32 five and one-half percent to the net income received by the
33 corporation during the income year.
34 Sec. 58. CONTINGENT EFFECTIVE DATE. This division of
35 this Act takes effect on the first January 1 after each rate

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1 of taxation on the net income received by a corporation is
2 equalized to equal five and one-half percent pursuant to

3 section 422.33, subsection 1, paragraph "b", as amended by this
4 Act. The director of revenue shall inform the Code editor upon
5 the occurrence of this contingency.

6 Sec. 59. APPLICABILITY. This division of this Act applies
7 to tax years beginning on or after the effective date of this
8 division of this Act.

9 DIVISION XI

10 TAX EXPENDITURE COMMITTEE

11 Sec. 60. Section 2.45, subsection 5, Code 2022, is amended
12 by striking the subsection.

13 Sec. 61. Section 2.48, subsections 1 and 2, Code 2022,
14 are amended by striking the subsections and inserting in lieu
15 thereof the following:

16 1. As used in this section, "tax expenditure" means an
17 exclusion from the operation or collection of a tax imposed in
18 this state. Tax expenditures include tax credits, exemptions,
19 deductions, and rebates. Tax expenditures also include sales
20 tax refunds issued pursuant to section 423.3 or 423.4.

21 2. a. (1) The department administering a tax expenditure
22 described in subsection 3 shall engage in a review of the
23 tax expenditure based upon the schedule in subsection 3. If
24 multiple departments administer the tax expenditure, the
25 departments shall cooperate in the review.

26 (2) The review shall consist of evaluating any tax
27 expenditure described in subsection 3 and assess its equity,
28 simplicity, competitiveness, public purpose, adequacy,
29 and extent of conformance with the original purpose of the
30 legislation that enacted the tax expenditure, as those issues
31 pertain to taxation in Iowa.

32 b. (1) The department shall file a report detailing the
33 review with the general assembly no later than December 15 of
34 the year the credit is scheduled to be reviewed in subsection
35 3.

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1 (2) The report may include recommendations for better
2 aligning tax expenditures with the original intent of the
3 legislation that enacted the tax expenditure.

4 Sec. 62. Section 2.48, subsection 3, unnumbered paragraph
5 1, Code 2022, is amended to read as follows:

6 The committee applicable department shall review the
7 following tax expenditures and incentives according to the
8 following schedule:

9 Sec. 63. Section 2.48, subsection 4, Code 2022, is amended
10 to read as follows:

11 4. Subsequent additional review. A tax expenditure or
12 incentive reviewed pursuant to subsection 3 shall be reviewed
13 again not more than five years after the tax expenditure or
14 incentive was most recently reviewed.

15 DIVISION XII

16 TAXPAYER RELIEF FUND CONTINGENT TRANSFERS

17 Sec. 64. Section 8.54, subsection 5, Code 2022, is amended
18 to read as follows:

19 5. a. For fiscal years in which it is anticipated that
20 the distribution of moneys from the Iowa economic emergency
21 fund in accordance with section 8.55, subsection 2, will result
22 in moneys being transferred to the general fund of the state,
23 the original state general fund expenditure limitation amount
24 provided for in subsection 3 shall be readjusted to include the
25 amount of moneys anticipated to be so transferred.

26 b. For fiscal years in which it is anticipated that moneys
27 will be transferred from the taxpayer relief fund to the
28 general fund of the state in accordance with section 8.57E,
29 subsection 2, paragraph "b", the original state general fund
30 expenditure limitation amount provided for in subsection 3
31 shall be readjusted to include the amount of moneys anticipated
32 to be so transferred. This paragraph is repealed on the date
33 that section 8.57E, subsection 2, paragraph "b", is repealed.

34 Sec. 65. Section 8.57E, subsection 2, Code 2022, is amended
35 to read as follows:

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1 2. a. Moneys Except as otherwise provided in this section,
2 moneys in the taxpayer relief fund shall only be used pursuant
3 to appropriations or transfers made by the general assembly
4 for tax relief, including but not limited to increases in
5 the general retirement income exclusion under section 422.7,
6 subsection 31, or reductions in income tax rates.

7 b. (1) For the fiscal year beginning July 1, 2023, and for
8 each fiscal year thereafter, if the actual net revenue for the
9 general fund of the state for the fiscal year plus the amount
10 transferred to the general fund of the state under section
11 8.55, subsection 2, paragraph "b", for the fiscal year, if
12 any, is less than one hundred three and one-half percent of
13 the actual net revenue for the general fund of the state for
14 the prior fiscal year, there is transferred from the taxpayer
15 relief fund to the general fund of the state an amount equal to
16 the difference or the remaining balance of the taxpayer relief
17 fund, whichever is lower, subject to subparagraph (2).

18 (2) The transfer made under subparagraph (1) shall not
19 exceed an amount necessary to increase the ending balance
20 of the general fund of the state for the fiscal year to one
21 percent of the adjusted revenue estimate, as defined in section
22 8.54, for the fiscal year.

23 (3) This paragraph is repealed on the date the remaining
24 balance of the taxpayer relief fund is transferred to the
25 general fund of the state under subparagraph (1).>

26 2. Title page, by striking lines 1 through 3 and inserting
27 <An Act relating to state revenue and finance by modifying
28 individual income tax rates, exemptions, and credits, corporate
29 income tax rates and credits, credits against the franchise
30 tax, the insurance premiums tax, and the moneys and credits

31 tax, and the tax expenditure committee, making contingent
32 transfers from the taxpayer relief fund, and including
33 effective date and applicability provisions.>

DAN DAWSON

S-5023

1 Amend the amendment, S-5022, to House File 2317, as passed by
2 the House, as follows:
3 1. Page 38, after line 25 by inserting:
4 <DIVISION ____
5 EARNED INCOME TAX CREDIT
6 Sec. ___. Section 422.12B, subsection 1, paragraph a, Code
7 2022, is amended to read as follows:
8 a. The taxes imposed under this subchapter less the credits
9 allowed under section 422.12 shall be reduced by an earned
10 income credit equal to the following percentage of the federal
11 earned income credit provided in section 32 of the Internal
12 Revenue Code:
13 (1) For the tax year beginning in the 2013 calendar year,
14 fourteen percent.
15 (2) For tax years beginning on or after January 1, 2014, but
16 before January 1, 2023, fifteen percent.
17 (3) For tax years beginning on or after January 1, 2023,
18 thirty percent.>
19 2. By renumbering as necessary.

ERIC GIDDENS

S-5024

1 Amend the amendment, S-5022, to House File 2317, as passed by
2 the House, as follows:
3 1. Page 3, line 34, by striking <Subtract> and inserting
4 <Except as provided in paragraph "Ob", subtract>
5 2. Page 3, line 35, before <net> by inserting <fifty percent
6 of>
7 3. Page 4, after line 4 by inserting:
8 <ob. Subtract, to the extent included, all net income
9 received by an eligible individual pursuant to a farm tenancy
10 agreement covering real property held by an eligible individual
11 for ten or more years, if the farm tenancy agreement is with
12 a tenant-lessee who does not participate in the beginning
13 farmer tax credit program but would be eligible to participate
14 in the beginning farmer tax credit program under chapter
15 16, subchapter VIII, part 5, subpart B, and who meets the
16 definition of beginning farmer in section 16.58.>

LIZ MATHIS
KEVIN KINNEY

S-5025

1 Amend the amendment, S-5022, to House File 2317, as passed by
2 the House, as follows:

3 1. Page 38, after line 25 by inserting:

4 ~~<Sec. ____.~~ Section 422.12C, subsection 1, Code 2022, is
5 amended by striking the subsection and inserting in lieu
6 thereof the following:

7 1. The taxes imposed under this subchapter, less the amounts
8 of nonrefundable credits allowed under this subchapter, shall
9 be reduced by a child and dependent care credit equal to the
10 following percentages of the federal child and dependent care
11 credit provided in section 21 of the Internal Revenue Code,
12 without regard to whether or not the federal credit was limited
13 by the taxpayer's federal tax liability:

14 a. For a taxpayer of net income of less than twenty-five
15 thousand dollars, one hundred percent.

16 b. For a taxpayer with net income of twenty-five thousand
17 dollars or more but less than forty thousand dollars, ninety
18 percent.

19 c. For a taxpayer with net income of forty thousand dollars
20 or more but less than sixty thousand dollars, seventy-five
21 percent.

22 d. For a taxpayer with net income of sixty thousand dollars
23 or more but less than ninety thousand dollars, fifty percent.

24 e. For a taxpayer with net income of ninety thousand dollars
25 or more, zero percent.

26 Sec. _____. Section 422.12C, Code 2022, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 5. a. Upon determination of the latest
29 cumulative inflation factor, the director shall multiply
30 each net income level set forth in subsection 1 or 2 by this
31 cumulative inflation factor, shall round off the resulting
32 product to the nearest one dollar, and shall incorporate the
33 result into the net income levels in subsection 1 or 2 for each
34 tax year beginning on or after January 1, 2022.

35 b. For purposes of this subsection, "*cumulative inflation*

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1 *factor*" means the product of the annual inflation factor for
2 the 2023 calendar year and all annual inflation factors for
3 subsequent calendar years as determined by section 422.4,
4 subsection 1, paragraph "a". The cumulative inflation factor
5 applies to all tax years beginning on or after January 1 of
6 the calendar year for which the latest annual inflation factor
7 has been determined. Notwithstanding any other provision,
8 the annual inflation factor for the 2022 calendar year is one
9 hundred percent.

10 Sec. _____. RETROACTIVE APPLICABILITY. This division of this
11 Act applies retroactively to January 1, 2022, for tax years
12 beginning on or after that date.>

13 2. Page 38, line 33, by striking <date and> and inserting
14 <date, applicability, and retroactive>
15 3. By renumbering as necessary.

SARAH TRONE GARRIOTT

S-5026

1 Amend House File 803, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, line 3, by striking <2021> and inserting <2022>
4 2. Page 1, by striking lines 9 through 26 and inserting:
5 <Sec. ___. Section 90A.8, subsection 2, Code 2022, is
6 amended to read as follows:
7 2. A contestant shall not take part in a boxing match
8 unless the contestant has presented a valid registration
9 identification card issued pursuant to section 90A.3 to the
10 commissioner prior to the weigh-in for the boxing match.
11 The contestant shall pass a rigorous physical examination
12 to determine the contestant's fitness to engage in any such
13 match within twenty-four hours of the start of the match.
14 The examination shall be conducted by a licensed practicing
15 physician or physician assistant designated or authorized by
16 the commissioner.>
17 3. Page 1, line 28, by striking <2021> and inserting <2022>
18 4. Page 2, line 16, by striking <2021> and inserting <2022>
19 5. Page 2, line 20, by striking <2021> and inserting <2022>
20 6. Page 2, line 35, by striking <2021> and inserting <2022>
21 7. Page 3, line 6, by striking <2021> and inserting <2022>
22 8. Page 3, line 12, by striking <2021> and inserting <2022>
23 9. Page 3, line 20, by striking <2021> and inserting <2022>
24 10. Page 4, line 14, by striking <2021> and inserting <2022>
25 11. Page 4, line 24, by striking <2021> and inserting <2022>
26 12. Page 5, line 12, by striking <2021> and inserting <2022>
27 13. Page 5, line 20, by striking <2021> and inserting <2022>
28 14. Page 5, line 34, by striking <2021> and inserting <2022>
29 15. Page 6, line 9, by striking <2021> and inserting <2022>
30 16. Page 6, line 11, by striking <2021> and inserting <2022>
31 17. Page 6, line 18, by striking <2021> and inserting <2022>
32 18. Page 7, line 9, by striking <2021> and inserting <2022>
33 19. Page 7, line 26, by striking <2021> and inserting <2022>
34 20. By striking page 7, line 32, through page 8, line 10,
35 and inserting:

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1 <Sec. ___. Section 144F.2, subsection 1, paragraph b, Code
2 2022, is amended to read as follows:
3 b. A legal representative who is an agent under a durable
4 power of attorney for health care pursuant to chapter 144B
5 shall be given the opportunity to designate a lay caregiver
6 in lieu of the patient's designation of a lay caregiver only

7 if, consistent with chapter 144B, in the judgment of the
8 attending physician or attending physician assistant, the
9 patient is unable to make the health care decision. A legal
10 representative who is a guardian shall be given the opportunity
11 to designate a lay caregiver in lieu of the patient's
12 designation of a lay caregiver to the extent consistent with
13 the powers and duties granted the guardian pursuant to sections
14 232D.401 and 232D.402 or section 633.635.>

15 21. Page 8, line 11, by striking <2021> and inserting <2022>
16 22. Page 9, line 5, by striking <2021> and inserting <2022>
17 23. Page 9, line 20, by striking <2021> and inserting <2022>
18 24. Page 9, line 30, by striking <2021> and inserting <2022>
19 25. Page 10, line 8, by striking <2021> and inserting <2022>
20 26. By striking page 10, line 19, through page 11, line 8,
21 and inserting:

22 <Sec. ___. Section 225.15, subsection 1, Code 2022, is
23 amended to read as follows:

24 1. When a respondent arrives at the state psychiatric
25 hospital, the admitting physician, or a physician assistant
26 who meets the qualifications set forth in the definition of a
27 mental health professional in section 228.1, shall examine the
28 respondent and determine whether or not, in the physician's
29 or physician assistant's judgment, the respondent is a fit
30 subject for observation, treatment, and hospital care. If,
31 upon examination, the physician or physician assistant who
32 meets the qualifications set forth in the definition of a
33 mental health professional in section 228.1 decides that the
34 respondent should be admitted to the hospital, the respondent
35 shall be provided a proper bed in the hospital. The physician

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1 or physician assistant who meets the qualifications set forth
2 in the definition of a mental health professional in section
3 228.1 who has charge of the respondent shall proceed with
4 observation, medical treatment, and hospital care as in the
5 physician's or physician assistant's judgment are proper
6 and necessary, in compliance with sections 229.13, 229.14,
7 this section, and section 229.16. After the respondent's
8 admission, the observation, medical treatment, and hospital
9 care of the respondent may be provided by a mental health
10 professional, as defined in section 228.1, who is licensed as a
11 physician, advanced registered nurse practitioner, or physician
12 assistant.>
13 27. Page 11, line 9, by striking <2021> and inserting <2022>
14 28. Page 11, line 27, by striking <2021> and inserting
15 <2022>
16 29. Page 12, line 4, by striking <2021> and inserting <2022>
17 30. Page 12, line 22, by striking <2021> and inserting
18 <2022>
19 31. Page 12, line 35, by striking <2021> and inserting
20 <2022>

21 32. Page 13, line 6, by striking <2021> and inserting <2022>
22 33. Page 13, line 18, by striking <2021> and inserting
23 <2022>
24 34. Page 13, line 28, by striking <2021> and inserting
25 <2022>
26 35. Page 13, line 34, by striking <2021> and inserting
27 <2022>
28 36. Page 14, line 13, by striking <2021> and inserting
29 <2022>
30 37. Page 14, line 17, by striking <2021> and inserting
31 <2022>
32 38. Page 14, line 27, by striking <2021> and inserting
33 <2022>
34 39. Page 14, line 32, by striking <2021> and inserting
35 <2022>

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1 40. Page 15, line 10, by striking <2021> and inserting
2 <2022>
3 41. Page 15, line 17, by striking <2021> and inserting
4 <2022>
5 42. Page 15, line 23, by striking <2021> and inserting
6 <2022>
7 43. Page 15, line 30, by striking <2021> and inserting
8 <2022>
9 44. Page 16, line 2, by striking <2021> and inserting <2022>
10 45. Page 16, line 14, by striking <2021> and inserting
11 <2022>
12 46. Page 16, line 30, by striking <2021> and inserting
13 <2022>
14 47. Page 17, line 23, by striking <2021> and inserting
15 <2022>
16 48. Page 17, line 35, by striking <2021> and inserting
17 <2022>
18 49. Page 18, line 19, by striking <2021> and inserting
19 <2022>
20 50. Page 19, line 2, by striking <2021> and inserting <2022>
21 51. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5027

1 Amend the amendment, S-5022, to House File 2317, as passed by
2 the House, as follows:
3 1. By striking page 9, line 5, through page 15, line 5, and
4 inserting the following:
5 <DIVISION ____
6 INDIVIDUAL INCOME TAX RATES FOR TAX YEARS BEGINNING ON OR AFTER
7 2023

8 Sec. _____. 2018 Iowa Acts, chapter 1161, section 107, is
9 amended by striking the section and inserting in lieu thereof
10 the following:

11 SEC. 107. Section 422.5A, as enacted in this Act, is amended
12 by striking the section and inserting in lieu thereof the
13 following:

14 **422.5A Tax rates.**

15 1. The tax imposed in section 422.5 shall be calculated
16 at the following rates in the case of a married couple filing
17 jointly:

18 a. On all taxable income from 0 through \$500,000, the rate
19 of 3.90 percent.

20 b. On all taxable income exceeding \$500,000, the rate of
21 6.50 percent.

22 2. The tax imposed in section 422.5 shall be calculated at
23 the following rates in the case of any taxpayer other than a
24 married couple filing jointly:

25 a. On all taxable income from 0 through \$250,000, the rate
26 of 3.90 percent.

27 b. On all taxable income exceeding \$250,000, the rate of
28 6.50 percent.>

29 2. By renumbering as necessary.

JACKIE SMITH

S-5028

1 Amend Senate File 2022 as follows:

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

3 <Section 1. Section 157.1, subsection 26, Code 2022, is
4 amended to read as follows:

5 26. "Salon" means ~~a fixed an establishment or place in a~~
6 fixed location, or a location that is readily movable, where
7 one or more persons engage in the practice of cosmetology
8 arts and sciences, including, but not limited to, a retail
9 establishment where cosmetologists engage in the practice of
10 cosmetology arts and sciences.>

11 2. Page 1, line 5, by striking <if the location is the home
12 of>

13 3. Page 1, by striking lines 6 and 7 and inserting <pursuant
14 to rules adopted by the board.>

15 4. Page 1, line 22, by striking <if the>

16 5. Page 1, by striking lines 23 and 24 and inserting
<pursuant to rules adopted by the board.>

17 6. Page 1, after line 27 by inserting:

18 <Sec. _____. EMERGENCY RULES. The board of cosmetology
19 arts and sciences and board of barbering may adopt emergency
20 rules under section 17A.4, subsection 3, and section 17A.5,
21 subsection 2, paragraph "b", to implement the provisions of
22 this Act and the rules shall be effective immediately upon
23 filing unless a later date is specified in the rules. Any
24 rules adopted in accordance with this section shall also be

26 published as a notice of intended action as provided in section
27 17A.4.>
28 7. Title page, line 2, by striking <a home> and inserting
29 <certain locations>
30 8. By renumbering as necessary.

JASON SCHULTZ

S-5029

1 Amend Senate File 2323 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. 2018 Iowa Acts, chapter 1172, section 44,
5 subsection 1, is amended to read as follows:
6 1. a. By December 1, 2018, the department of natural
7 resources shall submit a report to the general assembly
8 including all financial assistance provided to private entities
9 for the acquisition of land and an inventory of all land
10 managed or owned on behalf of the state by the department.
11 b. The department shall maintain the inventory created in
12 paragraph "a" on the department's internet site and update the
13 inventory within sixty days of the department acquiring new
14 property or acquiring a management interest in any property.
15 The department shall also update the inventory within sixty
16 days of receiving a report of a county conservation board's
17 acquisition of property as required under paragraph "c".
18 The inventory shall include the common name, county, acres
19 acquired, seller, year of acquisition, price paid, federal
20 moneys used, state moneys used, county moneys used, and the
21 manager of all land owned or managed by the department or by a
22 county conservation board.
23 c. Each county conservation board shall regularly submit
24 to the department in a manner determined by the department and
25 consistent with section 350.4, subsection 3, an inventory of
26 all land owned or managed by the respective county conservation
27 board.
28 Sec. 2. APPLICABILITY. The requirement for the inventory
29 maintained pursuant to this 2022 Iowa Act to include the
30 price paid or the seller of land owned or managed by a county
31 conservation board shall not apply to land acquired by a county
32 conservation board prior to the effective date of this 2022
33 Iowa Act.>
34 2. Title page, line 1, by striking <state>
35 3. Title page, line 2, by striking <resources.> and

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1 inserting <resources or a county conservation board, and
2 including applicability provisions.>

TOM SHIPLEY

S-5030

1 Amend Senate File 2251 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 7E.3, Code 2022, is amended by adding
5 the following new subsection:
6 **NEW SUBSECTION.** 6. *Workforce advertising.* Ensure that
7 companies that have no physical presence in the state shall
8 not be allowed to advertise for workers on an internet site
9 maintained by the department or independent agency or through
10 any other means funded by an appropriation to the department
11 or independent agency. However, this subsection shall not
12 apply to advertisements for internships or other employment
13 opportunities on an internet site or at an employee recruitment
14 event maintained or sponsored by an institution under the
15 control of the state board of regents.>

ADRIAN DICKEY

S-5031

HOUSE AMENDMENT TO
SENATE FILE 463

1 Amend Senate File 463, as passed by the Senate, as follows:
2 1. Page 27, after line 17 by inserting:
3 <Sec. ___. **NEW SECTION. 147F.1 Audiology and speech**
4 **language pathology interstate compact.**
5 1. *Purpose.* The purpose of this compact is to facilitate
6 interstate practice of audiology and speech language pathology
7 with the goal of improving public access to audiology and
8 speech language pathology services. The practice of audiology
9 and speech language pathology occurs in the state where the
10 patient, client, or student is located at the time of the
11 patient, client, or student encounter. The compact preserves
12 the regulatory authority of states to protect public health and
13 safety through the current system of state licensure. This
14 compact is designed to achieve the following objectives:
15 a. Increase public access to audiology and speech language
16 pathology services by providing for the mutual recognition of
17 other member state licenses.
18 b. Enhance the states' ability to protect the public's
19 health and safety.
20 c. Encourage the cooperation of member states in regulating
21 multistate audiology and speech language pathology practice.
22 d. Support spouses of relocating active duty military
23 personnel.
24 e. Enhance the exchange of licensure, investigative, and
25 disciplinary information between member states.
26 f. Allow a remote state to hold a provider of services with
27 a compact privilege in that state accountable to that state's

28 practice standards.
29 g. Allow for the use of telehealth technology to facilitate
30 increased access to audiology and speech language pathology
31 services.
32 2. *Definitions.* As used in this compact, and except as
33 otherwise provided, the following definitions shall apply:
34 a. “*Active duty military*” means full-time duty status in
35 the active uniformed service of the United States, including

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1 members of the national guard and the reserves on active duty
2 orders pursuant to 10 U.S.C. §1209 and 10 U.S.C. §1211.
3 b. “*Adverse action*” means any administrative, civil,
4 equitable, or criminal action permitted by a state’s laws which
5 is imposed by a licensing board or other authority against an
6 audiologist or speech language pathologist, including actions
7 against an individual’s license or privilege to practice
8 such as revocation, suspension, probation, monitoring of the
9 licensee, or restriction of the licensee’s practice.
10 c. “*Alternative program*” means a nondisciplinary monitoring
11 process approved by an audiology or speech language pathology
12 licensing board to address impaired practitioners.
13 d. “*Audiologist*” means an individual who is licensed by a
14 state to practice audiology.
15 e. “*Audiology*” means the care and services provided by
16 a licensed audiologist as set forth in the member state’s
17 statutes and rules.
18 f. “*Audiology and speech language pathology compact*
19 *commission*” or “*commission*” means the national administrative
20 body whose membership consists of all states that have enacted
21 the compact.
22 g. “*Audiology and speech language pathology licensing board*”,
23 “*audiology licensing board*”, “*speech language pathology licensing*
24 *board*”, or “*licensing board*” means the agency of a state that is
25 responsible for the licensing and regulation of audiologists or
26 speech language pathologists.
27 h. “*Compact privilege*” means the authorization granted by
28 a remote state to allow a licensee from another member state
29 to practice as an audiologist or speech language pathologist
30 in the remote state under its laws and rules. The practice of
31 audiology or speech language pathology occurs in the member
32 state where the patient, client, or student is located at the
33 time of the patient, client, or student encounter.
34 i. “*Current significant investigative information*” means
35 investigative information that a licensing board, after an

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1 inquiry or investigation that includes notification and an
2 opportunity for the audiologist or speech language pathologist
3 to respond, if required by state law, has reason to believe is

4 not groundless and, if proved true, would indicate more than a
5 minor infraction.

6 j. "*Data system*" means a repository of information about
7 licensees, including but not limited to continuing education,
8 examination, licensure, investigative, compact privilege, and
9 adverse action.

10 k. "*Encumbered license*" means a license in which an adverse
11 action restricts the practice of audiology or speech language
12 pathology by the licensee and said adverse action has been
13 reported to the national practitioners data bank.

14 l. "*Executive committee*" means a group of directors elected
15 or appointed to act on behalf of, and within the powers granted
16 to them by, the commission.

17 m. "*Home state*" means the member state that is the
18 licensee's primary state of residence.

19 n. "*Impaired practitioner*" means an individual whose
20 professional practice is adversely affected by substance abuse,
21 addiction, or other health-related conditions.

22 o. "*Licensee*" means an individual who currently holds an
23 authorization from the state licensing board to practice as an
24 audiologist or speech language pathologist.

25 p. "*Member state*" means a state that has enacted the
26 compact.

27 q. "*Privilege to practice*" means a legal authorization
28 permitting the practice of audiology or speech language
29 pathology in a remote state.

30 r. "*Remote state*" means a member state, other than the home
31 state, where a licensee is exercising or seeking to exercise
32 the compact privilege.

33 s. "*Rule*" means a regulation, principle, or directive
34 promulgated by the commission that has the force of law.

35 t. "*Single-state license*" means an audiology or speech

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1 language pathology license issued by a member state that
2 authorizes practice only within the issuing state and does not
3 include a privilege to practice in any other member state.

4 u. "*Speech language pathologist*" means an individual who is
5 licensed by a state to practice speech language pathology.

6 v. "*Speech language pathology*" means the care and services
7 provided by a licensed speech language pathologist as set forth
8 in the member state's statutes and rules.

9 w. "*State*" means any state, commonwealth, district, or
10 territory of the United States that regulates the practice of
11 audiology and speech language pathology.

12 x. "*State practice laws*" means a member state's laws, rules,
13 and regulations that govern the practice of audiology or speech
14 language pathology, define the scope of audiology or speech
15 language pathology practice, and create the methods and grounds
16 for imposing discipline.

17 y. "*Telehealth*" means the application of telecommunication,

18 audiovisual, or other technologies that meet the applicable
19 standard of care to deliver audiology or speech language
20 pathology services at a distance for assessment, intervention,
21 or consultation.

22 *3. State participation in the compact.*

23 *a. A license issued to an audiologist or speech language*
24 *pathologist by a home state to a resident in that state*
25 *shall be recognized by each member state as authorizing*
26 *an audiologist or speech language pathologist to practice*
27 *audiology or speech language pathology, under a privilege to*
28 *practice, in each member state.*

29 *b. A state must implement or utilize procedures for*
30 *considering the criminal history records of applicants for*
31 *initial privilege to practice. These procedures shall include*
32 *the submission of fingerprints or other biometric-based*
33 *information by applicants for the purpose of obtaining an*
34 *applicant's criminal history record information from the*
35 *federal bureau of investigation and the agency responsible for*

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1 retaining that state's criminal records.

2 *(1) A member state must fully implement a criminal*
3 *background check requirement, within a time frame established*
4 *by rule, by receiving the results of the federal bureau of*
5 *investigation record search on criminal background checks and*
6 *use the results in making licensure decisions.*

7 *(2) Communication between a member state, the commission,*
8 *and among member states regarding the verification of*
9 *eligibility for licensure through the compact shall not*
10 *include any information received from the federal bureau of*
11 *investigation relating to a federal criminal records check*
12 *performed by a member state under the Department of State,*
13 *Justice, and Commerce, the Judiciary, and Related Agencies*
14 *Appropriation Act, 1973, Pub. L. No. 92-544.*

15 *c. Upon application for a privilege to practice, the*
16 *licensing board in the issuing remote state shall ascertain,*
17 *through the data system, whether the applicant has ever held,*
18 *or is the holder of, a license issued by any other state,*
19 *whether there are any encumbrances on any license or privilege*
20 *to practice held by the applicant, and whether any adverse*
21 *action has been taken against any license or privilege to*
22 *practice held by the applicant.*

23 *d. Each member state shall require an applicant to obtain*
24 *or retain a license in the home state and meet the home state's*
25 *qualifications for licensure or renewal of licensure as well as*
26 *all other applicable state laws.*

27 *e. For an audiologist:*

28 *(1) Must meet one of the following educational*
29 *requirements:*

30 *(a) On or before December 31, 2007, has graduated with a*
31 *master's degree or doctorate in audiology, or equivalent degree*

32 regardless of degree name, from a program that is accredited
33 by an accrediting agency recognized by the council for higher
34 education accreditation, or its successor, or by the United
35 States department of education and operated by a college or

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1 university accredited by a regional or national accrediting
2 organization recognized by the board.
3 (b) On or after January 1, 2008, has graduated with a
4 doctoral degree in audiology, or equivalent degree regardless
5 of degree name, from a program that is accredited by an
6 accrediting agency recognized by the council for higher
7 education accreditation, or its successor, or by the United
8 States department of education and operated by a college or
9 university accredited by a regional or national accrediting
10 organization recognized by the board.
11 (c) Has graduated from an audiology program that is housed
12 in an institution of higher education outside of the United
13 States for which the program and institution have been approved
14 by the authorized accrediting body in the applicable country
15 and the degree program has been verified by an independent
16 credentials review agency to be comparable to a state licensing
17 board-approved program.
18 (2) Has completed a supervised clinical practicum
19 experience from an accredited educational institution or its
20 cooperating programs as required by the board.
21 (3) Has successfully passed a national examination approved
22 by the commission.
23 (4) Holds an active, unencumbered license.
24 (5) Has not been convicted or found guilty, and has not
25 entered into an agreed disposition, of a felony related to
26 the practice of audiology, under applicable state or federal
27 criminal law.
28 (6) Has a valid United States social security or national
29 practitioner identification number.
30 f. For a speech language pathologist:
31 (1) Must meet one of the following educational
32 requirements:
33 (a) Has graduated with a master's degree from a speech
34 language pathology program that is accredited by an
35 organization recognized by the United States department of

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1 education and operated by a college or university accredited
2 by a regional or national accrediting organization recognized
3 by the board.
4 (b) Has graduated from a speech language pathology program
5 that is housed in an institution of higher education outside
6 of the United States for which the program and institution
7 have been approved by the authorized accrediting body in the

8 applicable country and the degree program has been verified by
9 an independent credentials review agency to be comparable to a
10 state licensing board-approved program.
11 (2) Has completed a supervised clinical practicum
12 experience from an educational institution or its cooperating
13 programs as required by the commission.
14 (3) Has completed a supervised postgraduate professional
15 experience as required by the commission.
16 (4) Has successfully passed a national examination approved
17 by the commission.
18 (5) Holds an active, unencumbered license.
19 (6) Has not been convicted or found guilty, and has not
20 entered into an agreed disposition, of a felony related to the
21 practice of speech language pathology, under applicable state
22 or federal criminal law.
23 (7) Has a valid United States social security or national
24 practitioner identification number.
25 g. The privilege to practice is derived from the home state
26 license.
27 h. An audiologist or speech language pathologist practicing
28 in a member state must comply with the state practice laws of
29 the state in which the client is located at the time service
30 is provided. The practice of audiology and speech language
31 pathology shall include all audiology and speech language
32 pathology practice as defined by the state practice laws of the
33 member state in which the client is located. The practice of
34 audiology and speech language pathology in a member state under
35 a privilege to practice shall subject an audiologist or speech

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1 language pathologist to the jurisdiction of the licensing board
2 and the courts and the laws of the member state in which the
3 client is located at the time service is provided.
4 i. Individuals not residing in a member state shall continue
5 to be able to apply for a member state's single-state license
6 as provided under the laws of each member state. However, the
7 single-state license granted to these individuals shall not be
8 recognized as granting the privilege to practice audiology or
9 speech language pathology in any other member state. Nothing
10 in this compact shall affect the requirements established by a
11 member state for the issuance of a single-state license.
12 j. Member states may charge a fee for granting a compact
13 privilege.
14 k. Member states must comply with the bylaws and rules and
15 regulations of the commission.
16 4. *Compact privilege.*
17 a. To exercise the compact privilege under the terms and
18 provisions of the compact, the audiologist or speech language
19 pathologist shall do all of the following:
20 (1) Hold an active license in the home state.
21 (2) Have no encumbrance on any state license.

22 (3) Be eligible for a compact privilege in any member state
23 in accordance with subsection 3.

24 (4) Have not had any adverse action against any license or
25 compact privilege within the previous two years from date of
26 application.

27 (5) Notify the commission that the licensee is seeking the
28 compact privilege within a remote state.

29 (6) Pay any applicable fees, including any state fee, for
30 the compact privilege.

31 (7) Report to the commission adverse action taken by any
32 nonmember state within thirty days from the date the adverse
33 action is taken.

34 *b.* For the purposes of the compact privilege, an audiologist
35 or speech language pathologist shall only hold one home state

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1 license at a time.

2 *c.* Except as provided in subsection 6, if an audiologist or
3 speech language pathologist changes primary state of residence
4 by moving between two member states, the audiologist or speech
5 language pathologist must apply for licensure in the new home
6 state, and the license issued by the prior home state shall be
7 deactivated in accordance with applicable rules adopted by the
8 commission.

9 *d.* The audiologist or speech language pathologist may apply
10 for licensure in advance of a change in the primary state of
11 residence.

12 *e.* A license shall not be issued by the new home state
13 until the audiologist or speech language pathologist provides
14 satisfactory evidence of a change in the primary state of
15 residence to the new home state and satisfies all applicable
16 requirements to obtain a license from the new home state.

17 *f.* If an audiologist or speech language pathologist changes
18 the primary state of residence by moving from a member state
19 to a nonmember state, the license issued by the prior home
20 state shall convert to a single-state license, valid only in
21 the former home state.

22 *g.* The compact privilege is valid until the expiration date
23 of the home state license. The licensee must comply with the
24 requirements of subsection 4, paragraph "a", to maintain the
25 compact privilege in the remote state.

26 *h.* A licensee providing audiology or speech language
27 pathology services in a remote state under the compact
28 privilege shall function within the laws and regulations of the
29 remote state.

30 *i.* A licensee providing audiology or speech language
31 pathology services in a remote state is subject to that state's
32 regulatory authority. A remote state may, in accordance with
33 due process and that state's laws, remove a licensee's compact
34 privilege in the remote state for a specific period of time,
35 impose fines, or take any other necessary actions to protect

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- 1 the health and safety of its citizens.
 - 2 *j.* If a home state license is encumbered, the licensee shall
 - 3 lose the compact privilege in any remote state until both of
 - 4 the following occur:
 - 5 (1) The home state license is no longer encumbered.
 - 6 (2) Two years have elapsed from the date of the adverse
 - 7 action.
 - 8 *k.* Once an encumbered license in the home state is restored
 - 9 to good standing, the licensee must meet the requirements of
 - 10 subsection 4, paragraph "a", to obtain a compact privilege in
 - 11 any remote state.
 - 12 *l.* Once the requirements of subsection 4, paragraph "j",
 - 13 have been met, the licensee must meet the requirements in
 - 14 subsection 4, paragraph "a", to obtain a compact privilege in a
 - 15 remote state.
- 16 *5. Compact privilege to practice telehealth.*
- 17 *a.* Member states shall recognize the right of an audiologist
- 18 or speech language pathologist, licensed by a home state in
- 19 accordance with subsection 3 and under rules promulgated by
- 20 the commission, to practice audiology or speech language
- 21 pathology in any member state via telehealth under a privilege
- 22 to practice as provided in the compact and rules promulgated
- 23 by the commission.
- 24 *b.* A licensee providing audiology or speech language
- 25 pathology services in a remote state under the compact
- 26 privilege shall function within the laws and regulations of the
- 27 state where the patient or client is located.
- 28 *6. Active duty military personnel or their spouses.*
- 29 Active duty military personnel, or their spouse, shall
- 30 designate a home state where the individual has a current
- 31 license in good standing. The individual may retain the
- 32 home state designation during the period the service member
- 33 is on active duty. Subsequent to designating a home state,
- 34 the individual shall only change their home state through
- 35 application for licensure in the new state.

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- 1 *7. Adverse actions.*
- 2 *a.* In addition to the other powers conferred by state law,
- 3 a remote state shall have the authority, in accordance with
- 4 existing state due process law, to do all of the following:
 - 5 (1) Take adverse action against an audiologist's or speech
 - 6 language pathologist's privilege to practice within that member
 - 7 state.
 - 8 (2) Issue subpoenas for both hearings and investigations
 - 9 that require the attendance and testimony of witnesses as well

10 as the production of evidence. Subpoenas issued by a licensing
11 board in a member state for the attendance and testimony of
12 witnesses or the production of evidence from another member
13 state shall be enforced in the latter state by any court of
14 competent jurisdiction, according to the practice and procedure
15 of that court applicable to subpoenas issued in proceedings
16 pending before it. The issuing authority shall pay any witness
17 fees, travel expenses, mileage, and other fees required by
18 the service statutes of the state in which the witnesses or
19 evidence are located.

20 (3) Only the home state shall have the power to take
21 adverse action against an audiologist's or speech language
22 pathologist's license issued by the home state.

23 b. For purposes of taking adverse action, the home state
24 shall give the same priority and effect to reported conduct
25 received from a member state as it would if the conduct had
26 occurred within the home state. In so doing, the home state
27 shall apply its own state laws to determine appropriate action.

28 c. The home state shall complete any pending investigations
29 of an audiologist or speech language pathologist who
30 changes primary state of residence during the course of the
31 investigations. The home state shall also have the authority
32 to take appropriate action and shall promptly report the
33 conclusions of the investigations to the administrator of
34 the data system. The administrator of the data system shall
35 promptly notify the new home state of any adverse actions.

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1 d. If otherwise permitted by state law, the member state
2 may recover from the affected audiologist or speech language
3 pathologist the costs of investigations and disposition of
4 cases resulting from any adverse action taken against that
5 audiologist or speech language pathologist.

6 e. The member state may take adverse action based on the
7 factual findings of the remote state, provided that the member
8 state follows the member state's own procedures for taking the
9 adverse action.

10 f. *Joint investigations.*

11 (1) In addition to the authority granted to a member state
12 by its respective audiology or speech language pathology
13 practice act or other applicable state law, any member
14 state may participate with other member states in joint
15 investigations of licensees.

16 (2) Member states shall share any investigative,
17 litigation, or compliance materials in furtherance of any joint
18 or individual investigation initiated under the compact.

19 g. If adverse action is taken by the home state against an
20 audiologist's or speech language pathologist's license, the
21 audiologist's or speech language pathologist's privilege to
22 practice in all other member states shall be deactivated until
23 all encumbrances have been removed from the home state license.

24 All home state disciplinary orders that impose adverse action
25 against an audiologist's or speech language pathologist's
26 license shall include a statement that the audiologist's
27 or speech language pathologist's privilege to practice is
28 deactivated in all member states during the pendency of the
29 order.
30 *h.* If a member state takes adverse action, it shall promptly
31 notify the administrator of the data system. The administrator
32 of the data system shall promptly notify the home state of any
33 adverse actions by remote states.
34 *i.* Nothing in this compact shall override a member state's
35 decision that participation in an alternative program may be

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1 used in lieu of adverse action.
2 *8. Establishment of the audiology and speech language*
3 *pathology compact commission.*
4 *a.* The compact member states hereby create and establish a
5 joint public agency known as the audiology and speech language
6 pathology compact commission.
7 (1) The commission is an instrumentality of the compact
8 states.
9 (2) Venue is proper and judicial proceedings by or against
10 the commission shall be brought solely and exclusively in a
11 court of competent jurisdiction where the principal office of
12 the commission is located. The commission may waive venue and
13 jurisdictional defenses to the extent it adopts or consents to
14 participate in alternative dispute resolution proceedings.
15 (3) Nothing in this compact shall be construed to be a
16 waiver of sovereign immunity.
17 *b. Membership, voting, and meetings.*
18 (1) Each member state shall have two delegates selected
19 by that member state's licensing board. The delegates shall
20 be current members of the licensing board. One shall be an
21 audiologist and one shall be a speech language pathologist.
22 (2) An additional five delegates, who are either a public
23 member or board administrator from a state licensing board,
24 shall be chosen by the executive committee from a pool of
25 nominees provided by the commission at large.
26 (3) Any delegate may be removed or suspended from office
27 as provided by the law of the state from which the delegate is
28 appointed.
29 (4) The member state board shall fill any vacancy occurring
30 on the commission within ninety days of a vacancy.
31 (5) Each delegate shall be entitled to one vote with regard
32 to the promulgation of rules and creation of bylaws and shall
33 otherwise have an opportunity to participate in the business
34 and affairs of the commission.
35 (6) A delegate shall vote in person or by other means as

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1 provided in the bylaws. The bylaws may provide for delegates'
2 participation in meetings by telephone or other means of
3 communication.
4 (7) The commission shall meet at least once during each
5 calendar year. Additional meetings shall be held as set forth
6 in the bylaws.
7 c. The commission shall have the following powers and
8 duties:
9 (1) Establish the fiscal year of the commission.
10 (2) Establish bylaws.
11 (3) Establish a code of ethics.
12 (4) Maintain its financial records in accordance with the
13 bylaws.
14 (5) Meet and take actions as are consistent with the
15 provisions of this compact and the bylaws.
16 (6) Promulgate uniform rules to facilitate and coordinate
17 implementation and administration of this compact. The rules
18 shall have the force and effect of law and shall be binding in
19 all member states to the extent and in the manner provided for
20 in the compact.
21 (7) Bring and prosecute legal proceedings or actions in the
22 name of the commission, provided that the standing of any state
23 audiology or speech language pathology licensing board to sue
24 or be sued under applicable law shall not be affected.
25 (8) Purchase and maintain insurance and bonds.
26 (9) Borrow, accept, or contract for services of personnel,
27 including but not limited to employees of a member state.
28 (10) Hire employees, elect or appoint officers, fix
29 compensation, define duties, grant individuals appropriate
30 authority to carry out the purposes of the compact, and
31 establish the commission's personnel policies and programs
32 relating to conflicts of interest, qualifications of personnel,
33 and other related personnel matters.
34 (11) Accept any and all appropriate donations and grants
35 of money, equipment, supplies, materials, and services, and

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1 receive, utilize and dispose of the same; provided that at all
2 times the commission shall avoid any appearance of impropriety
3 or conflict of interest.
4 (12) Lease, purchase, accept appropriate gifts or donations
5 of, or otherwise own, hold, improve, or use, any property,
6 real, personal, or mixed; provided that at all times the
7 commission shall avoid any appearance of impropriety.
8 (13) Sell, convey, mortgage, pledge, lease, exchange,
9 abandon, or otherwise dispose of any property real, personal,
10 or mixed.
11 (14) Establish a budget and make expenditures.
12 (15) Borrow money.

13 (16) Appoint committees, including standing committees
14 composed of members, and other interested persons as may be
15 designated in this compact and the bylaws.
16 (17) Provide and receive information from, and cooperate
17 with, law enforcement agencies.
18 (18) Establish and elect an executive committee.
19 (19) Perform other functions as may be necessary or
20 appropriate to achieve the purposes of this compact consistent
21 with the state regulation of audiology and speech language
22 pathology licensure and practice.
23 d. The commission shall have no authority to change or
24 modify the laws of the member states which define the practice
25 of audiology and speech language pathology in the respective
26 states.
27 e. *The executive committee.* The executive committee shall
28 have the power to act on behalf of the commission according to
29 the terms of this compact.
30 (1) The executive committee shall be composed of ten
31 members:
32 (a) Seven voting members who are elected by the commission
33 from the current membership of the commission.
34 (b) Two ex officio members, consisting of one nonvoting
35 member from a recognized national audiology professional

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1 association and one nonvoting member from a recognized national
2 speech language pathology association.
3 (c) One ex officio, nonvoting member from the recognized
4 membership organization of the audiology and speech language
5 pathology licensing boards.
6 (d) The ex officio members shall be selected by their
7 respective organizations.
8 (2) The commission may remove any member of the executive
9 committee as provided in the bylaws.
10 (3) The executive committee shall meet at least annually.
11 (4) The executive committee shall have the following duties
12 and responsibilities:
13 (a) Recommend to the entire commission changes to the rules
14 or bylaws, changes to this compact, fees paid by compact member
15 states such as annual dues, and any commission compact fee
16 charged to licensees for the compact privilege.
17 (b) Ensure compact administration services are
18 appropriately provided, contractual or otherwise.
19 (c) Prepare and recommend the budget.
20 (d) Maintain financial records on behalf of the commission.
21 (e) Monitor compact compliance of member states and provide
22 compliance reports to the commission.
23 (f) Establish additional committees as necessary.
24 (g) Other duties as provided in rules or bylaws.
25 (5) *Meetings of the commission.*
26 All meetings shall be open to the public, and public notice

27 of meetings shall be given in the same manner as required under
28 the rulemaking provisions in subsection 10.
29 (6) (a) The commission or the executive committee or other
30 committees of the commission may convene in a closed, nonpublic
31 meeting if the commission or executive committee or other
32 committees of the commission must discuss any of the following:
33 (i) Noncompliance of a member state with its obligations
34 under the compact.
35 (ii) The employment, compensation, discipline, or other

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1 matters, practices, or procedures related to specific employees
2 or other matters related to the commission's internal personnel
3 practices and procedures.
4 (iii) Current, threatened, or reasonably anticipated
5 litigation.
6 (iv) Negotiation of contracts for the purchase, lease, or
7 sale of goods, services, or real estate.
8 (v) Accusing any person of a crime or formally censuring any
9 person.
10 (vi) Disclosure of trade secrets or commercial or financial
11 information that is privileged or confidential.
12 (vii) Disclosure of information of a personal nature where
13 disclosure would constitute a clearly unwarranted invasion of
14 personal privacy.
15 (viii) Disclosure of investigative records compiled for law
16 enforcement purposes.
17 (ix) Disclosure of information related to any investigative
18 reports prepared by or on behalf of or for use of the
19 commission or other committee charged with responsibility of
20 investigation or determination of compliance issues pursuant
21 to the compact.
22 (x) Matters specifically exempted from disclosure by
23 federal or member state statute.
24 (b) If a meeting, or portion of a meeting, is closed
25 pursuant to this provision, the commission's legal counsel or
26 designee shall certify that the meeting may be closed and shall
27 reference each relevant exempting provision.
28 (7) The commission shall keep minutes that fully and clearly
29 describe all matters discussed in a meeting and shall provide
30 a full and accurate summary of actions taken, and the reasons
31 therefor, including a description of the views expressed. All
32 documents considered in connection with an action shall be
33 identified in such minutes. All minutes and documents of a
34 closed meeting shall remain under seal, subject to release
35 by a majority vote of the commission or order of a court of

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1 competent jurisdiction.
2 (8) *Financing the commission.*

3 (a) The commission shall pay, or provide for the payment of,
4 the reasonable expenses of its establishment, organization, and
5 ongoing activities.
6 (b) The commission may accept any and all appropriate
7 revenue sources, donations, and grants of money, equipment,
8 supplies, materials, and services.
9 (c) The commission may levy on and collect an annual
10 assessment from each member state or impose fees on other
11 parties to cover the cost of the operations and activities
12 of the commission and its staff, which must be in a total
13 amount sufficient to cover its annual budget as approved each
14 year for which revenue is not provided by other sources. The
15 aggregate annual assessment amount shall be allocated based
16 upon a formula to be determined by the commission, which shall
17 promulgate a rule binding upon all member states.
18 (d) The commission shall not incur obligations of any kind
19 prior to securing the funds adequate to meet the same; nor
20 shall the commission pledge the credit of any of the member
21 states, except by and with the authority of the member state.
22 (e) The commission shall keep accurate accounts of all
23 receipts and disbursements. The receipts and disbursements of
24 the commission shall be subject to the audit and accounting
25 procedures established under its bylaws. However, all receipts
26 and disbursements of funds handled by the commission shall be
27 audited yearly by a certified or licensed public accountant,
28 and the report of the audit shall be included in and become
29 part of the annual report of the commission.
30 *f. Qualified immunity, defense, and indemnification.*
31 (1) The members, officers, executive director, employees,
32 and representatives of the commission shall be immune from
33 suit and liability, either personally or in their official
34 capacity, for any claim for damage to or loss of property or
35 personal injury or other civil liability caused by or arising

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1 out of any actual or alleged act, error, or omission that
2 occurred, or that the person against whom the claim is made had
3 a reasonable basis for believing occurred within the scope of
4 commission employment, duties, or responsibilities; provided
5 that nothing in this paragraph "f" shall be construed to protect
6 any person from suit or liability for any damage, loss, injury,
7 or liability caused by the intentional, willful, or wanton
8 misconduct of that person.
9 (2) The commission shall defend any member, officer,
10 executive director, employee, or representative of the
11 commission in any civil action seeking to impose liability
12 arising out of any actual or alleged act, error, or omission
13 that occurred within the scope of commission employment,
14 duties, or responsibilities, or that the person against
15 whom the claim is made had a reasonable basis for believing
16 occurred within the scope of commission employment, duties,

17 or responsibilities; provided that nothing herein shall be
18 construed to prohibit that person from retaining the person's
19 own counsel; and provided further, that the actual or alleged
20 act, error, or omission did not result from that person's
21 intentional, willful, or wanton misconduct.

22 (3) The commission shall indemnify and hold harmless
23 any member, officer, executive director, employee, or
24 representative of the commission for the amount of any
25 settlement or judgment obtained against that person arising
26 out of any actual or alleged act, error, or omission that
27 occurred within the scope of commission employment, duties,
28 or responsibilities, or that such person had a reasonable
29 basis for believing occurred within the scope of commission
30 employment, duties, or responsibilities, provided that the
31 actual or alleged act, error, or omission did not result from
32 the intentional, willful, or wanton misconduct of that person.

33 9. *Data system.*

34 a. The commission shall provide for the development,
35 maintenance, and utilization of a coordinated database and

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1 reporting system containing licensure, adverse action, and
2 investigative information on all licensed individuals in member
3 states.

4 b. Notwithstanding any other provision of state law to
5 the contrary, a member state shall submit a uniform data set
6 to the data system on all individuals to whom this compact
7 is applicable as required by the rules of the commission,
8 including all of the following:

- 9 (1) Identifying information.
10 (2) Licensure data.

11 (3) Adverse actions against a license or compact privilege.
12 (4) Nonconfidential information related to alternative
13 program participation.

14 (5) Any denial of application for licensure, and the reason
15 for denial.

16 (6) Other information that may facilitate the
17 administration of this compact, as determined by the rules of
18 the commission.

19 c. Investigative information pertaining to a licensee in any
20 member state shall only be available to other member states.

21 d. The commission shall promptly notify all member states of
22 any adverse action taken against a licensee or an individual
23 applying for a license. Adverse action information pertaining
24 to a licensee in any member state shall be available to any
25 other member state.

26 e. Member states contributing information to the data
27 system may designate information that may not be shared with
28 the public without the express permission of the contributing
29 state.

30 f. Any information submitted to the data system that is

31 subsequently required to be expunged by the laws of the member
32 state contributing the information shall be removed from the
33 data system.

34 10. *Rulemaking.*

35 a. The commission shall exercise its rulemaking powers

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1 pursuant to the criteria set forth in this subsection and the
2 rules adopted thereunder. Rules and amendments shall become
3 binding as of the date specified in each rule or amendment.

4 b. If a majority of the legislatures of the member states
5 rejects a rule, by enactment of a statute or resolution in the
6 same manner used to adopt the compact within four years of the
7 date of adoption of the rule, the rule shall have no further
8 force and effect in any member state.

9 c. Rules or amendments to the rules shall be adopted at a
10 regular or special meeting of the commission.

11 d. Prior to promulgation and adoption of a final rule or
12 rules by the commission, and at least thirty days in advance
13 of the meeting at which the rule shall be considered and voted
14 upon, the commission shall file a notice of proposed rulemaking
15 in all of the following locations:

16 (1) On the internet site of the commission or other publicly
17 accessible platform.

18 (2) On the internet site of each member state audiology or
19 speech language pathology licensing board or other publicly
20 accessible platform or the publication in which each state
21 would otherwise publish proposed rules.

22 e. A notice of proposed rulemaking shall include all of the
23 following:

24 (1) The proposed time, date, and location of the meeting in
25 which the rule shall be considered and voted upon.

26 (2) The text of the proposed rule or amendment and the
27 reason for the proposed rule.

28 (3) A request for comments on the proposed rule from any
29 interested person.

30 (4) The manner in which interested persons may submit notice
31 to the commission of their intention to attend the public
32 hearing and any written comments.

33 f. Prior to the adoption of a proposed rule, the commission
34 shall allow persons to submit written data, facts, opinions,
35 and arguments, which shall be made available to the public.

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1 g. The commission shall grant an opportunity for a public
2 hearing before it adopts a rule or amendment if a hearing is
3 requested by any of the following:

4 (1) At least twenty-five persons.

5 (2) A state or federal governmental subdivision or agency.

6 (3) An association having at least twenty-five members.

7 *h.* If a hearing is held on the proposed rule or amendment,
8 the commission shall publish the place, time, and date of
9 the scheduled public hearing. If the hearing is held via
10 electronic means, the commission shall publish the mechanism
11 for access to the electronic hearing.
12 (1) All persons wishing to be heard at the hearing shall
13 notify the executive director of the commission or other
14 designated member in writing of their desire to appear and
15 testify at the hearing not less than five business days before
16 the scheduled date of the hearing.
17 (2) Hearings shall be conducted in a manner providing each
18 person who wishes to comment a fair and reasonable opportunity
19 to comment orally or in writing.
20 (3) All hearings shall be recorded. A copy of the recording
21 shall be made available on request.
22 (4) Nothing in this paragraph "h" shall be construed as
23 requiring a separate hearing on each rule. Rules may be
24 grouped for the convenience of the commission at hearings
25 required by this paragraph "h".
26 *i.* Following the scheduled hearing date, or by the close
27 of business on the scheduled hearing date if the hearing was
28 not held, the commission shall consider all written and oral
29 comments received.
30 *j.* If no written notice of intent to attend the public
31 hearing by interested parties is received, the commission may
32 proceed with promulgation of the proposed rule without a public
33 hearing.
34 *k.* The commission shall, by majority vote of all members,
35 take final action on the proposed rule and shall determine the

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1 effective date of the rule, if any, based on the rulemaking
2 record and the full text of the rule.
3 *l.* Upon determination that an emergency exists, the
4 commission may consider and adopt an emergency rule without
5 prior notice, opportunity for comment, or hearing, provided
6 that the usual rulemaking procedures provided in the compact
7 and in this section shall be retroactively applied to the rule
8 as soon as reasonably possible, in no event later than ninety
9 days after the effective date of the rule. For the purposes of
10 this provision, an emergency rule is one that must be adopted
11 immediately in order to do any of the following:
12 (1) Meet an imminent threat to public health, safety, or
13 welfare.
14 (2) Prevent a loss of commission or member state funds.
15 (3) Meet a deadline for the promulgation of an
16 administrative rule that is established by federal law or rule.
17 *m.* The commission or an authorized committee of the
18 commission may direct revisions to a previously adopted rule
19 or amendment for purposes of correcting typographical errors,
20 errors in format, errors in consistency, or grammatical

21 errors. Public notice of any revisions shall be posted on
22 the internet site of the commission. The revision shall be
23 subject to challenge by any person for a period of thirty days
24 after posting. The revision may be challenged only on grounds
25 that the revision results in a material change to a rule. A
26 challenge shall be made in writing and delivered to the chair
27 of the commission prior to the end of the notice period. If
28 no challenge is made, the revision shall take effect without
29 further action. If the revision is challenged, the revision
30 may not take effect without the approval of the commission.

31 11. *Oversight, dispute resolution, and enforcement.*

32 a. *Dispute resolution.*

33 (1) Upon request by a member state, the commission shall
34 attempt to resolve disputes related to the compact that arise
35 among member states and between member and nonmember states.

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1 (2) The commission shall promulgate a rule providing for
2 both mediation and binding dispute resolution for disputes as
3 appropriate.

4 b. *Enforcement.*

5 (1) The commission, in the reasonable exercise of its
6 discretion, shall enforce the provisions and rules of this
7 compact.

8 (2) By majority vote, the commission may initiate legal
9 action in the United States district court for the District
10 of Columbia or the federal district where the commission has
11 its principal offices against a member state in default to
12 enforce compliance with the provisions of the compact and its
13 promulgated rules and bylaws. The relief sought may include
14 both injunctive relief and damages. In the event judicial
15 enforcement is necessary, the prevailing member shall be
16 awarded all costs of litigation, including reasonable attorney
17 fees.

18 (3) The remedies herein shall not be the exclusive remedies
19 of the commission. The commission may pursue any other
20 remedies available under federal or state law.

21 12. *Date of implementation of the interstate commission for
22 audiology and speech language pathology practice and associated
23 rules, withdrawal, and amendment.*

24 a. The compact shall come into effect on the date on
25 which the compact statute is enacted into law in the tenth
26 member state. The provisions, which become effective at
27 that time, shall be limited to the powers granted to the
28 commission relating to assembly and the promulgation of rules.
29 Thereafter, the commission shall meet and exercise rulemaking
30 powers necessary to the implementation and administration of
31 the compact.

32 b. Any state that joins the compact subsequent to the

33 commission's initial adoption of the rules shall be subject
34 to the rules as they exist on the date on which the compact
35 becomes law in that state. Any rule that has been previously

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1 adopted by the commission shall have the full force and effect
2 of law on the day the compact becomes law in that state.
3 c. A member state may withdraw from this compact by enacting
4 a statute repealing the same.
5 (1) A member state's withdrawal shall not take effect until
6 six months after enactment of the repealing statute.
7 (2) Withdrawal shall not affect the continuing requirement
8 of the withdrawing state's audiology or speech language
9 pathology licensing board to comply with the investigative and
10 adverse action reporting requirements of this compact prior to
11 the effective date of withdrawal.
12 d. Nothing contained in this compact shall be construed
13 to invalidate or prevent any audiology or speech language
14 pathology licensure agreement or other cooperative arrangement
15 between a member state and a nonmember state that does not
16 conflict with the provisions of this compact.
17 e. This compact may be amended by the member states. No
18 amendment to this compact shall become effective and binding
19 upon any member state until it is enacted into the laws of all
20 member states.
21 13. *Construction and severability.*
22 This compact shall be liberally construed so as to
23 effectuate the purposes thereof. The provisions of this
24 compact shall be severable, and if any phrase, clause,
25 sentence, or provision of this compact is declared to be
26 contrary to the constitution of any member state or of the
27 United States or the applicability thereof to any government,
28 agency, person, or circumstance is held invalid, the validity
29 of the remainder of this compact and the applicability thereof
30 to any government, agency, person, or circumstance shall not be
31 affected thereby. If this compact shall be held contrary to
32 the constitution of any member state, the compact shall remain
33 in full force and effect as to the remaining member states and
34 in full force and effect as to the member state affected as to
35 all severable matters.

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1 14. *Binding effect of compact and other laws.*
2 a. Nothing herein prevents the enforcement of any other law
3 of a member state that is not inconsistent with the compact.
4 b. All laws in a member state in conflict with the compact
5 are superseded to the extent of the conflict.
6 c. All lawful actions of the commission, including all rules
7 and bylaws promulgated by the commission, are binding upon the
8 member states.

9 d. All agreements between the commission and the member
10 states are binding in accordance with their terms.
11 e. In the event any provision of the compact exceeds the
12 constitutional limits imposed on the legislature of any member
13 state, the provision shall be ineffective to the extent of the
14 conflict with the constitutional provision in question in that
15 member state.>
16 2. Title page, line 1, after <compact> by inserting <and the
17 audiology and speech language pathology interstate compact>
18 3. By renumbering as necessary.

S-5032

1 Amend Senate File 2255 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 135.61, subsection 18, Code 2022, is
5 amended to read as follows:
6 18. "*New institutional health service*" or "*changed*
7 *institutional health service*" means any of the following:
8 a. (1) The construction, development, or other
9 establishment of a new institutional health facility other than
10 a nursing facility regardless of ownership if the building
11 or structure of the new institutional health facility has an
12 interior floor space of forty thousand square feet or more.
13 (2) The construction, development, or other establishment
14 of a nursing facility regardless of ownership.
15 b. Relocation of an institutional health a nursing facility.
16 c. Any capital expenditure, lease, or donation by or
17 on behalf of an institutional health a nursing facility in
18 excess of one million five hundred thousand dollars within a
19 twelve-month period.
20 d. A permanent change in the bed capacity, as determined by
21 the department, of an institutional health a nursing facility.
22 For purposes of this paragraph, a change is permanent if it is
23 intended to be effective for one year or more.
24 e. Any expenditure in excess of five hundred thousand
25 dollars by or on behalf of an institutional health a nursing
26 facility for health services which are or will be offered in
27 or through an institutional health a nursing facility at a
28 specific time but which were not offered on a regular basis in
29 or through that institutional health nursing facility within
30 the twelve-month period prior to that time.
31 f. The deletion of one or more health services, previously
32 offered on a regular basis by an institutional health a nursing
33 facility or health maintenance organization or the relocation
34 of one or more health services from one physical facility to
35 another.

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- 1 g. Any acquisition by or on behalf of a health care provider
2 or a group of health care providers of any piece of replacement
3 equipment with a value in excess of ~~one ten~~ million ~~five~~
4 ~~hundred thousand~~ dollars, whether acquired by purchase, lease,
5 or donation.
- 6 h. Any acquisition by or on behalf of a health care provider
7 or group of health care providers of any piece of equipment
8 with a value in excess of ~~one ten~~ million ~~five hundred thousand~~
9 dollars, whether acquired by purchase, lease, or donation,
10 which results in the offering or development of a health
11 service not previously provided. A mobile service provided
12 on a contract basis is not considered to have been previously
13 provided by a health care provider or group of health care
14 providers.
- 15 i. (1) Any acquisition by or on behalf of an institutional
16 health facility, other than a nursing facility, or a health
17 maintenance organization of any piece of replacement equipment
18 with a value in excess of one ten million five hundred thousand
19 dollars, whether acquired by purchase, lease, or donation.
- 20 (2) Any acquisition by or on behalf of a nursing facility of
21 any piece of replacement equipment with a value in excess of
22 one million five hundred thousand dollars, whether acquired by
23 purchase, lease, or donation.
- 24 j. (1) Any acquisition by or on behalf of an institutional
25 health facility, other than a nursing facility, or health
26 maintenance organization of any piece of equipment with a value
27 in excess of one ten million five hundred thousand dollars,
28 whether acquired by purchase, lease, or donation, which
29 results in the offering or development of a health service not
30 previously provided. A mobile service provided on a contract
31 basis is not considered to have been previously provided by an
32 institutional health facility.
- 33 (2) Any acquisition by or on behalf of a nursing facility
34 of any piece of equipment with a value in excess of one
35 million five hundred thousand dollars, whether acquired by

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- 1 purchase, lease, or donation, which results in the offering or
2 development of a health service not previously provided.
- 3 k. Any air transportation service for transportation of
4 patients or medical personnel in excess of ten million dollars
5 offered through an institutional health facility at a specific
6 time but which was not offered on a regular basis in or through
7 that institutional health facility within the twelve-month
8 period prior to the specific time.
- 9 l. Any mobile health service with a value in excess of ~~one~~
10 ~~ten million five hundred thousand dollars.~~
- 11 m. Any of the following with a value in excess of ten
12 million dollars:

13 (1) Cardiac catheterization service.
14 (2) Open heart surgical service.
15 (3) Organ transplantation service.
16 (4) Radiation therapy service applying ionizing radiation
17 for the treatment of malignant disease using megavoltage
18 external beam equipment.

19 Sec. 2. Section 135.61, Code 2022, is amended by adding the
20 following new subsection:

21 **NEW SUBSECTION.** 18A. "*Nursing facility*" means the same as
22 defined in section 135C.1.

23 Sec. 3. Section 135.63, Code 2022, is amended to read as
24 follows:

25 **135.63 Certificate of need required — exclusions.**

26 1. A new institutional health service or changed
27 institutional health service shall not be offered or developed
28 in this state without prior application to the department
29 for and receipt of a certificate of need, pursuant to
30 this subchapter. The application shall be made upon forms
31 furnished or prescribed by the department and shall contain
32 such information as the department may require under this
33 subchapter. The application shall be accompanied by a fee
34 equivalent to three-tenths of one percent of the anticipated
35 cost of the project with a minimum fee of six hundred dollars

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1 and a maximum fee of twenty-one thousand dollars. The fee
2 shall be remitted by the department to the treasurer of
3 state, who shall place it in the general fund of the state.
4 If an application is voluntarily withdrawn within thirty
5 calendar days after submission, seventy-five percent of the
6 application fee shall be refunded; if the application is
7 voluntarily withdrawn more than thirty but within sixty days
8 after submission, fifty percent of the application fee shall
9 be refunded; if the application is withdrawn voluntarily more
10 than sixty days after submission, twenty-five percent of
11 the application fee shall be refunded. Notwithstanding the
12 required payment of an application fee under this subsection,
13 an applicant for a new institutional health service or a
14 changed institutional health service offered or developed by
15 an intermediate care facility for persons with an intellectual
16 disability or an intermediate care facility for persons with
17 mental illness as defined pursuant to section 135C.1 is exempt
18 from payment of the application fee.

19 2. This subchapter shall not be construed to augment, limit,
20 contravene, or repeal in any manner any other statute of this
21 state which may authorize or relate to licensure, regulation,
22 supervision, or control of, nor to be applicable to:
23 a. *Private offices and private clinics of an individual*
24 *physician, dentist, or other practitioner or group of*
25 *health care providers, except as provided by section 135.61,*
26 *subsection 18, paragraphs "g", "h", and "m", and section 135.61,*

27 subsections 20 and 21.

28 b. Dispensaries and first aid stations, located within
29 schools, businesses, or industrial establishments, which are
30 maintained solely for the use of students or employees of those
31 establishments and which do not contain inpatient or resident
32 beds that are customarily occupied by the same individual for
33 more than twenty four consecutive hours.

34 e. Establishments such as motels, hotels, and boarding
35 houses which provide medical, nursing personnel, and other

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1 health related services as an incident to their primary
2 business or function.

3 d. a. The remedial care or treatment of residents or
4 patients in any home or institution conducted only for those
5 who rely solely upon treatment by prayer or spiritual means in
6 accordance with the creed or tenets of any recognized church or
7 religious denomination.

8 e. A health maintenance organization or combination of
9 health maintenance organizations or an institutional health
10 facility controlled directly or indirectly by a health
11 maintenance organization or combination of health maintenance
12 organizations, except when the health maintenance organization
13 or combination of health maintenance organizations does any of
14 the following:

15 (1) Constructs, develops, renovates, relocates, or
16 otherwise establishes an institutional health facility.

17 (2) Acquires major medical equipment as provided by section
18 135.61, subsection 18, paragraphs "i" and "j".

19 f. b. A residential care facility, as defined in section
20 135C.1, including a residential care facility for persons with
21 an intellectual disability, notwithstanding any provision in
22 this subchapter to the contrary.

23 g. (1) c. A reduction in bed capacity of an institutional
24 health facility, notwithstanding any provision in this
25 subchapter to the contrary, if all of the following conditions
26 exist:

27 (a) (1) The institutional health facility reports to
28 the department the number and type of beds reduced on a form
29 prescribed by the department at least thirty days before the
30 reduction. In the case of a health care facility, the new bed
31 total must be consistent with the number of licensed beds at
32 the facility. In the case of a hospital, the number of beds
33 must be consistent with bed totals reported to the department
34 of inspections and appeals for purposes of licensure and
35 certification.

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1 (b) (2) The institutional health facility reports the new
2 bed total on its next annual report to the department.

3 ~~(2) If these conditions are not met, the institutional~~
4 ~~health facility is subject to review as a "new institutional~~
5 ~~health service" or "changed institutional health service" under~~
6 ~~section 135.61, subsection 18, paragraph "d", and subject to~~
7 ~~sanctions under section 135.73. If the institutional health~~
8 ~~facility reestablishes the deleted beds at a later time,~~
9 ~~review as a "new institutional health service" or "changed~~
10 ~~institutional health service" is required pursuant to section~~
11 ~~135.61, subsection 18, paragraph "d".~~

12 ~~h. (1) d.~~ The deletion of one or more health services,
13 previously offered on a regular basis by an institutional
14 health facility or health maintenance organization,
15 notwithstanding any provision of this subchapter to the
16 contrary, if all of the following conditions exist:

17 ~~(a) (1) The institutional health facility or health~~
18 ~~maintenance organization reports to the department the deletion~~
19 ~~of the service or services at least thirty days before the~~
20 ~~deletion on a form prescribed by the department.~~

21 ~~(b) (2) The institutional health facility or health~~
22 ~~maintenance organization reports the deletion of the service or~~
23 ~~services on its next annual report to the department.~~

24 ~~(2) If these conditions are not met, the institutional~~
25 ~~health facility or health maintenance organization is subject~~
26 ~~to review as a "new institutional health service" or "changed~~
27 ~~institutional health service" under section 135.61, subsection~~
28 ~~18, paragraph "f", and subject to sanctions under section~~
29 ~~135.73.~~

30 ~~(3) If the institutional health facility or health~~
31 ~~maintenance organization reestablishes the deleted service~~
32 ~~or services at a later time, review as a "new institutional~~
33 ~~health service" or "changed institutional health service" may~~
34 ~~be required pursuant to section 135.61, subsection 18.~~

35 ~~i. e.~~ A residential program exempt from licensing as a

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1 health care facility under chapter 135C in accordance with
2 section 135C.6, subsection 8.

3 ~~j. f.~~ The construction, modification, or replacement
4 of nonpatient care services, including parking facilities,
5 heating, ventilation and air conditioning systems, computers,
6 telephone systems, medical office buildings, and other projects
7 of a similar nature, notwithstanding any provision in this
8 subchapter to the contrary.

9 ~~k. (1) g.~~ The redistribution of beds by a hospital within
10 the acute care category of bed usage, notwithstanding any
11 provision in this subchapter to the contrary, if all of the
12 following conditions exist:

13 ~~(a) (1) The hospital reports to the department the number~~
14 ~~and type of beds to be redistributed on a form prescribed by~~
15 ~~the department at least thirty days before the redistribution.~~

16 ~~(b) (2) The hospital reports the new distribution of beds~~

17 on its next annual report to the department.

18 (2) If these conditions are not met, the redistribution
19 of beds by the hospital is subject to review as a new
20 institutional health service or changed institutional health
21 service pursuant to section 135.61, subsection 18, paragraph
22 "d," and is subject to sanctions under section 135.73.

23 *b. h.* The replacement or modernization of any institutional
24 health facility if the replacement or modernization does
25 not add new health services or additional bed capacity for
26 existing health services, notwithstanding any provision in
27 this subchapter to the contrary. With respect to a nursing
28 facility, "replacement" means establishing a new facility within
29 the same county as the prior facility to be closed. With
30 reference to a hospital, "replacement" means establishing a new
31 hospital that demonstrates compliance with all of the following
32 criteria through evidence submitted to the department:

33 (1) Is designated as a critical access hospital pursuant to
34 42 U.S.C. §1395i-4.

35 (2) Serves at least seventy-five percent of the same service

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1 area that was served by the prior hospital to be closed and
2 replaced by the new hospital.

3 (3) Provides at least seventy-five percent of the same
4 services that were provided by the prior hospital to be closed
5 and replaced by the new hospital.

6 (4) Is staffed by at least seventy-five percent of the
7 same staff, including medical staff, contracted staff, and
8 employees, as constituted the staff of the prior hospital to be
9 closed and replaced by the new hospital.

10 *m. i.* Hemodialysis services provided by a hospital or
11 freestanding facility, notwithstanding any provision in this
12 subchapter to the contrary.

13 *m. l.* Hospice services provided by a hospital,
14 notwithstanding any provision in this subchapter to the
15 contrary.

16 *e. k.* The change in ownership, licensure, organizational
17 structure, or designation of the type of institutional health
18 facility if the health services offered by the successor
19 institutional health facility are unchanged. This exclusion
20 is applicable only if the institutional health facility
21 consents to the change in ownership, licensure, organizational
22 structure, or designation of the type of institutional health
23 facility and ceases offering the health services simultaneously
24 with the initiation of the offering of health services by the
25 successor institutional health facility.

26 *p. l.* The conversion of an existing number of beds by an
27 intermediate care facility for persons with an intellectual
28 disability to a smaller facility environment, including but not
29 limited to a community-based environment which does not result
30 in an increased number of beds, notwithstanding any provision

31 in this subchapter to the contrary, including subsection 4, if
32 all of the following conditions exist:
33 (1) The intermediate care facility for persons with an
34 intellectual disability reports the number and type of beds to
35 be converted on a form prescribed by the department at least

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1 thirty days before the conversion.
2 (2) The intermediate care facility for persons with an
3 intellectual disability reports the conversion of beds on its
4 next annual report to the department.
5 3. This subchapter shall not be construed to be applicable
6 ~~to a health care facility operated by and for the exclusive use~~
7 ~~of members of a religious order, which does not admit more than~~
8 ~~two individuals to the facility from the general public, and~~
9 ~~which was in operation prior to July 1, 1986. However, this~~
10 ~~subchapter is applicable to such a facility if the facility~~
11 ~~is involved in the offering or developing of a new or changed~~
12 ~~institutional health service on or after July 1, 1986.~~
13 4. 3. A copy of the application shall be sent to the
14 department of human services at the time the application is
15 submitted to the ~~Iowa~~ department of public health.
16 4. The department shall not process applications for and
17 the council shall not consider a new or changed institutional
18 health service for an intermediate care facility for persons
19 with an intellectual disability unless both of the following
20 conditions are met:
21 a. The new or changed beds shall not result in an
22 increase in the total number of medical assistance certified
23 intermediate care facility beds for persons with an
24 intellectual disability in the state, exclusive of those beds
25 at the state resource centers or other state institutions,
26 beyond one thousand six hundred thirty-six beds.
27 b. A letter of support for the application is provided by
28 the county board of supervisors, or the board's designee, in
29 the county in which the beds would be located.
30 Sec. 4. Section 135.64, subsection 2, Code 2022, is amended
31 to read as follows:
32 2. In addition to the findings required with respect to
33 any of the criteria listed in subsection 1 of this section,
34 the council shall grant a certificate of need for a new
35 institutional health service or changed institutional health

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1 service only if it finds in writing, on the basis of data
2 submitted to it by the department, that all of the following
3 conditions are met:
4 a. Less costly, more efficient, or more appropriate
5 alternatives to the proposed institutional health service are
6 not available and the development of such alternatives is not
7 practicable;_

8 b. Any existing facilities providing institutional health
9 services similar to those proposed are being used in an
10 appropriate and efficient manner:
11 c. In the case of new construction, alternatives including
12 but not limited to modernization or sharing arrangements have
13 been considered and have been implemented to the maximum extent
14 practicable:
15 d. Patients will experience serious problems in obtaining
16 care of the type which will be furnished by the proposed new
17 institutional health service or changed institutional health
18 service, in the absence of that proposed new service.
19 Sec. 5. Section 135.67, subsection 1, Code 2022, is amended
20 to read as follows:
21 1. The department may waive the letter of intent procedures
22 prescribed by section 135.65 and substitute a summary
23 review procedure, which shall be established by rules of the
24 department, when it accepts an application for a certificate
25 of need for a project which meets any of the criteria in
26 paragraphs "a" through "e":
27 a. A project which is limited to repair or replacement of a
28 facility or equipment damaged or destroyed by a disaster, and
29 which will not expand the facility nor increase the services
30 provided beyond the level existing prior to the disaster.
31 b. A project necessary to enable the facility or service to
32 achieve or maintain compliance with federal, state, or other
33 appropriate licensing, certification, or safety requirements.
34 c. A project which will not change the existing bed capacity
35 of the nursing facility applicant's facility or service, as

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1 determined by the department, by more than ten percent or ten
2 beds, whichever is less, over a two-year period.
3 d. A nursing facility project the total cost of which will
4 not exceed one hundred fifty thousand dollars.
5 e. Any other project for which the applicant proposes and
6 the department agrees to summary review.
7 Sec. 6. Section 135B.5A, Code 2022, is amended to read as
8 follows:
9 **135B.5A Conversion of a hospital.**
10 A conversion of a long-term acute care hospital,
11 rehabilitation hospital, or psychiatric hospital as defined by
12 federal regulations to a general hospital or to a specialty
13 hospital of a different type ~~is a permanent change in bed~~
14 ~~capacity and that results in a building or structure with a~~
15 ~~floor space of forty thousand square feet or more~~ shall require
16 a certificate of need pursuant to section 135.63.
17 Sec. 7. Section 135H.6, subsection 1, paragraph d, Code
18 2022, is amended to read as follows:
19 d. The applicant has been awarded a certificate of need, if
20 applicable pursuant to chapter 135, ~~unless exempt as provided~~
21 ~~in this section.~~

22 Sec. 8. ADMINISTRATIVE RULES. The department of public
23 health, in accordance with section 135.72, may adopt rules
24 pursuant to chapter 17A to administer this Act.>
25 2. Title page, by striking lines 1 and 2 and inserting <An
26 Act relating to the certificate of need process.>

JEFF EDLER

S-5033

1 Amend Senate File 2309 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. **NEW SECTION. 137D.2A Raw milk, raw milk**
4 **products, and raw milk dairy products.**
5 A home bakery shall not advertise for sale, offer for sale,
6 sell or otherwise distribute, or use raw milk, a raw milk
7 product, or a raw milk dairy product as provided in section
8 192.145.
9 Sec. ___. Section 137F.1, subsection 8, Code 2022, is
10 amended by adding the following new paragraph:
11 **NEW PARAGRAPH. o.** (1) The premises of a dairy farm
12 where raw milk is produced, processed, labeled, marketed, or
13 distributed by a milk producer in compliance with section
14 192.145.
15 (2) The premises of a dairy farm where a raw milk product or
16 a raw milk dairy product is manufactured, labeled, marketed,
17 or distributed by a milk producer in compliance with section
18 192.145.
19 Sec. ___. Section 137F.1, subsection 9, Code 2022, is
20 amended by adding the following new paragraph:
21 **NEW PARAGRAPH. d.** (1) The premises of a dairy farm
22 where raw milk is produced, processed, labeled, marketed, or
23 distributed in compliance with section 192.145.
24 (2) A premises of a dairy farm where a raw milk product or
25 raw milk dairy product is manufactured, labeled, marketed, or
26 distributed in compliance with section 192.145.
27 Sec. ___. **NEW SECTION. 137F.8B Raw milk, raw milk products,**
28 **and raw milk dairy products.**
29 A food establishment or farmers market shall not advertise
30 for sale, offer for sale, sell or otherwise distribute, or use
31 raw milk, a raw milk product, or a raw milk dairy product,
32 regardless of whether the food establishment or farmers market
33 is regulated by the department under this chapter or another
34 chapter, another state agency, or a municipality.>
35 2. Page 1, by striking lines 8 through 10 and inserting:

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1 <a. The production, processing, labeling, marketing, and
2 distribution of raw milk by a milk producer in compliance with
3 section 192.145.>
4 3. Page 1, by striking lines 11 through 13 and inserting:

5 <b. The manufacture, labeling, marketing, and distribution
6 of a raw milk product or raw milk dairy product by a milk
7 producer in>

8 4. By striking page 2, line 34, through page 3, line 1, and
9 inserting:

10 <NEW SUBSECTION. 5A. *Raw milk, raw milk products, and raw*
11 *milk dairy products.* A container holding raw milk, a raw milk
12 product, or a raw milk dairy product sold by a milk producer
13 shall be labeled as required in>

14 5. Page 3, by striking line 4 and inserting **<raw milk, raw**
milks products, and raw milk dairy products.>

15 6. Page 3, by striking lines 5 through 10 and inserting:

16 <1. A milk producer who sells raw milk, a raw milk product,
17 or a raw milk dairy product to an individual in compliance with
18 section 192.145 shall label the container holding the raw milk,
19 raw milk product, or raw milk dairy product. The label shall
20 be permanently affixed to the>

21 7. Page 3, line 15, by striking <unpasteurized> and
22 inserting <raw>

23 8. Page 3, line 21, by striking <milk product or> and
24 inserting <raw milk product or raw milk>

25 9. Page 3, line 24, before <dairy> by inserting <raw milk>

26 10. Page 3, line 25, by striking <includes raw milk> and
27 inserting <is>

28 11. Page 4, lines 3 and 4, by striking <sell milk or a

29 milk product> and inserting <distribute raw milk, a raw milk
30 product, or a raw milk dairy product>

31 12. Page 4, after line 27 by inserting:

32 <__. “*Milk producer*” means a person who owns or operates
33 a dairy farm where raw milk is produced from one or more cows,
34 sheep, or goats.

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1 __. “*Raw milk*” means milk that is not pasteurized or
2 graded.

3 __. “*Raw milk dairy product*” means a dairy product that
4 includes raw milk or a raw milk product.

5 __. “*Raw milk product*” means a milk product that includes
6 raw milk.>

7 13. Page 4, line 29, by striking <**and marketing**> and
8 inserting <**marketing, and distribution**>

9 14. By striking page 4, line 30, through page 5, line 22,
10 and inserting:

11 <1. A milk producer may elect to process, market, or
12 distribute raw milk produced at that milk producer’s dairy
13 farm. To the extent that the milk producer makes this
14 election, all of the following apply:

15 a. A milk producer must only take an order for the
16 distribution of raw milk at the milk producer’s dairy farm
17 where the raw milk was produced. The milk producer must
18 only distribute the raw milk to the individual placing the

19 order. The milk producer may distribute the raw milk to the
20 individual without charge or on a retail basis. A person shall
21 not resell the raw milk. The milk producer must distribute
22 the raw milk directly to the individual at the dairy farm or
23 to a location specified by the individual. However, a person
24 shall not deliver the raw milk to a place of business where
25 food items are distributed on a retail basis, including but
26 not limited to a home bakery regulated under chapter 137D or a
27 food establishment or farmers market regulated under chapter
28 137F. The raw milk shall only be used for consumption by the
29 individual, members of the individual's household, and the
30 individual's nonpaying guests or nonpaying employees.

31 b. If the milk producer sells raw milk in a container, that
32 container shall be labeled as provided in section 191.9A.

33 2. A milk producer may elect to manufacture, market, or
34 distribute a raw milk product or raw milk dairy product at
35 that milk producer's dairy farm. To the extent that the milk

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1 producer makes this election, all of the following apply:

2 a. The raw milk product or raw milk dairy product must only
3 include raw milk produced at the milk producer's dairy farm.

4 b. A milk producer must only take an order for the
5 distribution of a raw milk product or raw milk dairy product
6 at the milk producer's dairy farm where the raw milk product
7 or raw milk dairy product was manufactured. The milk producer
8 must only distribute the raw milk product or raw milk dairy
9 product to the individual placing the order. The milk producer
10 may distribute the raw milk product or raw milk dairy product
11 to the individual without charge or on a retail basis. A
12 person shall not resell the raw milk product or raw milk dairy
13 product. The milk producer must distribute the raw milk
14 product or raw milk dairy product directly to the individual at
15 the dairy farm or to a location specified by the individual.

16 However, a person shall not deliver the raw milk product or
17 raw milk dairy product to a place of business where food
18 items are distributed on a retail basis, including but not
19 limited to a home bakery regulated under chapter 137D or a food
20 establishment or farmers market regulated under chapter 137F.
21 The raw milk product or raw milk dairy product shall only be
22 distributed for consumption by the individual, members of the
23 individual's household, or the individual's nonpaying guests
24 or nonpaying employees.

25 c. If the milk producer sells a raw milk product or raw milk
26 dairy product in a container, that container shall be labeled
27 as provided in section 191.9A.

28 3. This section does not prevent a milk producer from also
29 electing to produce and sell milk under the other applicable
30 provisions of this chapter and related provisions in chapters
31 190 and 194. This chapter does not apply to a receiving
32 station, transfer station, milk handler, milk grader, or

33 milk plant. A dairy farm is not a food establishment, food
34 processing plant, or other person regulated under chapter 137F
35 or other chapter regulating such entities.>

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1 15. Page 5, line 23, by striking <3.> and inserting <4.>
2 16. Page 5, line 27, after <194.> by inserting <The
3 department shall not adopt rules to administer or enforce this
4 section.>
5 17. Page 5, line 29, by striking <and marketing> and
6 inserting <marketing, and distribution>
7 18. Page 5, by striking lines 31 and 32 and inserting:
8 <1. The production, processing, marketing, and distribution
9 of raw milk, if the raw milk is produced by a milk producer in>
10 19. By striking page 5, line 34, through page 6, line 1, and
11 inserting:
12 <2. The manufacture, marketing, and distribution of a raw
13 milk product or raw milk dairy product, if the raw milk product
14 or raw milk dairy product is manufactured by a milk producer in
15 compliance with section>
16 20. Title page, line 4, by striking <unpasteurized and
17 ungraded milk and> and inserting <raw milk and associated>
18 21. By renumbering, redesignating, and correcting internal
19 references as necessary.

JASON SCHULTZ

S-5034

1 Amend Senate File 2342 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. **NEW SECTION. 261I.1 Definitions.**
5 For the purposes of this chapter:
6 1. "*Educational institution*" means any of the following:
7 a. A nonpublic school accredited pursuant to section 256.11.
8 b. A public school district.
9 c. An institution governed by the state board of regents
10 pursuant to chapter 262.
11 d. A community college as defined in section 260C.2.
12 e. Any institution of higher education located in this
13 state that is a member of the national collegiate athletic
14 association, national association of intercollegiate athletics,
15 or national junior college athletic association.
16 2. "*Organization*" means the same as defined in section
17 280.13.
18 3. "Sex" means a person's biological sex as either female or
19 male. The sex listed on a student's official birth certificate
20 or certificate issued upon adoption may be relied upon if the
21 certificate was issued at or near the time of the student's
22 birth.

23 Sec. 2. **NEW SECTION. 261I.2 Extracurricular athletics —**
24 **eligibility — cause of action.**

25 1. *a.* An interscholastic athletic team, sport, or athletic
26 event that is sponsored or sanctioned by an educational
27 institution or organization must be designated as one of the
28 following, based on the sex at birth of the participating
29 students:
30 (1) Females, women, or girls.
31 (2) Males, men, or boys.
32 (3) Coeducational or mixed.
33 *b.* Only female students, based on their sex, may participate
34 in any team, sport, or athletic event designated as being for
35 females, women, or girls.

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1 c. Protections pursuant to chapter 669 or chapter 670
2 shall not apply to an educational institution or an employee
3 of an educational institution that does not comply with the
4 requirements of this section.
5 2. *a.* If a student suffers direct or indirect harm as
6 a result of a violation of subsection 1, that student has a
7 private cause of action for injunctive, mandamus, damages, and
8 declaratory relief against the entity that violated subsection
9 1.
10 *b.* If a student is subjected to retaliation or other adverse
11 action by an educational institution or organization as a
12 result of reporting a violation of subsection 1 to an employee
13 or representative of the educational institution, organization,
14 or to a state or federal governmental entity having oversight
15 authority, that student has a private cause of action for
16 injunctive, mandamus, damages, and declaratory relief, against
17 the educational institution or organization. In addition,
18 a governmental entity shall not investigate a complaint or
19 take any adverse action against an educational institution or
20 organization, or any employee of a board of directors of a
21 school district, the authorities in charge of an accredited
22 nonpublic school or nonpublic institution of higher education,
23 the board of directors of a merged area, or the board of
24 regents for compliance with subsection 1.
25 3. If an educational institution or organization suffers
26 any direct or indirect harm as a result of a violation of
27 subsection 1, that educational institution or organization has
28 a private cause of action for injunctive, mandamus, damages,
29 and declaratory relief against the entity that violated
30 subsection 1.
31 4. *a.* A governmental entity, educational institution, or
32 organization shall not be liable to any student for complying
33 with subsection 1.
34 *b.* A civil action under subsection 2 or 3 must be initiated
35 within two years from the date the alleged harm occurred.

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1 c. Any party prevailing on a claim brought under subsection
2 or 3 is entitled to reasonable attorney fees and costs.
3 a. For any lawsuit brought or any complaint filed
4 against an educational institution or organization, or an
5 employee, a member of the board of directors of a school
6 district, a member of the authorities in charge of a nonpublic
7 school or nonpublic institution of higher education, a member
8 of the board of directors of a merged area, or a member of the
9 board of regents as a result of compliance with subsection 1,
10 the attorney general shall provide legal representation at no
11 cost to that entity or individual.

12 b. In addition to the expenses of representation, the
13 state shall assume financial responsibility for any other
14 expense related to the lawsuit or complaint and incurred by
15 an educational institution or organization, or an employee, a
16 member of the board of directors of a school district, a member
17 of the authorities in charge of a nonpublic school or nonpublic
18 institution of higher education, a member of the board of
19 directors of a merged area, or a member of the board of regents
20 including any award for attorney fees and costs for which that
21 entity or individual would be otherwise responsible.

22 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
23 importance, takes effect upon enactment.>

24 2. Title page, by striking lines 1 through 4 and inserting
25 <An Act relating to student eligibility requirements in school
26 district, accredited nonpublic school, regent institution,
27 community college, and certain other institution of higher
28 education athletics based on sex, and including effective date
29 provisions.>

TIM GOODWIN

S-5035

1 Amend Senate File 2169 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 147.55, Code 2022, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 7A. Sexual abuse in the fourth degree in
7 violation of section 709.4A.
8 Sec. 2. Section 692A.102, subsection 1, paragraph c, Code
9 2022, is amended by adding the following new subparagraph:
10 NEW SUBPARAGRAPH. (012) Sexual abuse in the fourth degree
11 in violation of section 709.4A.
12 Sec. 3. NEW SECTION. **709.4A Sexual abuse in the fourth**
13 **degree — health care professionals.**
14 1. A health care professional commits sexual abuse in the
15 fourth degree when the health care professional implants the
16 health care professional's own human reproductive material

17 through assisted reproduction without the patient's prior
18 knowledge and written consent.
19 2. Sexual abuse in the fourth degree is an aggravated
20 misdemeanor.
21 3. For the purposes of this section:
22 a. "*Assisted reproduction*" means a method of causing
23 pregnancy other than sexual intercourse involving medical or
24 scientific intervention.
25 b. "*Gamete*" means a sperm, an egg, or any part of a sperm
26 or an egg.
27 c. "*Health care professional*" means a person who is
28 licensed, certified, or otherwise authorized or permitted
29 by the laws of this state to administer health care in the
30 ordinary course of business or in the practice of a profession.
31 d. "*Human reproductive material*" means a human gamete or a
32 human organism at any stage of development from fertilized ovum
33 to embryo.
34 e. "*Patient*" means a person who has received or is receiving
35 health services from a health care professional.

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1 Sec. 4. Section 802.2, Code 2022, is amended to read as
2 follows:
3 **802.2 Sexual abuse — first, second, ~~or~~ third, or fourth**
4 **degree.**
5 1. An information or indictment for sexual abuse in the
6 first, second, ~~or~~ third, or fourth degree committed on or
7 with a person who is under the age of eighteen years may be
8 commenced at any time after the commission of the offense.
9 2. An information or indictment for any other sexual abuse
10 in the first, second, ~~or~~ third, or fourth degree shall be
11 commenced within ten years after its commission, or if the
12 person against whom the information or indictment is sought is
13 identified through the use of a DNA profile, an information or
14 indictment shall be commenced within three years from the date
15 the person is identified by the person's DNA profile, whichever
16 is later.
17 3. As used in this section, "*identified*" means a person's
18 legal name is known and the person has been determined to be
19 the source of the DNA.>
20 2. Title page, line 1, by striking <fraud,>

ANNETTE SWEENEY

S-5036

1 Amend House File 2160, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. **NEW SECTION. 714I.1 Short title.**
5 This chapter shall be known and may be cited as the "*Fraud*

6 *in Assisted Reproduction Act”.*

7 **Sec. 2. NEW SECTION. 714I.2 Definitions.**

8 For purposes of this chapter, unless the context otherwise
9 requires:

10 1. “*Assisted reproduction*” means a method of causing
11 pregnancy other than sexual intercourse.

12 2. “*Donor*” means an individual who provides gametes
13 intended for use in assisted reproduction, whether or not for
14 consideration.

15 3. “*Gamete*” means a sperm, an egg, or any part of a sperm
16 or an egg.

17 4. “*Health care professional*” means a person who is
18 licensed, certified, or otherwise authorized or permitted by
19 the law of this state to administer health care in the ordinary
20 course of business or in the practice of a profession.

21 5. “*Health facility*” means a hospital, clinic, sperm bank,
22 laboratory, or other health care institution involved in the
23 assisted reproduction process.

24 6. “*Human reproductive material*” means a human gamete or a
25 human organism at any stage of development from fertilized ovum
26 to embryo.

27 7. “*Patient*” means a person who has received or is receiving
28 health services from a health care professional.

29 8. “*Physician*” means an individual licensed under chapter
30 148.

31 **Sec. 3. NEW SECTION. 714I.3 Prohibited practices and acts.**

32 1. A person shall not engage in a practice or act the
33 person knows or reasonably should have known provides false
34 information to a patient related to an assisted reproduction
35 procedure or treatment including false information relating to

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1 any of the following:

2 a. The human reproductive material used or provided for
3 assisted reproduction.

4 b. The identity of a donor of human reproductive material
5 used or provided for assisted reproduction including but not
6 limited to the donor’s name, birthdate, or address at the time
7 of donation.

8 c. A donor’s medical history including but not limited to an
9 illness of the donor at the time of donation, any past illness
10 of the donor, or the social, genetic, or family history of the
11 donor.

12 2. A physician or a health facility shall not knowingly or
13 intentionally do any of the following:

14 a. Use or provide a patient with human reproductive material
15 for assisted reproduction other than that to which the patient
16 expressly consented in writing.

17 b. Use or provide a patient with human reproductive material
18 for assisted reproduction that is not provided with the donor’s
19 consent or in a manner or to an extent other than that to which

20 the donor consented.

21 3. *a.* A person that violates subsection 1 is guilty of a
22 class "D" felony, punishable by the applicable maximum years of
23 confinement and maximum fine.

24 *b.* A physician or health facility that violates subsection
25 2 is guilty of a class "C" felony, punishable by the applicable
26 maximum years of confinement and maximum fine.

27 4. It is not a defense to a violation of this section that
28 a patient expressly consented in writing to the use of human
29 reproductive material from an anonymous donor.

30 5. A violation of this section by a physician, health care
31 professional, or health facility is grounds for denial of an
32 application for, denial of renewal of, or revocation of any
33 license, permit, certification, or any other form of permission
34 required to practice a profession or establish, conduct, or
35 maintain a facility regulated by the state. A violation

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1 of this section by a physician or health care professional
2 constitutes unprofessional conduct.

3 **Sec. 4. NEW SECTION. 714I.4 Private right of action —**
4 **damages.**

5 1. Any of the following persons may bring a cause of action
6 for compensatory and punitive damages against any person that
7 engaged in a prohibited practice or act in violation of this
8 chapter:

9 *a.* The patient who conceives or conceives and gives birth to
10 a child conceived through assisted reproduction in violation of
11 this chapter.

12 *b.* The spouse of a patient at the time the patient utilized
13 assisted reproduction services, if the patient conceives or
14 conceives and gives birth to a child conceived through assisted
15 reproduction in violation of this chapter.

16 *c.* A child born as the result of being conceived through
17 assisted reproduction in violation of this chapter.

18 *d.* A donor whose human reproductive material resulted in
19 the conception or conception and birth of a child conceived
20 through assisted reproduction in violation of this chapter or
21 whose human reproductive material was used without the donor's
22 consent or in a manner or to an extent other than that to which
23 the donor consented.

24 2. *a.* A patient or the spouse of a patient has a separate
25 cause of action under this section for each conception or
26 conception and birth of a child resulting from assisted
27 reproduction performed on the patient in violation of this
28 chapter.

29 *b.* A donor has a separate cause of action under this
30 section for each conception or conception and birth of a child
31 conceived through assisted reproduction in violation of this
32 chapter using the donor's human reproductive material, and for
33 each instance in which the donor's human reproductive material

34 was used without the donor's consent or in a manner or to an
35 extent other than that to which the donor consented.

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1 3. In an action brought under this section, in addition to
2 any compensatory and punitive damages, the court shall award
3 the prevailing plaintiff the costs of any applicable fertility
4 treatments, court costs, and reasonable attorney fees.

5 **Sec. 5. NEW SECTION. 714I.5 Statute of limitations — other
6 remedies.**

7 1. Notwithstanding any provision of law to the contrary, an
8 action brought pursuant to this chapter may be commenced:
9 a. Within ten years after the eighteenth birthday of a child
10 conceived through assisted reproduction as the result of a
11 violation of this chapter.

12 b. If paragraph "a" does not apply, within twenty years
13 from the date the procedure resulting in the conception
14 through assisted reproduction in violation of this chapter was
15 performed.

16 c. If paragraph "a" or "b" does not apply, or if an action
17 would otherwise be barred because the statute of limitations
18 under paragraph "a" or "b" is exhausted, an action under this
19 chapter may be commenced within five years of any of the
20 following, whichever occurs latest:

21 (1) The date the person bringing the action first discovers
22 evidence sufficient to bring an action against the defendant
23 identified through the use of an analysis of a DNA profile
24 as defined in section 81.1. As used in this subparagraph,
25 "*identified*" means a person's legal name is known and the person
26 has been determined to be the source of the DNA.

27 (2) The date the person bringing the action first discovers
28 the existence of a recording that provides evidence sufficient
29 to bring an action against the defendant.

30 (3) The date the defendant admits to the facts giving rise
31 to the action.

32 2. This chapter shall not be construed to prohibit a person
33 from pursuing any other remedy provided by law.

34 Sec. 6. Section 147.55, Code 2022, is amended by adding the
35 following new subsection:

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1 **NEW SUBSECTION. 7A. Unprofessional conduct constituted by
2 sexual abuse in the third degree in violation of section 709.4,
3 subsection 1A, or a violation of section 714I.3.**

4 Sec. 7. Section 692A.102, subsection 1, paragraph c, Code
5 2022, is amended by adding the following new subparagraph:

6 **NEW SUBPARAGRAPH. (11A) Sexual abuse in the third degree in
7 violation of section 709.4, subsection 1A.**

8 Sec. 8. Section 709.4, Code 2022, is amended by adding the
9 following new subsection:

10 **NEW SUBSECTION.** 1A. A physician commits sexual abuse in
11 the third degree when the physician violates chapter 714I by
12 knowingly and intentionally implanting the physician's own
13 human reproductive material through assisted reproduction
14 without the patient's prior knowledge and express written
15 consent. It is not a defense to a violation of chapter 714I
16 under this subsection that a patient expressly consented in
17 writing to the use of human reproductive material from an
18 anonymous donor. For the purposes of this subsection, "*assisted*
19 *reproduction*", "*human reproductive material*", "*patient*", and
20 "*physician*" mean the same as defined in section 714I.2.>
21 2. Title page, line 1, after <reproduction> by inserting
22 <fraud,>

ANNETTE SWEENEY

S-5037

1 Amend Senate File 2260 as follows:
2 1. Page 1, by striking lines 1 through 24.
3 2. Page 1, after line 26 by inserting:
4 <1. As used in this section, unless the context otherwise
5 requires:
6 a. "*Animal rescue organization*" means a person other than
7 an animal shelter operating on a nonprofit basis to place
8 unwanted, abandoned, abused, or stray dogs or cats in permanent
9 adopted homes as provided by rules adopted by the department.
10 b. (1) "*Qualified research facility*" means a research
11 facility, including but not limited to a regents institution,
12 that conducts experiments on dogs or cats for research,
13 education, testing, or another scientific purpose; and that
14 receives moneys from the state or federal government.
15 (2) "*Qualified research facility*" includes a research
16 facility that conducts experiments on dogs or cats for
17 research, education, testing, or another scientific purpose,
18 in collaboration with a research facility described in
19 subparagraph (1).
20 c. "*Retired animal*" means a dog or cat confined at a
21 qualified research facility, if the dog or cat has been
22 previously used for research, education, testing, or another
23 scientific purpose; and the dog or cat is no longer required to
24 be confined by the qualified research facility for any of those
25 purposes.>
26 3. Page 1, line 27, by striking <1.> and inserting <2.>
27 4. Page 1, line 34, by striking <2.> and inserting <3.>
28 5. By renumbering as necessary.

DAN DAWSON

S-5038

1 Amend Senate File 2287 as follows:

2 1. By striking everything after the enacting clause and

3 inserting:

4 <Section 1. Section 714.1, subsection 4, Code 2022, is
5 amended to read as follows:

6 4. Exercises control over stolen property, knowing such
7 property to have been stolen, or having reasonable cause to
8 believe that such property has been stolen, unless the person's
9 purpose is to promptly restore it to the owner or to deliver it
10 to an appropriate public officer. The fact that the person is
11 found in possession of property which has been stolen from two
12 or more persons on separate occasions, or that the person is a
13 dealer or other person familiar with the value of such property
14 and has acquired it for a consideration which is far below its
15 reasonable value, or that the person violated section 714.27A
16 in a transaction involving the property, shall be evidence
17 from which the court or jury may infer that the person knew or
18 believed that the property had been stolen.

19 Sec. 2. Section 714.27, subsection 1, paragraph a, Code
20 2022, is amended to read as follows:

21 a. "Scrap metal" means any metal suitable for reprocessing.
22 "Scrap metal" does not include a motor vehicle, ~~but does include~~
23 or a catalytic converter detached from a motor vehicle.

24 Sec. 3. Section 714.27, subsection 5, paragraph a, Code
25 2022, is amended to read as follows:

26 a. Transactions in which the total sale price is fifty
27 dollars or less, ~~except transactions for the sale of catalytic~~
28 ~~converters.~~

29 Sec. 4. Section 714.27, subsection 5, paragraph b, Code
30 2022, is amended by striking the paragraph.

31 Sec. 5. **NEW SECTION. 714.27A Used catalytic converter**
transactions — reporting — penalties.

33 1. For purposes of this section:

34 a. "*Business transaction*" means an exchange of consideration
35 for a catalytic converter between a scrap metal dealer, as

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1 defined in section 714.27, and another scrap metal dealer,
2 an authorized vehicle recycler licensed under chapter 321H
3 operating a business at a fixed location, a motor vehicle
4 dealer licensed under chapter 322 operating a business at a
5 fixed location, a towable recreational vehicle dealer licensed
6 under chapter 322C operating a business at a fixed location, a
7 mechanic or an automotive repair facility operating a business
8 at a fixed location, or a person operating a similar business
9 at a fixed location in another state.

10 b. "*Catalytic converter*" means a catalytic converter that
11 was previously installed in a motor vehicle and subsequently
12 removed.

13 2. *a.* A person shall not sell a catalytic converter in
14 this state unless the person provides to the purchaser, at or
15 before the time of sale, the person's name, address, and place
16 of business, if any, and presents to the purchaser a valid
17 driver's license or nonoperator's identification card, military
18 identification card, passport, or other government-issued photo
19 identification.

20 *b.* For a business transaction in which the person selling
21 the catalytic converter operates a business at a fixed location
22 in this state, the person shall provide to the purchaser a
23 copy of the person's valid sales tax permit issued pursuant to
24 chapter 423. For a business transaction in which the person
25 selling the catalytic converter operates a business at a fixed
26 location in another state and is authorized to conduct a
27 business transaction in this state, the person shall provide
28 to the purchaser a copy of the person's valid sales tax permit
29 issued pursuant to chapter 423, if the person has such a
30 permit, or a copy of the person's valid business license or
31 permit from the other state. If a person is unable to provide
32 the documentation required in this paragraph, the person shall
33 instead comply with paragraph "c".

34 *c.* For transactions other than business transactions, the
35 person selling the catalytic converter shall provide to the

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1 purchaser an original receipt or invoice for a replacement
2 catalytic converter purchased fewer than thirty days before the
3 person sells the replaced catalytic converter, or a junking
4 certificate for a vehicle that was issued fewer than thirty
5 days before the person sells the catalytic converter.

6 (1) The receipt, invoice, or junking certificate presented
7 by the person to the purchaser must be unmarked by a purchaser
8 pursuant to subsection 3.

9 (2) This paragraph does not apply to a transaction if the
10 person presents proof, unmarked pursuant to subsection 3, to
11 the purchaser that the sale is approved by the sheriff of the
12 county in which the vehicle from which the catalytic converter
13 was removed is registered.

14 3. *a.* A person shall not purchase a catalytic converter
15 from a seller without demanding and receiving the information
16 required by subsection 2.

17 *b.* A person who purchases a catalytic converter shall mark
18 the receipt, invoice, junking certificate, or proof of sheriff
19 approval presented under subsection 2 to indicate the catalytic
20 converter has been sold. The person shall take a photograph
21 of the catalytic converter that clearly identifies the item as
22 a catalytic converter.

23 *c.* A person who purchases a catalytic converter shall have a
24 residence or fixed business address within this state.

25 4. A person who purchases a catalytic converter shall keep
26 a confidential register or log of each transaction, including a

27 copy of the information required by subsections 2, 3, and 5.
28 All records and information kept pursuant to this subsection
29 shall be retained for at least two years, and shall be provided
30 to a law enforcement agency or other officer or employee
31 designated by a county or city to enforce this section upon
32 request during normal business hours when the law enforcement
33 agency or designated officer or employee of a county or city
34 has reasonable grounds to request such information as part
35 of an investigation. A law enforcement agency or designated

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1 officer or employee of a county or city shall preserve the
2 confidentiality of the information provided under this
3 subsection and shall not disclose it to a third party, except
4 as may be necessary in enforcement of this section or the
5 prosecution of a criminal violation.
6 5. A transaction under this section shall be made by check
7 or electronic funds transfer.
8 6. A person, including a person who conducts a business
9 transaction on behalf of another person, who violates this
10 section shall be subject to a civil penalty as follows:
11 a. For an initial violation, one thousand dollars.
12 b. For a second violation within two years, five thousand
13 dollars.
14 c. For a third or subsequent violation within two years, ten
15 thousand dollars.
16 7. Proof that a person, including a person who conducted
17 a business transaction on behalf of another person, violated
18 subsection 2 or 3 shall be evidence from which the court or
19 jury may infer any of the following:
20 a. The person aided and abetted the underlying theft of the
21 catalytic converter involved in the transaction from a vehicle,
22 under section 703.1.
23 b. The person had knowledge that a public offense has been
24 committed and that a certain person committed it, for purposes
25 of proving the person acted as an accessory after the fact
26 under section 703.3.
27 Sec. 6. Section 805.8C, Code 2022, is amended by adding the
28 following new subsection:
29 NEW SUBSECTION. 10A. *Used catalytic converter transaction*
30 *violations.* For violations of section 714.27A, the scheduled
31 fine is one thousand dollars for a first violation, five
32 thousand dollars for a second violation within two years,
33 and ten thousand dollars for a third or subsequent violation
34 within two years. The scheduled fine under this subsection
35 is a civil penalty which shall be deposited into the general

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1 fund of the county or city if imposed by a designated officer
2 or employee of a county or city, or deposited in the general

3 fund of the state if imposed by a state agency, and the crime
4 services surcharge under section 911.1 shall not be added to
5 the penalty.>
6 2. Title page, by striking lines 1 through 4 and inserting
7 <An Act relating to used catalytic converter transactions,
8 providing penalties, and making penalties applicable.>

WAYLON BROWN

S-5039

1 Amend Senate File 2251 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 7E.3, Code 2022, is amended by adding
5 the following new subsection:
6 **NEW SUBSECTION.** 6. *Workforce advertising.* Ensure that
7 companies that have no physical presence in the state shall
8 not be allowed to advertise for workers on an internet site
9 maintained by the department or independent agency or through
10 any other means funded by an appropriation to the department
11 or independent agency. However, this subsection shall not
12 apply to advertisements for internships or other employment
13 opportunities on an internet site or at an employee recruitment
14 event maintained or sponsored by an institution under the
15 control of the state board of regents or a community college.>

ADRIAN DICKEY

S-5040

1 Amend Senate File 2329 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. **NEW SECTION. 622.31A Admissibility of evidence**
in certain physical abuse and sexual offense cases.
5 1. As used in this section:
6 a. "Child" means a person under fourteen years of age.
7 b. "Cognitive impairment" means a deficiency in a person's
8 short-term or long-term memory; orientation as to person,
9 place, and time; deductive or abstract reasoning; or judgment
10 as it relates to safety awareness.
11 c. "Developmental disability" means the same as defined
12 under the federal Developmental Disabilities Assistance and
13 Bill of Rights Act of 2000, Pub. L. No. 106-402, as codified in
14 42 U.S.C. §15002(8).
15 d. "Intellectual disability" means a disability of
16 children and adults who as a result of inadequately developed
17 intelligence have a significant impairment in ability to learn
18 or to adapt to the demands of society.
19 2. In a prosecution for physical abuse or a sexual offense
20 including but not limited to a sexual offense in violation of

22 section 709.2, 709.3, 709.4, 709.11, 709.12, 709.14, 709.15,
23 709.16, or 709.23, upon or against a child, a person with an
24 intellectual disability, person with a cognitive impairment, or
25 person with a developmental disability, the following evidence
26 shall be admitted as an exception to the hearsay rule if all of
27 the requirements in subsection 3 apply:

28 a. Testimony by the victim concerning an out-of-court
29 statement, whether consistent or inconsistent, made by the
30 victim to another person that is an initial disclosure of the
31 offense.

32 b. Testimony by another concerning an out-of-court
33 statement, whether consistent or inconsistent, made by the
34 victim that is an initial disclosure of an offense charged for
35 physical abuse or a sexual offense against the victim.

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1 3. The testimony described in subsection 2 shall be admitted
2 into evidence at trial as an exception to the hearsay rule if
3 all of the following apply:

4 a. The party intending to offer the statement does all of
5 the following:

6 (1) Notifies the adverse party of the intent to offer the
7 statement.

8 (2) Provides the adverse party with the name of the witness
9 through whom the statement will be offered.

10 (3) Provides the adverse party with a written summary of the
11 statement to be offered.

12 b. The court finds, in a hearing conducted outside the
13 presence of the jury, that the timing of the statement, the
14 content of the statement, and the circumstances surrounding
15 the making of the statement provide sufficient safeguards of
16 reliability.

17 c. The child, person with an intellectual disability, person
18 with a cognitive impairment, or a person with a developmental
19 disability testifies at the trial.

20 4. If a statement is admitted pursuant to this section,
21 the court shall instruct the jury that it is for the jury
22 to determine the weight and credibility to be given to the
23 statement, and in making that determination, the jury shall
24 consider the age and maturity of the child or the disability
25 of the person with an intellectual disability, person with
26 a cognitive impairment, or person with a developmental
27 disability; the nature of the statement; the circumstances
28 under which the statement was made, and any other relevant
29 factors.

30 5. This section shall not prevent the admission of any
31 evidence based upon forfeiture by wrongdoing.>

32 2. Title page, by striking lines 1 through 6 and inserting
33 <An Act relating to the admissibility of evidence in a
34 prosecution for physical abuse or a sexual offense upon or
35 against a child, person with an intellectual disability, person

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1 with a cognitive impairment, or person with a developmental
2 disability.>

TOM SHIPLEY

S-5041

1 Amend House File 2221, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. Section 622.9, Code 2022, is amended to read as
6 follows:

7 **622.9 Communications between husband and wife.**

8 1. Neither husband nor wife can be examined in any case
9 as to any communication made by the one to the other while
10 married, nor shall they, after the marriage relation ceases, be
11 permitted to reveal in testimony any such communication made
12 while the marriage subsisted.

13 2. Notwithstanding subsection 1, a husband or wife may be
14 examined about, and reveal in testimony, any of the following
15 communications:

16 a. Communications of threats against the husband or wife or
17 third party.

18 b. Communications that have been transmitted or revealed to
19 a third party.

20 3. Subsection 1 does not apply in any proceeding in which
21 either husband or wife is charged with an offense against the
22 other.

23 Sec. 2. **NEW SECTION. 622.31A Admissibility of evidence in
24 certain physical abuse and sexual offense cases.**

25 1. As used in this section:

26 a. "Child" means a person under fourteen years of age.

27 b. "Cognitive impairment" means a deficiency in a person's
28 short-term or long-term memory; orientation as to person,
29 place, and time; deductive or abstract reasoning; or judgment
30 as it relates to safety awareness.

31 c. "Developmental disability" means the same as defined
32 under the federal Developmental Disabilities Assistance and
33 Bill of Rights Act of 2000, Pub. L. No. 106-402, as codified in
34 42 U.S.C. §15002(8).

35 d. "Intellectual disability" means a disability of

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1 children and adults who as a result of inadequately developed
2 intelligence have a significant impairment in ability to learn
3 or to adapt to the demands of society.

4 2. In a prosecution for physical abuse or a sexual offense
5 including but not limited to a sexual offense in violation of

6 section 709.2, 709.3, 709.4, 709.11, 709.12, 709.14, 709.15,
7 709.16, or 709.23, upon or against a child, a person with an
8 intellectual disability, person with a cognitive impairment, or
9 person with a developmental disability, the following evidence
10 shall be admitted as an exception to the hearsay rule if all of
11 the requirements in subsection 3 apply:

12 a. Testimony by the victim concerning an out-of-court
13 statement made by the victim to another person regarding the
14 occurrence of the offense.

15 b. Testimony by another concerning an out-of-court statement
16 made by the victim describing any act or detail pertaining to
17 any act which is an element of an offense charged for physical
18 abuse or a sexual offense against the victim.

19 3. The testimony described in subsection 2 shall be admitted
20 into evidence at trial as an exception to the hearsay rule if
21 all of the following apply:

22 a. The party intending to offer the statement does all of
23 the following:

24 (1) Notifies the adverse party of the intent to offer the
25 statement.

26 (2) Provides the adverse party with the name of the witness
27 through whom the statement will be offered.

28 (3) Provides the adverse party with a written summary of the
29 statement to be offered.

30 b. The court finds, in a hearing conducted outside the
31 presence of the jury, that the timing of the statement, the
32 content of the statement, and the circumstances surrounding
33 the making of the statement provide sufficient safeguards of
34 reliability.

35 c. The child, person with an intellectual disability, person

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1 with a cognitive impairment, or person with a developmental
2 disability satisfies one of the following:

3 (1) Testifies at the trial.

4 (2) Is unavailable to testify but provides corroborative
5 evidence of the act which is the subject of the statement.

6 4. If a statement is admitted pursuant to this section,
7 the court shall instruct the jury that it is for the jury
8 to determine the weight and credibility to be given to the
9 statement, and in making that determination, the jury shall
10 consider the age and maturity of the child or the disability
11 of the person with an intellectual disability, person with
12 a cognitive impairment, or person with a developmental
13 disability; the nature of the statement whether consistent
14 or inconsistent; the circumstances under which the statement
15 whether consistent or inconsistent was made; and any other
16 relevant factors.

17 5. This section shall not prevent the admission of any
18 evidence based upon forfeiture by wrongdoing.>

19 2. Title page, by striking lines 1 through 5 and inserting

20 <An Act relating to evidence, including spousal privilege
21 and confidential communications between spouses, and the
22 admissibility of evidence in a prosecution for physical abuse
23 or a sexual offense upon or against a child, person with an
24 intellectual disability, person with a cognitive impairment, or
25 person with a developmental disability.>

TOM SHIPLEY

S-5042

1 Amend Senate File 2291 as follows:
2 1. Page 1, by striking lines 13 and 14 and inserting <higher
3 rate of either the school district's substitute pay per diem
4 or the hourly pay to which the para-educator is otherwise
5 entitled.>

CHRIS COURNOYER

S-5043

1 Amend Senate File 2263 as follows:
2 1. Page 3, by striking lines 13 through 22.
3 2. By renumbering as necessary.

ROBY SMITH

S-5044

1 Amend the amendment, S-3157, to House File 780, as passed by
2 the House, as follows:
3 1. Page 1, after line 1 by inserting:
4 <__. Page 1, line 1, by striking <2021> and inserting
5 <2022>>
6 2. Page 1, by striking lines 2 through 4 and inserting:
7 <__. Page 1, line 7, after <135.1> by inserting <except for
8 optometrists, physician assistant as defined in section 148C.1,
9 or advanced practice registered nurse as defined in section
10 152E.3>>
11 3. By renumbering as necessary.

MARK LOFGREN

S-5045

1 Amend Senate File 2309 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. **NEW SECTION. 137D.2A Raw milk, raw milk**
4 **products, and raw milk dairy products.**
5 A home bakery shall not advertise for sale, offer for sale,
6 sell or otherwise distribute, or use raw milk, a raw milk
7 product, or a raw milk dairy product as provided in section

8 192.145.

9 Sec. _____. Section 137F.1, subsection 8, Code 2022, is
10 amended by adding the following new paragraph:

11 NEW PARAGRAPH. o. (1) The premises of a raw milk dairy
12 where raw milk is produced, processed, labeled, marketed, or
13 distributed by a raw milk producer in compliance with section
14 192.145.

15 (2) The premises of a raw milk dairy where a raw milk
16 product or a raw milk dairy product is manufactured, labeled,
17 marketed, or distributed by a raw milk producer in compliance
18 with section 192.145.

19 Sec. _____. Section 137F.1, subsection 9, Code 2022, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. d. (1) The premises of a raw milk dairy
22 where raw milk is produced, processed, labeled, marketed, or
23 distributed by a raw milk producer in compliance with section
24 192.145.

25 (2) A premises of a raw milk dairy where a raw milk product
26 or raw milk dairy product is manufactured, labeled, marketed,
27 or distributed by a raw milk producer in compliance with
28 section 192.145.

29 Sec. _____. NEW SECTION. 137F.8B Raw milk, raw milk products,
30 and raw milk dairy products.

31 A food establishment or farmers market shall not advertise
32 for sale, offer for sale, sell or otherwise distribute, or use
33 raw milk, a raw milk product, or a raw milk dairy product,
34 regardless of whether the food establishment or farmers market
35 is regulated by the department under this chapter or another

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1 chapter, another state agency, or a municipality.>

2 2. Page 1, by striking lines 8 through 10 and inserting:

3 <a. The production, processing, labeling, marketing, or
4 distribution of raw milk by a raw milk producer in compliance
5 with section 192.145.>

6 3. Page 1, by striking lines 11 through 13 and inserting:

7 <b. The manufacture, labeling, marketing, or distribution
8 of a raw milk product or raw milk dairy product by a raw milk
9 producer in>

10 4. By striking page 2, line 34, through page 3, line 1, and
11 inserting:

12 <NEW SUBSECTION. 5A. Raw milk, raw milk products, and
13 raw milk dairy products. A container holding raw milk, a raw
14 milk product, or a raw milk dairy product sold by a raw milk
15 producer shall be labeled as required in>

16 5. Page 3, line 3, by striking <Dairy farms> and inserting
17 <Raw milk dairies>

18 6. Page 3, by striking line 4 and inserting <raw milk, raw
19 milk products, and raw milk dairy products.>

20 7. Page 3, by striking lines 5 through 10 and inserting:

21 <1. A raw milk producer who sells raw milk, a raw milk

22 product, or a raw milk dairy product to an individual in
23 compliance with section 192.145 shall label the container
24 holding the raw milk, raw milk product, or raw milk dairy
25 product. The label shall be permanently affixed to the>
26 8. Page 3, line 15, by striking <unpasteurized> and
27 inserting <raw>
28 9. Page 3, line 21, by striking <milk product or> and
29 inserting <raw milk product or raw milk>
30 10. Page 3, line 24, before <dairy> by inserting <raw milk>
31 11. Page 3, line 25, by striking <includes raw milk> and
32 inserting <is>
33 12. Page 4, by striking lines 3 and 4 and inserting:
34 b. A raw milk producer may sell raw milk, a raw milk
35 product, or a raw milk dairy product to an individual in

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1 compliance with section>
2 13. Page 4, after line 16 by inserting:
3 <1. "Dairy animal" means a cow, goat, or sheep that is
4 actively producing milk.>
5 14. Page 4, line 17, by striking <1.> and inserting <2.>
6 15. Page 4, line 24, by striking <2.> and inserting <3.>
7 16. Page 4, after line 27 by inserting:
8 <_. "Raw milk" means milk that is not pasteurized or
9 graded.
10 _. "Raw milk dairy" means an operation where not more than
11 a total of ten dairy animals are maintained, and milk produced
12 from any of those animals is not pasteurized or graded.
13 _. "Raw milk dairy product" means a dairy product that
14 includes raw milk or a raw milk product.
15 _. "Raw milk producer" means a person who owns or operates
16 a raw milk dairy.
17 _. "Raw milk product" means a milk product that includes
18 raw milk.>
19 17. By striking page 4, line 28, through page 5, line 27,
20 and inserting:
21 <Sec. __. NEW SECTION. 192.145 Raw milk dairies —
22 **production, processing, marketing, and distribution.**
23 1. A raw milk producer may elect to process, market,
24 or distribute raw milk produced at the raw milk producer's
25 raw milk dairy in compliance with this section. A raw milk
26 producer may also elect to use the raw milk to manufacture,
27 market, or distribute a raw milk product or raw milk dairy
28 product at the raw milk producer's raw milk dairy in compliance
29 with this section. If a raw milk producer makes either
30 election, all of the following apply:
31 a. The raw milk producer shall not pasteurize or grade milk
32 produced from dairy animals maintained at the raw milk dairy.
33 b. The raw milk producer shall ensure the health and safety
34 of consumers of the raw milk produced from dairy animals
35 maintained at the raw milk dairy by doing all of the following:

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1 (1) Each month, test each dairy animal to determine a
2 coliform count and standard plate count. The raw milk producer
3 shall maintain a record of each test. The raw milk producer
4 shall retain the record at the raw milk dairy for at least
5 three years.

6 (2) Each twelve-month period, employ a licensed
7 veterinarian to examine each dairy animal to determine the
8 dairy animal's health status. The examination must at least
9 include a blood test for common diseases afflicting the type
10 of dairy animal being examined.

11 2. A raw milk producer shall only take an order for the
12 distribution of raw milk at the raw milk producer's raw milk
13 dairy where the raw milk was produced. The raw milk producer
14 shall only distribute the raw milk to an individual placing the
15 order. The raw milk producer may distribute the raw milk to
16 the individual without charge or on a retail basis.

17 a. The raw milk producer shall post the summary of the test
18 to determine the coliform count and standard plate count of
19 the dairy animals maintained at the raw milk dairy as provided
20 in subsection 1. The summary shall be posted at the raw milk
21 dairy's distribution point for the raw milk. The individual
22 being distributed the raw milk may examine the records for the
23 three-year period that the records are required to be retained
24 by the raw milk producer under subsection 1.

25 b. If the raw milk producer sells raw milk in a container,
26 the container shall be labeled as provided in section 191.9A.

27 c. The raw milk producer shall distribute the raw milk
28 directly to the individual at the raw milk dairy or to a
29 location specified by the individual. However, a person shall
30 not deliver the raw milk to a place of business where food
31 items are distributed on a retail basis, including but not
32 limited to a home bakery regulated under chapter 137D or a
33 food establishment or farmers market regulated under chapter
34 137F. The raw milk shall only be used for consumption by the
35 individual, members of the individual's household, and the

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1 individual's nonpaying guests or nonpaying employees.

2 d. A person shall not resell raw milk.

3 3. A raw milk producer shall only take an order for the
4 distribution of a raw milk product or raw milk dairy product
5 at the raw milk producer's raw milk dairy where the raw milk
6 product or raw milk dairy product is manufactured. The raw
7 milk producer shall only distribute the raw milk product or raw
8 milk dairy product to an individual placing the order. The raw
9 milk producer may distribute the raw milk product or raw milk
10 dairy product to the individual without charge or on a retail
11 basis.

12 a. The raw milk producer shall post the summary of the most

13 recent test to determine the coliform count and standard plate
14 count of dairy animals maintained at the raw milk dairy as
15 provided in subsection 1. The summary shall be posted at the
16 raw milk dairy's distribution point for the raw milk products
17 or raw milk dairy products. The individual being distributed
18 the raw milk product or raw milk dairy product may examine the
19 records for the three-year period that the records are required
20 to be retained by the raw milk producer under subsection 1.

21 b. If the raw milk producer sells a raw milk product or
22 raw milk dairy product in a container, the container shall be
23 labeled as provided in section 191.9A.

24 c. The raw milk producer shall distribute the raw milk
25 product or raw milk dairy product directly to the individual
26 at the raw milk dairy or to a location specified by the
27 individual. However, a person shall not deliver the raw milk
28 product or raw milk dairy product to a place of business where
29 food items are distributed on a retail basis, including but
30 not limited to a home bakery regulated under chapter 137D or a
31 food establishment or farmers market regulated under chapter
32 137F. The raw milk product or raw milk dairy product shall
33 only be used for consumption by the individual, members of the
34 individual's household, or the individual's nonpaying guests
35 or nonpaying employees.

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1 d. A person shall not resell the raw milk product or raw
2 milk dairy product.

3 4. Based on an affidavit signed by a licensed physician
4 certifying that in the physician's opinion an individual
5 contracted an illness as a direct result of consuming raw milk
6 produced at a raw milk dairy, or consuming a raw milk product
7 or a raw milk dairy product manufactured at a raw milk dairy,
8 the Iowa department of public health acting under chapter 135
9 or a local board of health acting under chapter 137 may demand
10 that the raw milk producer provide it with all records of tests
11 to determine the coliform count and standard plate count of
12 dairy animals maintained at the raw milk dairy as required in
13 subsection 1.

14 5. The department shall not adopt rules to administer or
15 enforce this section.

16 6. This chapter does not apply to a receiving station,
17 transfer station, milk handler, milk grader, or milk plant. A
18 raw milk dairy is not a food establishment, food processing
19 plant, or other person regulated under chapter 137F or other
20 chapter regulating such entities.>

21 18. Page 5, line 28, by striking <On-farm> and inserting
22 <**Raw milk dairies**>

23 19. Page 5, line 29, by striking <and marketing
24 exception> and inserting <**marketing, and distribution**
25 **exceptions**>

26 20. Page 5, by striking lines 31 and 32 and inserting:

27 <1. The production, processing, marketing, and distribution
28 of raw milk, if the raw milk is produced by a raw milk producer
29 at a raw milk dairy in>
30 21. By striking page 5, line 34, through page 6, line 1, and
31 inserting:
32 <2. The manufacture, marketing, and distribution of a
33 raw milk product or raw milk dairy product, if the raw milk
34 product or raw milk dairy product is manufactured by a raw milk
35 producer at a raw milk dairy in compliance with section>

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1 22. Title page, line 3, by striking <by operators of> and
2 inserting <to individuals by milk producers owning or operating
3 certain>
4 23. Title page, line 4, by striking <unpasteurized and
5 ungraded milk and> and inserting <raw milk and associated>
6 24. By renumbering, redesignating, and correcting internal
7 references as necessary.

JASON SCHULTZ

S-5046

1 Amend Senate File 513 as follows:
2 1. Page 1, line 1, by striking <2021> and inserting <2022>
3 2. Page 1, line 3, by striking <Any reports> and inserting
4 <A crisis intervention report>
5 3. Page 1, line 15, after <A> by inserting <crisis
6 intervention>
7 4. Page 1, line 22, by striking <Reports> and inserting
8 <Crisis intervention reports>
9 5. Page 1, by striking lines 24 through 27 and inserting:
10 <d. Notwithstanding other provisions of this subsection,
11 the date, time, specific location, and immediate facts and
12 circumstances surrounding a crime or incident shall not be kept
13 confidential under this subsection, except where disclosure
14 would pose a clear and present danger to the safety of the
15 person subject to the crisis intervention report or the safety
16 of others.
17 e. For the purposes of this subsection:
18 (1) “*Crisis intervention report*” or “*report*” means a report
19 generated by a law enforcement agency using a prescribed form
20 created by the department of justice to record the following
21 information relevant to assess the nature of a crisis:
22 (a) Any biological or chemical causes of the crisis.
23 (b) Any observed demeanors and behaviors of the person
24 experiencing the crisis.
25 (c) Persons notified in relation to the crisis.
26 (d) Whether suicide or injuries occurred in relation to the
27 crisis and the extent of those injuries.
28 (e) Whether weapons were involved in the crisis and a

29 description of the weapon.
30 (f) The disposition of the crisis intervention and any crime
31 committed.
32 (2) "*Housing crisis*" means a situation where a person is
33 experiencing homelessness, a lack of adequate or safe housing,
34 or is in imminent danger of homelessness or lack of adequate
35 or safe housing.>

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1 6. Page 1, before line 28 by inserting:
2 <Sec. ___. Section 125.2, Code 2022, is amended by adding
3 the following new subsection:
4 NEW SUBSECTION. 11A. "*Magistrate*" means the same as defined
5 in section 801.4, subsection 10.
6 Sec. ___. Section 125.91, subsection 2, Code 2022, is
7 amended to read as follows:
8 2. a. A peace officer who has reasonable grounds to
9 believe that the circumstances described in subsection 1 are
10 applicable may, without a warrant, take or cause that person
11 to be taken to the nearest available facility referred to in
12 section 125.81, subsection 2, paragraph "b" or "c". Such a
13 person with a substance-related disorder due to intoxication
14 or substance-induced incapacitation who also demonstrates
15 a significant degree of distress or dysfunction may also
16 be delivered to a facility by someone other than a peace
17 officer upon a showing of reasonable grounds. Upon delivery
18 of the person to a facility under this section, the attending
19 physician and surgeon or osteopathic physician and surgeon may
20 order treatment of the person, but only to the extent necessary
21 to preserve the person's life or to appropriately control
22 the person's behavior if the behavior is likely to result in
23 physical injury to the person or others if allowed to continue.
24 The peace officer or other person who delivered the person to
25 the facility shall describe the circumstances of the matter to
26 the attending physician and surgeon or osteopathic physician
27 and surgeon. If the person is a peace officer, the peace
28 officer may do so either in person or by written report.
29 b. If the attending physician and surgeon or osteopathic
30 physician and surgeon has reasonable grounds to believe that
31 the circumstances in subsection 1 are applicable, the facility
32 shall have the authority to detain the person for a period of
33 no longer than twelve hours. Within twelve hours of detaining
34 a person pursuant to this section, the attending physician
35 shall at once communicate with the nearest available magistrate

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1 as defined in section 801.4, subsection 10.
2 c. The Once contacted pursuant to paragraph "b", the
3 magistrate shall, based upon the circumstances described by
4 the attending physician and surgeon or osteopathic physician

5 and surgeon, give the attending physician and surgeon or
6 osteopathic physician and surgeon oral instructions either
7 directing that the person be released forthwith, or authorizing
8 the person's detention in an appropriate facility. The
9 magistrate may also give oral instructions and order that the
10 detained person be transported to an appropriate facility.

11 ~~b. d.~~ If the magistrate orders that the person be detained,
12 the magistrate shall, by the close of business on the next
13 working day, file a written order with the clerk in the county
14 where it is anticipated that an application may be filed
15 under section 125.75. The order may be filed by facsimile
16 if necessary. The order shall state the circumstances under
17 which the person was taken into custody or otherwise brought
18 to a facility and the grounds supporting the finding of
19 probable cause to believe that the person is a person with
20 a substance-related disorder likely to result in physical
21 injury to the person or others if not detained. The order
22 shall confirm the oral order authorizing the person's detention
23 including any order given to transport the person to an
24 appropriate facility. The clerk shall provide a copy of that
25 order to the attending physician and surgeon or osteopathic
26 physician and surgeon at the facility to which the person was
27 originally taken, any subsequent facility to which the person
28 was transported, and to any law enforcement department or
29 ambulance service that transported the person pursuant to the
30 magistrate's order.

31 Sec. _____. Section 229.1, Code 2022, is amended by adding the
32 following new subsection:

33 **NEW SUBSECTION.** 8A. "Magistrate" means the same as defined
34 in section 801.4, subsection 10.

35 Sec. _____. Section 229.22, subsection 2, paragraph a,

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1 subparagraphs (4) and (5), Code 2022, are amended to read as
2 follows:

3 (4) (a) If the examining physician, examining physician
4 assistant, examining mental health professional, or examining
5 psychiatric advanced registered nurse practitioner finds
6 that there is reason to believe that the person is seriously
7 mentally impaired, and because of that impairment is likely
8 to physically injure the person's self or others if not
9 immediately detained, the facility shall have the authority
10 to detain the person for a period of no longer than twelve
11 hours. Within twelve hours of detaining a person pursuant to
12 this section, the examining physician, examining physician
13 assistant, examining mental health professional, or examining
14 psychiatric advanced registered nurse practitioner shall ~~at~~
15 ~~once~~ communicate with the nearest available magistrate ~~as~~
16 ~~defined in section 801.4, subsection 10.~~
17 ~~(5) (b) The Once contacted pursuant to subparagraph~~
18 division (a), the magistrate shall, based upon the

19 circumstances described by the examining physician, examining
20 physician assistant, examining mental health professional, or
21 examining psychiatric advanced registered nurse practitioner,
22 give the examining physician, examining physician assistant,
23 examining mental health professional, or examining psychiatric
24 advanced registered nurse practitioner oral instructions either
25 directing that the person be released forthwith or authorizing
26 the person's detention in an appropriate facility. A peace
27 officer from the law enforcement agency that took the person
28 into custody, if available, during the communication with the
29 magistrate, may inform the magistrate that an arrest warrant
30 has been issued for or charges are pending against the person
31 and request that any oral or written order issued under this
32 subsection require the facility or hospital to notify the law
33 enforcement agency about the discharge of the person prior to
34 discharge. The magistrate may also give oral instructions and
35 order that the detained person be transported to an appropriate

Page 5

1 facility.

2 Sec. ___. Section 331.910, subsection 3, paragraph a, Code
3 2022, is amended to read as follows:

4 a. A region may contract with a receiving agency in a
5 bordering state to secure substance abuse or mental health care
6 and treatment under this subsection for persons who receive
7 substance abuse or mental health care and treatment pursuant to
8 section 125.33 ~~or 125.91, 229.2, or 229.22~~ through a region.

9 Sec. ___. Section 331.910, subsection 4, paragraphs a and b,
10 Code 2022, are amended to read as follows:

11 a. A person who is detained, committed, or placed on an
12 involuntary basis under section 125.75 ~~or 125.91, 229.6, or~~
13 229.22 may be civilly committed and treated in another state
14 pursuant to a contract under this subsection.

15 b. A person who is detained, committed, or placed on an
16 involuntary basis under the civil commitment laws of a
17 bordering state substantially similar to section 125.75 ~~or 125.91,~~
18 229.6, or 229.22 may be civilly committed and treated
19 in this state pursuant to a contract under this subsection.>

20 7. Title page, lines 1 and 2, by striking <the
21 confidentiality of certain law enforcement information
22 involving a person> and inserting <persons>

23 8. By renumbering as necessary.

DAN DAWSON

S-5047

1 Amend Senate File 2290 as follows:
2 1. Page 2, line 2, by striking <all> and inserting <any>
3 2. Page 3, line 6, after <new> by inserting <dairy
4 processing>

5 3. Page 3, after line 16 by inserting:
6 <8. The authority may use not more than five percent of
7 the moneys in the fund at the beginning of each fiscal year
8 for purposes of administrative costs, marketing, technical
9 assistance, and other program support.>
10 4. Page 3, line 17, by striking <8.> and inserting <9.>
11 5. By striking page 3, line 20, through page 4, line 26, and
12 inserting:
13 <Sec. ___. ARTISANAL DAIRY PROCESSING PROGRAM REPORT.
14 1. The department of agriculture and land stewardship
15 shall study the feasibility of establishing an artisanal dairy
16 processing program at a community college or at an institution
17 governed by the state board of regents. The department
18 shall consider staffing and equipment requirements, potential
19 enrollment numbers, overall employment outlook for graduates,
20 apprenticeship and internship opportunities, program costs,
21 curriculum, and regulatory and legal requirements.
22 2. The department shall submit a report by December 31,
23 2022, to the general assembly that includes findings and
24 recommendations of the department based on the study.>
25 6. Title page, by striking line 5 and inserting
26 <stewardship, and requiring the department to study the>
27 7. By renumbering as necessary.

TOM SHIPLEY

S-5048

1 Amend Senate File 2328 as follows:
2 1. By striking page 1, line 1, through page 6, line 4, and
3 inserting:
4 <DIVISION I
5 NO-CONTACT ORDERS
6 Section 1. Section 664A.8, Code 2022, is amended to read as
7 follows:
8 **664A.8 Extension of no-contact order.**
9 Upon the filing of an application by the state or by the
10 victim of any public offense referred to in section 664A.2,
11 subsection 1 which is filed within ninety days prior to the
12 expiration of a modified no contact order, the The court shall
13 modify and extend the no-contact order upon the expiration of
14 the no-contact order for an additional period of five years,
15 unless, upon the filing of an application by the defendant
16 within ninety days prior to the expiration of a modified
17 no-contact order, the court finds that the defendant no longer
18 poses a threat to the safety of the victim, persons residing
19 with the victim, or members of the victim's family. The number
20 of modifications extending the no-contact order permitted by
21 this section is not limited.>
22 2. Page 9, line 20, by striking <**and misdemeanors**>
23 3. Page 11, by striking lines 22 through 34.
24 4. Page 14, by striking lines 24 through 26 and inserting:

25 <(1) The recorded statement describes conduct that
26 constitutes a public offense committed against or involving a
27 child, or describes circumstances relevant to such conduct.>
28 5. By striking page 15, line 25, through page 16, line 9,
29 and inserting:
30 <Sec. ___. **NEW SECTION. 915.44A Limitation of evidence in**
31 **sexual abuse cases.**
32 A defendant charged with a criminal offense under chapter
33 709 who has filed an application for postconviction relief
34 upon conviction for a criminal offense under chapter 709 shall
35 be precluded from questioning any victim or any other person

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1 regarding evidence which is inadmissible under rule of evidence
2 5.412 or any other successor provision. Prohibited evidence
3 includes all of the following:
4 1. Reputation or opinion evidence of a victim offered to
5 prove that a victim engaged in other sexual behavior.
6 2. Evidence of a victim's other sexual behavior other than
7 reputation or opinion evidence.
8 3. Evidence of a victim's sexual predisposition.
9 Sec. ___. COMMISSION ON CONTINUING LEGAL EDUCATION —
10 CONTINUING LEGAL EDUCATION REQUIREMENTS. The supreme court
11 shall amend Iowa court rule 42.2 to require all attorneys
12 licensed in this state to complete a minimum of one hour,
13 annually, of continuing legal education that focuses on crime
14 victims and how to improve a crime victim's experience within
15 the criminal justice system.>
16 6. By striking page 16, line 34, through page 17, line 3,
17 and inserting:
18 <4. This section shall not apply to a subpoena issued solely
19 to secure the presence of a witness listed in the minutes of
20 testimony at an authorized deposition or to secure the presence
21 of a witness listed in either the minutes of testimony or in
22 the defendant's witness list submitted for a hearing or trial.>
23 7. Page 17, after line 35 by inserting:
24 <3. A person who is not yet a party to a criminal action
25 shall not be permitted to depose another person until the time
26 the person who is not yet a party to the criminal action is
27 charged with or indicted for the associated criminal offense.>
28 8. Page 19, by striking lines 11 through 13 and inserting:
29 <a. The evidence is necessary to prove the applicant is
30 actually innocent of the underlying public offense and all
31 lesser-included offenses.>
32 9. Page 19, by striking lines 19 through 24 and inserting:
33 <3. The privileges contained in section 622.10 shall be
34 absolute, except that the filing of an application shall waive
35 any privilege an applicant may claim regarding an attorney who

Page 3

1 represented the applicant in the underlying criminal action or
2 any previous postconviction action.>
3 10. Page 20, after line 5 by inserting:
4 <9. Depositions shall only be permitted upon a showing of
5 exceptional circumstances, except that the applicant's criminal
6 trial counsel may be deposed by the respondent upon request or
7 by the applicant pursuant to subsection 1 and a victim may only
8 be deposed pursuant to subsection 2.>
9 11. Page 20, by striking lines 8 through 11 and inserting:
10 <Sec. ___. **NEW SECTION. 602.6204 Reporting requirement.**
11 The state court administrator shall submit to the governor
12 and to the general assembly, not later than December 15 each
13 year, an annual report which shall include, for the violent and
14 sexual criminal offenses listed in section 902.12, all of the
15 following:>
16 12. Page 21, after line 23 by inserting:
17 <DIVISION _____
18 CONDITIONAL GUILTY PLEAS
19 Sec. ___. **NEW SECTION. 814.30 Conditional guilty pleas not**
20 **allowed.**
21 A conditional guilty plea that reserves the right to
22 appellate review of an adverse determination of a specified
23 pretrial motion shall not be allowed.>
24 13. Title page, by striking lines 1 through 3 and inserting
25 <An Act relating to criminal law including no-contact orders,
26 penalties for domestic abuse>
27 14. Title page, by striking lines 7 and 8 and inserting
28 <actions, postconviction relief procedure, certain reporting
29 requirements, conditional guilty pleas, and making penalties
30 applicable.>
31 15. By renumbering, redesignating, and correcting internal
32 references as necessary.

JEFF REICHMAN

S-5049

1 Amend Senate File 2309 as follows:
2 1. Page 3, after line 20 by inserting:
3 <DANGERS OF LISTERIA AND PREGNANCY
4 Pregnant women run a serious risk of becoming ill from the
5 bacteria listeria, which is often found in raw milk and can
6 cause miscarriage, or illness, stillbirth, or death of the
7 newborn baby. If you are pregnant, drinking raw milk — or
8 eating foods made from raw milk — can harm your baby
9 even if you don't feel sick.>
10 2. Page 3, after line 27 by inserting:
11 <DANGERS OF LISTERIA AND PREGNANCY
12 Pregnant women run a serious risk of becoming ill from the
13 bacteria listeria, which is often found in raw milk and can

14 cause miscarriage, or illness, stillbirth, or death of the
15 newborn baby. If you are pregnant, drinking raw milk — or
16 eating foods made from raw milk — can harm your baby
17 even if you don't feel sick.>

JANET PETERSEN

S-5050

1 Amend the amendment, S-5048, to Senate File 2328, as
2 follows:
3 1. By striking page 2, line 16, through page 3, line 8, and
4 inserting:
5 <___. By striking page 16, line 10, through page 20, line
6 5.>
7 2. Page 3, by striking lines 17 through 23.
8 3. Page 3, by striking lines 27 through 30 and inserting:
9 <___. Title page, by striking lines 6 through 8 and
10 inserting <and work release, crime victim rights, and certain
11 reporting requirements, and making penalties applicable.>>
12 4. By renumbering as necessary.

NATE BOULTON

S-5051

1 Amend House File 2346, as passed by the House, as follows:
2 1. Page 2, after line 5 by inserting:
3 <Sec. ___. EFFECTIVE DATE. This Act takes effect January 1,
4 2023.>
5 2. Title page, lines 2 and 3, by striking <and making
6 penalties applicable.> and inserting <making penalties
7 applicable, and including effective date provisions.>
8 3. By renumbering as necessary.

CRAIG JOHNSON

S-5052

1 Amend Senate File 2328 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 PERMANENT NO-CONTACT ORDERS — MODIFICATION — REINSTATEMENT —
6 CONVERSION — APPELLATE REVIEW
7 Section 1. Section 664A.5, Code 2022, is amended by striking
8 the section and inserting in lieu thereof the following:
9 **664A.5 Modification — entry of permanent no-contact order.**
10 1. If a defendant is convicted of, receives a deferred
11 judgment for, or pleads guilty to a public offense referred to
12 in section 664A.2, subsection 1, or is held in contempt for a
13 violation of a no-contact order issued under section 664A.3

14 or for a violation of a protective order issued pursuant to
15 chapter 232, 235F, 236, 236A, 598, or 915, the court shall
16 enter a permanent no-contact order which shall remain in effect
17 until modified or dissolved under this section.
18 2. A permanent no-contact order entered under this section
19 may be modified or dissolved upon application by the victim to
20 the district court subject to all of the following:
21 a. The application may be filed by the victim, a victim
22 counselor as defined in section 915.20A, the victim's attorney,
23 or the prosecuting attorney.
24 b. The prosecuting attorney shall be notified of the
25 application if filed by the victim.
26 c. The prosecuting attorney shall be given the opportunity
27 to be heard at a hearing prior to the modification or
28 dissolution of the no-contact order.
29 d. If a hearing is held, the court shall do all of the
30 following:
31 (1) The victim may appear electronically, in person,
32 or in writing, or through a victim counselor as defined in
33 section 915.20A, through the victim's attorney, or through the
34 prosecuting attorney.
35 (2) The victim shall not be subject to cross-examination

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1 by the defendant, but may be questioned by the prosecuting
2 attorney under such conditions as the court may impose.
3 (3) The defendant shall not have the right to appear in
4 person, but the defendant may be compelled to appear by the
5 court.
6 3. A permanent no-contact order entered under this section
7 may be modified or dissolved upon application by the defendant
8 to the district court subject to all of the following:
9 a. The application must be verified.
10 b. The application must be served upon the prosecuting
11 attorney for the county in which the defendant principally
12 resides.
13 c. The application must be served upon the prosecuting
14 attorney for any county in which the defendant has been
15 convicted of an offense requiring entry of a no-contact order
16 under this chapter.
17 d. Prior to disposition of an application under this
18 subsection, the prosecuting attorney must notify the victim,
19 if the victim's address is known, and afford the victim the
20 opportunity to be heard.
21 e. Five or more years have passed since the discharge of
22 the sentence for the offense resulting in the issuance of the
23 no-contact order, including any special sentence imposed under
24 chapter 903B.
25 f. The defendant is not incarcerated for any offense at the
26 time the application is filed.
27 g. The defendant has not been convicted of any new

28 indictable offense since the imposition of the permanent
29 no-contact order.
30 4. Upon consideration of an application by the defendant to
31 modify or dissolve a permanent no-contact order, the district
32 court shall conduct an electronic or in-person hearing on the
33 application and do all of the following:
34 a. Consider any evidence offered by the parties, subject to
35 limitations under this section and any additional limitations

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1 the court may impose.
2 b. Provide the victim an opportunity to be heard in any of
3 the following manners:
4 (1) Electronically, in person, or in writing.
5 (2) Personally, through a victim counselor as defined in
6 section 915.20A, through the victim's attorney, or through the
7 prosecuting attorney.
8 c. Prohibit the cross-examination of the victim by the
9 defendant, but allow the prosecuting attorney to question the
10 victim under such conditions as the court may impose.
11 5. The district court shall not modify or dissolve a
12 permanent no-contact order unless the district court makes a
13 written finding that the defendant no longer presents a danger
14 to the victim and that the modification or dissolution is in
15 the interest of justice.
16 Sec. 2. **NEW SECTION. 664A.5A Reinstatement of expired**
17 **no-contact orders.**
18 1. Upon the filing of an application by the victim, a victim
19 counselor as defined in section 915.20A, the victim's attorney,
20 or the prosecuting attorney, the court shall reinstate any
21 permanent no-contact order that expired because it was not
22 extended pursuant to section 664A.8, Code 2022.
23 2. A no-contact order issued prior to July 1, 2022, that
24 is reinstated pursuant to this section shall be governed by
25 section 664A.5.
26 3. An application to reinstate an expired no-contact
27 order shall create a rebuttable presumption that the
28 offender continues to present a danger to the victim and that
29 reinstating an expired no-contact order is in the interest of
30 justice. The application shall not require a statement that
31 the offender committed a recent overt act.
32 4. The court shall only deny an application to reinstate an
33 expired no-contact order if the court makes written findings
34 that the defendant no longer presents a danger to the victim
35 and that denying the request is in the interest of justice.

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1 Sec. 3. **NEW SECTION. 664A.5B Conversion of existing**
2 **no-contact orders.**
3 1. A five-year no-contact order entered prior to July 1,

4 2022, that has not expired as of July 1, 2022, may be converted
5 into a permanent no-contact order as if the order was entered
6 after July 1, 2022, upon application by the victim, a victim
7 counselor as defined in section 915.20A, the victim's attorney,
8 or the prosecuting attorney.

9 2. An application to convert a five-year no-contact order
10 into a permanent no-contact order shall create a rebuttable
11 presumption that the offender continues to present a danger
12 to the victim and that converting the no-contact order is in
13 the interest of justice. The application shall not require a
14 statement that the offender committed a recent overt act.

15 3. The court shall only deny an application to convert a
16 five-year no-contact order into a permanent no-contact order if
17 the court makes written findings that the defendant no longer
18 presents a danger to the victim and that denying the request
19 is in the interest of justice.

20 Sec. 4. **NEW SECTION. 664A.7A Appellate review.**

21 1. The provisions of this chapter are the only means by
22 which a party may seek to modify a no-contact order, including
23 any challenge to the conversion of a five-year no-contact order
24 into a permanent no-contact order.

25 2. Appellate review of court order granting or denying a
26 modification or dissolution of a no-contact order, including
27 proceedings related to conversion of a five-year no-contact
28 order, shall be by writ of certiorari. Such an order is not
29 appealable as a matter of right.

30 Sec. 5. Section 708.2A, subsection 8, Code 2022, is amended
31 to read as follows:

32 8. If a person is convicted for, receives a deferred
33 judgment for, or pleads guilty to a violation of this section,
34 the court shall modify the no-contact order issued upon initial
35 appearance and enter a permanent no-contact order in the manner

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1 provided in section 664A.5, regardless of whether the person
2 is placed on probation.

3 Sec. 6. LEGISLATIVE FINDINGS — REINSTATEMENT OF EXPIRED
4 NO-CONTACT ORDERS. The general assembly finds and declares all
5 of the following:

6 1. The procedure required to extend no-contact orders
7 issued pursuant to chapter 664A prior to July 1, 2022, imposed
8 unreasonable barriers for crime victims to ensure no-contact
9 orders remained in place.

10 2. It is against the public policy of this state to deny a
11 crime victim the protection of a no-contact order because the
12 victim was unaware of the deadline to extend a no-contact order
13 or was unable to navigate the complexities of the court system.

14 3. The law of this state in existence prior to July 1, 2022,
15 does not provide an adequate remedy to safeguard crime victims
16 from offenders who continue to present a danger to the victim
17 after a no-contact order has expired.

18 4. A crime victim previously protected by an expired
19 no-contact order should not have to wait for the offender to
20 commit additional criminal acts to remain protected.

21 5. Reinstating expired no-contact orders pursuant to
22 section 664A.5A, as enacted in this division of this Act,
23 furthers the interest of justice and serves the compelling
24 government interest of protecting crime victims from further
25 harm by offenders whose guilt has already been adjudicated.

26 6. Reinstating expired no-contact orders pursuant to
27 section 664A.5A, as enacted in this division of this Act,
28 does not impose a new punishment on the offender, but instead
29 provides collateral relief and protection for the victim
30 without requiring the victim to bear the cost of a separate
31 court action.

32 Sec. 7. REPEAL. Section 664A.8, Code 2022, is repealed.

DIVISION II

DOMESTIC ABUSE ASSAULT PENALTIES

³⁵ Sec. 8. Section 708.2A, subsection 6, paragraph a, Code.

Page 6

1 2022, is amended by striking the paragraph.

DIVISION III

3 LIMITATION OF CRIMINAL ACTIONS INVOLVING CERTAIN SEXUAL 4 OFFENSES

5 Sec. 9. Section 802.2B, Code 2022, is amended by adding the
6 following new subsections:

7 **NEW SUBSECTION.** 5A. Continuous sexual abuse of a child in
8 violation of section 709.23.

9 **NEW SUBSECTION.** 5B. Kidnapping in the first degree where
10 person kidnapped, and as a consequence of the kidnapping, is
11 intentionally subjected to sexual abuse in violation of section
12 710.2.

13 NEW SUBSECTION. 5C. Burglary in the first degree in
14 violation of section 713.3, subsection 1, paragraph "d".

15 Sec. 10. Section 802.2C, Code 2022, is amended to read as
16 follows:

17 802.2C Kidnapping.

18 An information or indictment for kidnapping in the first,
19 second, or third degree, except as provided in section 802.2B,
20 committed on or with a person who is under the age of eighteen
21 years shall be found within ten years after the person upon
22 whom the offense is committed attains eighteen years of age,
23 or if the person against whom the information or indictment
24 is sought is identified through the use of a DNA profile, an
25 information or indictment shall be found within three years
26 from the date the person is identified by the person's DNA
27 profile, whichever is later.

DIVISION IV

CRIMINAL SENTENCING AND CORRECTIONS

30 Sec. 11. Section 901.4B, subsection 2, Code 2022, is amended
31 to read as follows:

32 2. After hearing any statements presented pursuant to
33 subsection 1, and before imposing sentence, the court shall
34 address any victim of the crime who is physically present at
35 the sentencing and shall allow do all of the following:

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1 a. Ask any victim or representative of the victim whether
2 the victim has been informed by the prosecuting attorney or the
3 prosecuting attorney's designee of the status of the case and
4 of the prosecuting attorney's recommendation for sentencing.

5 b. Allow any victim to be reasonably heard, including but
6 not limited to by presenting a victim impact statement in the
7 manner described in section 915.21.

8 Sec. 12. Section 901.8, Code 2022, is amended to read as
9 follows:

10 **901.8 Consecutive sentences.**

11 1. If a person is sentenced for two or more separate
12 offenses, the sentencing judge may order the second or further
13 sentence to begin at the expiration of the first or succeeding
14 sentence.

15 2. If a person is sentenced for escape under section 719.4
16 or for a crime committed while confined in a detention facility
17 or penal institution, the sentencing judge shall order the
18 sentence to begin at the expiration of any existing sentence.
19 If the person is presently in the custody of the director
20 of the Iowa department of corrections, the sentence shall be
21 served at the facility or institution in which the person
22 is already confined unless the person is transferred by the
23 director.

24 3. If a person is sentenced for two or more separate
25 offenses contained in section 902.12, subsection 1, and one or
26 more of the convictions is for an offense under chapter 709
27 or chapter 710, the sentencing judge shall require that the
28 sentences be served consecutively.

29 4. Except as otherwise provided in section 903A.7, if
30 consecutive sentences are specified in the order of commitment,
31 the several terms shall be construed as one continuous term of
32 imprisonment.

33 Sec. 13. Section 901.11, subsections 2, 3, 4, and 5, Code
34 2022, are amended to read as follows:

35 2. At the time of sentencing, the court shall determine

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1 when a person convicted of child endangerment as described in
2 section 902.12, subsection 23, shall first become eligible
3 for parole or work release within the parameters specified
4 in section 902.12, subsection 23, based upon all pertinent
5 information including the person's criminal record, a validated
6 risk assessment, and whether the offense involved multiple
7 intentional acts or a series of intentional acts, or whether

8 the offense involved torture or cruelty.

9 3. At the time of sentencing, the court shall determine when
10 a person convicted of robbery in the first degree as described
11 in section 902.12, subsection 3 4, shall first become eligible
12 for parole or work release within the parameters specified
13 in section 902.12, subsection 3 4, based upon all pertinent
14 information including the person's criminal record, a validated
15 risk assessment, and the negative impact the offense has had
16 on the victim or other persons.

17 4. At the time of sentencing, the court shall determine when
18 a person convicted of robbery in the second degree as described
19 in section 902.12, subsection 4 5, shall first become eligible
20 for parole or work release within the parameters specified
21 in section 902.12, subsection 4 5, based upon all pertinent
22 information including the person's criminal record, a validated
23 risk assessment, and the negative impact the offense has had
24 on the victim or other persons.

25 5. At the time of sentencing, the court shall determine when
26 a person convicted of arson in the first degree as described
27 in section 902.12, subsection 5 6, shall first become eligible
28 for parole or work release within the parameters specified
29 in section 902.12, subsection 5 6, based upon all pertinent
30 information including the person's criminal record, a validated
31 risk assessment, and the negative impact the offense has had
32 on the victim or other persons.

33 Sec. 14. **NEW SECTION. 902.9A Minimum sentence — certain**
34 **felonies.**

35 The minimum sentence for any person convicted of a felony

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1 contained in section 902.12, and who did not receive a deferred
2 judgment or a deferred or suspended sentence under chapter 907,
3 shall be that prescribed by statute or, if not prescribed by
4 statute, shall be determined as follows:

5 1. A class "B" felon shall be confined for no less than one
6 year.

7 2. A class "C" felon shall be confined for no less than two
8 months.

9 3. A class "D" felon shall be confined for no less than one
10 month.

11 Sec. 15. Section 902.12, Code 2022, is amended to read as
12 follows:

13 **902.12 Minimum sentence for certain felonies — eligibility**
14 **for parole or work release.**

15 1. A person serving a sentence for conviction of any of
16 the following felonies that occur on or after July 1, 2022, if
17 other than a class "A" felony, shall be denied parole or work
18 release unless the person has served at least nine-tenths of
19 the maximum term of the person's sentence:

20 a. Homicide or a related crime in violation of chapter 707.
21 b. Assault in violation of chapter 708.

22 c. Terrorism in violation of chapter 708A.
23 d. Sexual abuse in violation of chapter 709.
24 e. Kidnapping or related offenses in violation of chapter
25 710.
26 f. Human trafficking in violation of chapter 710A, except
27 for a violation of section 710A.2A.
28 g. Robbery, aggravated theft, or extortion in violation of
29 chapter 711.
30 h. Arson in violation of chapter 712.
31 i. Burglary in violation of chapter 713, except for a
32 violation of section 713.7.
33 j. Criminal gang participation or gang recruitment in
34 violation of chapter 723A.
35 k. Obscenity in violation of chapter 728.

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1 4. 2. A person serving a sentence for conviction of any of
2 the following felonies, including a person serving a sentence
3 for conviction of the following felonies that occur prior to
4 July 1, 2003 2022, shall be denied parole or work release
5 unless the person has served at least seven-tenths of the
6 maximum term of the person's sentence:
7 a. Murder in the second degree in violation of section
8 707.3.
9 b. Attempted murder in violation of section 707.11, except
10 as provided in section 707.11, subsection 5.
11 c. Sexual abuse in the second degree in violation of section
12 709.3.
13 d. Kidnapping in the second degree in violation of section
14 710.3.
15 e. Robbery in the second degree in violation of section
16 711.3, except as determined in subsection 4 5.
17 f. Vehicular homicide in violation of section 707.6A,
18 subsection 1 or 2, if the person was also convicted under
19 section 321.261, subsection 4, based on the same facts or
20 event that resulted in the conviction under section 707.6A,
21 subsection 1 or 2.
22 2. 3. A person serving a sentence for a conviction of
23 child endangerment as defined in section 726.6, subsection
24 1, paragraph "b", that is described and punishable under
25 section 726.6, subsection 5, shall be denied parole or work
26 release until the person has served between three-tenths and
27 seven-tenths of the maximum term of the person's sentence as
28 determined under section 901.11, subsection 2.
29 3. 4. A person serving a sentence for a conviction for
30 robbery in the first degree in violation of section 711.2 for
31 a conviction that occurs on or after July 1, 2018 prior to
32 July 1, 2022, shall be denied parole or work release until
33 the person has served between one-half and seven-tenths of
34 the maximum term of the person's sentence as determined under
35 section 901.11, subsection 3.

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1 4. 5. A person serving a sentence for a conviction for
2 robbery in the second degree in violation of section 711.3
3 for a conviction that occurs ~~on or after July 1, 2016 prior~~
4 to July 1, 2022, shall be denied parole or work release until
5 the person has served between one-half and seven-tenths of
6 the maximum term of the person's sentence as determined under
7 section 901.11, subsection 4.

8 5. 6. A person serving a sentence for a conviction for
9 arson in the first degree in violation of section 712.2 that
10 occurs ~~on or after July 1, 2019 prior to July 1, 2022~~, shall
11 be denied parole or work release until the person has served
12 between one-half and seven-tenths of the maximum term of
13 the person's sentence as determined under section 901.11,
14 subsection 5.

15 Sec. 16. Section 903A.2, subsection 1, paragraph c, Code
16 2022, is amended to read as follows:

17 c. Category "C" sentences are those sentences for attempted
18 murder described in section 707.11, subsection 5, and sentences
19 for the offenses described in section 902.12, subsection 1.

20 Notwithstanding ~~paragraphs~~ paragraph "a" or "b", an inmate
21 serving a category "C" sentence is ineligible for a reduction
22 of sentence under this section.

DIVISION V

PAROLE AND WORK RELEASE

25 Sec. 17. Section 906.4, subsection 1, Code 2022, is amended
26 to read as follows:

27 1. A parole or work release shall be ordered only for
28 the best interest of society, any victim of the person, and
29 the ~~offender~~ person, not as an award of clemency. The board
30 shall release on parole or work release any person whom it
31 has the power to so release, only when in its opinion there
32 is reasonable a significant probability that the person can
33 be released without detriment to the community, any victim
34 of the person, or to the person. A person's release is not
35 a detriment to the community, any victim of the person.

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1 or the person if the person is able and willing to fulfill
2 the obligations of a law-abiding citizen, in the board's
3 determination.

4 Sec. 18. Section 906.5, subsection 1, paragraph a, Code
5 2022, is amended to read as follows:

6 a. The board shall establish and implement a plan by which
7 the board systematically reviews the status of each person who
8 has been committed to the custody of the director of the Iowa
9 department of corrections and considers the person's prospects
10 for parole or work release. The board shall, at least annually
11 shall but no more frequently than every six months, review
12 the status of a person other than a class "A" felon, a class

13 "B" felon serving a sentence of more than twenty-five years,
14 ~~or~~ a felon serving an offense punishable under section 902.9,
15 subsection 1, paragraph "a", or a felon serving a mandatory
16 minimum sentence other than a class "A" felon, and provide
17 the person with notice of the board's parole or work release
18 decision.

19 Sec. 19. Section 906.5, subsection 1, Code 2022, is amended
20 by adding the following new paragraph:

21 NEW PARAGRAPH. c. The board shall require that all parole
22 hearings be recorded and maintained as public records under
23 chapter 22 for a minimum of three years from the date of the
24 hearing or the most recent release of an inmate on parole.

25 Sec. 20. Section 906.5, subsection 2, Code 2022, is amended
26 to read as follows:

27 2. It is the intent of the general assembly that the board
28 shall implement a plan of early release ~~in an effort to assist~~
~~in controlling the prison population and assuring prison~~
30 ~~space for the confinement of offenders whose release would be~~
31 ~~detrimental to the citizens of this state to ensure that parole~~
32 ~~or work release is only ordered when in the best interest of~~
33 ~~society, any victim of the person, and the person.~~ The board
34 shall report to the legislative services agency on a monthly
35 basis concerning the implementation of this plan and the number

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1 of inmates paroled pursuant to this plan and the average length
2 of stay of those paroled.

DIVISION VI

CRIME VICTIMS — RIGHTS

5 Sec. 21. Section 915.11, subsection 1, Code 2022, is amended
6 to read as follows:

7 1. a. A local police department or county sheriff's
8 department shall advise a victim of the right to
9 register with the county attorney, and shall provide a
10 request-for-registration form to each victim. A local police
11 department or county sheriff's department shall provide a
12 telephone number and internet site to each victim to register
13 with the automated victim notification system established
14 pursuant to section 915.10A.

15 b. A local police department or county sheriff's department
16 shall provide a victim with a pamphlet explaining the victim's
17 rights as a victim of a public offense or delinquent act.

18 Sec. 22. Section 915.20, Code 2022, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 1A. A local police department or county
21 sheriff's department shall provide to the crime victim
22 assistance division of the department of justice with the
23 contact information for a victim of a public offense or
24 delinquent act. A victim counselor shall contact a victim to
25 determine whether the victim is in need of further assistance
26 from the victim counselor or whether the victim has any

27 questions regarding the person's rights as a victim.

28 Sec. 23. Section 915.38, Code 2022, is amended by adding the
29 following new subsection:

30 **NEW SUBSECTION.** 3A. *a.* It is the public policy of the
31 state that statements made by children to forensic interviewers
32 at child advocacy centers and child protection centers are
33 presumptively reliable and should be admitted into evidence in
34 the courts.

35 *b.* Notwithstanding any other provision of law, the court

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1 shall upon motion of a party admit a recorded statement of a
2 child as defined in section 702.5, if all of the following
3 apply:

4 (1) The recorded statement describes conduct that violates
5 chapter 709 or describes circumstances relevant to such
6 conduct.

7 (2) The recorded statement was obtained by a forensic
8 interviewer employed by an accredited child advocacy center or
9 child protection center.

10 (3) The interview was conducted substantially in accordance
11 with a nationally recognized protocol for interviewing
12 children.

13 (4) The recorded statement is offered in a criminal
14 proceeding, the opposing party was given at least ten days'
15 notice prior to the trial commencing of the intention to admit
16 the recorded statement, and any of the following apply:

17 (a) The child testifies at trial.

18 (b) The child has been questioned by the defendant or the
19 defendant's attorney at a deposition or at any substantially
20 similar setting.

21 (c) The child is unavailable as a witness as provided in
22 rule of evidence 5.804(a).

23 (d) The court finds by a preponderance of the evidence that
24 the child would suffer significant emotional or psychological
25 trauma from testifying in the personal presence of the
26 defendant at the time of the criminal proceeding.

27 c. A court may deny the admission of a recorded statement
28 under this section only if the party opposing the admission
29 proves by clear and convincing evidence that the recorded
30 statement is unreliable.

31 d. Portions of a recorded interview admitted pursuant to
32 this section may be redacted under the following circumstances:

33 (1) By agreement of the parties.

34 (2) By order of the court, if the court finds by a
35 preponderance of the evidence that redaction is necessary to

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1 either:

2 (a) Minimize embarrassment or trauma to the child.

3 (b) Effectuate a provision of the rules of evidence other
4 than the rules against hearsay.

5 Sec. 24. NEW SECTION. 915.44A Limitation of evidence in
6 sexual abuse cases.

7 A defendant charged with a criminal offense for sexual
8 abuse under chapter 709 or who has filed an application for
9 postconviction relief upon conviction for a sexual offense
10 under chapter 709 shall be precluded from questioning any
11 victim regarding evidence which is inadmissible under rule
12 of evidence 5.412. Prohibited evidence includes all of the
13 following:

- 14 1. Reputation or opinion evidence of a victim offered to
15 prove that a victim engaged in other sexual behavior.
16 2. Evidence of a victim's other sexual behavior other than
17 reputation or opinion evidence.

18 Sec. 25. COMMISSION ON CONTINUING LEGAL EDUCATION —
19 CONTINUING LEGAL EDUCATION REQUIREMENTS. The commission on
20 continuing legal education shall amend Iowa court rule 42.2 to
21 require all attorneys licensed in this state complete a minimum
22 of one hour, annually, of continuing legal education that
23 focuses on crime victims and how to improve a crime victim's
24 experience within the criminal justice system.

DIVISION VII

26 REQUIRED REPORTS TO THE GENERAL ASSEMBLY

27 Sec. 26. NEW SECTION. 602.6204 Reporting requirement

28 Each district judge shall submit to the governor and to the
29 general assembly, not later than December 15 each year, an
30 annual report which shall include all of the following:

- 31 1. The number of deferred judgments, deferred sentences
32 and suspended sentences the court entered, including the
33 criminal offenses involved, during the previous year.
 - 34 2. The number of defendants who received deferred
35 judgments, deferred sentences, and suspended sentences du

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- 1 the previous year.

2 3. The number of cases where the court pronounced judgment
3 and imposed sentence after a defendant failed to comply with
4 the conditions set by the court for a deferred judgment or
5 deferred sentence.

6 4. The number of cases where the court revoked a suspended
7 sentence after a defendant failed to comply with conditions set
8 by the court.

9 5. The types of violations by a defendant of the conditions
10 imposed by the court that resulted in the court pronouncing
11 judgment and imposing sentence or revoking a suspended sentence
12 of a defendant. The report shall include information on
13 whether the violations were technical violations, due to the
14 commission of a new crime, or due to any other reason.

15 Sec. 27. **NEW SECTION. 904.103A Recidivism — annual report.**

16 1. The department, in cooperation with the board of parole,

17 shall submit to the governor and to the general assembly, not
18 later than December 15 each year, an annual report detailing
19 the recidivism rate in the state specifically for the violent
20 and sexual criminal offenses contained in section 902.12.

21 2. The report shall include, at a minimum, all of the
22 following:

23 a. The rate of recidivism, including the percentage and
24 number of offenders who committed another crime within three
25 years of being released from the custody of the department.

b. The percentage and number of offenders paroled or placed on probation who violate the conditions of the offender's release and are reincarcerated including information regarding offenders who were returned for technical violations, and those who were returned for the commission of a new crime.

31 c. Whether there were victims involved in the crimes
32 committed while an offender was paroled or on probation,
33 and whether any of the victims were previous victims of the
34 offender.

35 d. The types of offenses that caused the offender to be

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1 returned to the custody of the department.

2 e. The type of release that preceded the offender's return
3 to the custody of the department.

4 f. The number of hearings the board of parole held before
5 the release of an offender who subsequently violated the
6 conditions of release and who was subsequently returned to the
7 custody of the department.>

8 2. Title page, by striking lines 1 and 2 and inserting <An
9 Act relating to criminal law including>

10 3. Title page, by striking lines 6 through 8 and inserting
11 < and work release, crime victim rights, and certain reporting
12 requirements, and making penalties applicable.>

13 4. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-5053

1 Amend Senate File 2344 as follows:

2 1. Page 2, line 5, by striking <commission by rule,> and
3 inserting <commission,>

DAWN DRISCOLL

S-5054

1 Amend the amendment, S-5048, to Senate File 2328, as
2 follows:

3 1. Page 3, after line 23 by inserting:

<DIVISION

5 COURT PROCEDURE IN CIVIL CASES —— STATUTES OF LIMITATIONS FOR
6 CERTAIN CIVIL ACTIONS

7 Sec. ___. Section 602.1205, Code 2022, is amended by adding
8 the following new subsection:
9 NEW SUBSECTION. 3. *a.* The district court shall try civil
10 cases in the order in which cases are initiated by the filing
11 of a petition, provided that the following cases shall be
12 entitled to a preference:

13 (1) Actions that have been revived pursuant to section
14 614.1, subsection 12, paragraph "b", or section 614.8A,
15 subsection 2.

16 (2) An action in which the interests of justice, as
17 determined by the supreme court, will be served by early trial.
18 *b.* The court shall adopt rules to implement this subsection.
19 *c.* Unless the court otherwise orders, notice of a motion
20 for preference shall be served with the petition by the party
21 serving the petition, or ten days after such service by any
22 other party.

23 Sec. ___. Section 614.1, subsection 12, Code 2022, is
24 amended to read as follows:

25 12. *a.* (1) Sexual abuse or sexual exploitation by a
counselor, therapist, school employee, or adult providing
training or instruction. ~~As if the victim was eighteen years~~
26 of age or older, an action for damages for injury suffered
27 as a result of sexual abuse, as defined in section 709.1, by
28 a counselor, therapist, school employee, or adult providing
29 training or instruction, as defined in section 709.15, or as a
30 result of sexual exploitation by a counselor, therapist, school
31 employee, or adult providing training or instruction shall
32 be brought within five years of the date the victim was last
33 treated by the counselor or therapist, or within five years
34 of the date the victim was last enrolled in or attended the
35 school.

1 of the date the victim was last enrolled in or attended the
2 school.
3 (2) If the victim was a minor, an action for damages for
4 injury suffered as a result of sexual abuse, as defined in
5 section 709.1, by a counselor, therapist, or school employee,
6 as defined in section 709.15, or as a result of sexual
7 exploitation by a counselor, therapist, or school employee may
8 be brought at any time.

9 b. (1) Notwithstanding paragraph "a", subparagraph (2),
10 every claim or cause of action brought against any party
11 alleging intentional or negligent acts or omissions by a person
12 for physical, psychological, or other injury or condition
13 suffered as a result of conduct which would constitute sexual
14 abuse as defined in section 709.1, by a counselor, therapist,
15 or school employee as defined in section 709.15, or as a
16 result of sexual exploitation by a counselor, therapist, or
17 school, which is barred as of the effective date of this Act
18 because the applicable period of limitation has expired or

19 the plaintiff previously failed to file a petition, is hereby
20 revived, and action thereon may be commenced not later than
21 three years after the effective date of this Act.
22 (2) Dismissal of a previous action, ordered before the
23 effective date of this Act, on grounds that such previous
24 action was time-barred, or of failure of a party to file a
25 petition, shall not be grounds for dismissal of a revival
26 action pursuant to this paragraph.

27 Sec. ___. Section 614.8, Code 2022, is amended to read as
28 follows:

29 **614.8 Minors and persons with mental illness.**

30 1. The Except as provided in section 614.1, subsection
31 12, or section 614.8A, the times limited for actions in this
32 chapter, or for complaints or claims in chapter 216, 669, or
33 670, except those brought for penalties and forfeitures, are
34 extended in favor of persons with mental illness, so that they
35 shall have one year from and after the termination of the

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1 disability within which to file a complaint pursuant to chapter
2 216, to make a claim pursuant to chapter 669 or 670, or to
3 otherwise commence an action.

4 2. Except as provided in section 614.1, subsection 9 or
5 12, or section 614.8A, the times limited for actions in this
6 chapter, or for complaints or claims in chapter 216, 659A, 669,
7 or 670, except those brought for penalties and forfeitures, are
8 extended in favor of minors, so that they shall have one year
9 from and after attainment of majority within which to file a
10 complaint pursuant to chapter 216, to make a claim pursuant to
11 chapter 669, or to otherwise commence an action.

12 Sec. ___. Section 614.8A, Code 2022, is amended to read as
13 follows:

14 **614.8A Damages Commencement of action for minor or child**
15 **sexual abuse and other sexual offenses — no time limitation.**

16 An action for damages for injury suffered as a result of
17 sexual abuse which occurred when the injured person was a
18 child, but not discovered until after the injured person is of
19 the age of majority, shall be brought within four years from
20 the time of discovery by the injured party of both the injury
21 and the causal relationship between the injury and the sexual
22 abuse.

23 1. Notwithstanding the times limited for actions in this
24 chapter, an action relating to injuries suffered as a result of
25 sexual abuse as defined in section 802.2, and injuries suffered
26 as a result of other sexual offenses including lascivious acts
27 with a child in violation of section 709.8, assault with intent
28 to commit sexual abuse in violation of section 709.11, indecent
29 contact with a child in violation of section 709.12, lascivious
30 conduct with a minor in violation of section 709.14, sexual
31 misconduct with a juvenile in violation of section 709.16,
32 subsection 2, child endangerment in violation of section 726.6.

33 or sexual exploitation of a minor in violation of section
34 728.12, which occurred when the injured party was a minor may
35 be brought at any time.

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1 2. a. Notwithstanding subsection 1, every claim or cause
2 of action brought against any party alleging intentional
3 or negligent acts or omissions by a person for physical,
4 psychological, or other injury or condition suffered as a
5 result of conduct which would constitute sexual abuse as
6 defined in section 709.1, by a counselor, therapist, or school
7 employee as defined in section 709.15, subsection 1, or as a
8 result of sexual exploitation by a counselor, therapist, or
9 school, which is barred as of the effective date of this Act
10 because the applicable period of limitation has expired or
11 the plaintiff previously failed to file a petition, is hereby
12 revived, and action thereon may be commenced not later than
13 three years after the effective date of this Act.
14 b. Dismissal of a previous action, ordered before the
15 effective date of this Act, on grounds that such previous
16 action was time-barred, or of failure of a party to file a
17 petition, shall not be grounds for dismissal of a revival
18 action pursuant to this section.>
19 2. Page 3, line 29, after <conditional guilty pleas,>
20 by inserting <court procedure in civil cases, statutes of
21 limitations in civil actions,>

JANET PETERSEN

S-5055

1 Amend Senate File 2080 as follows:
2 1. Page 1, line 13, after <district> by inserting <and
3 accredited nonpublic school>
4 2. Page 1, line 22, after <district> by inserting <or an
5 accredited nonpublic school>
6 3. Title page, line 3, after <districts,> by inserting
7 <accredited nonpublic schools,>

SARAH TRONE GARRIOTT

S-5056

1 Amend Senate File 2333 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 CONTROLLABLE ELECTRONIC RECORDS
6 Section 1. NEW SECTION. 554.14101 Short title.
7 This Article may be cited as the Uniform Commercial Code —
8 Controllable Electronic Records.

9 Sec. 2. **NEW SECTION. 554.14102 Definitions.**

10 1. Article 14 definitions. In this Article:

11 a. "*Controllable electronic record*" means a record stored
12 in an electronic medium that can be subjected to control
13 under section 554.14105. The term does not include a deposit
14 account, electronic chattel paper, electronic copy of a
15 record evidencing chattel paper, electronic document of title,
16 electronic money, investment property, or a transferable
17 record.

18 b. "*Qualifying purchaser*" means a purchaser of a
19 controllable electronic record or an interest in the
20 controllable electronic record that obtains control of the
21 controllable electronic record for value, in good faith,
22 and without notice of a claim of a property right in the
23 controllable electronic record.

24 c. "*Transferable record*" means:

25 (1) "*Transferable record*", as defined in the federal
26 Electronic Signatures in Global and National Commerce Act, 15
27 U.S.C. §7021(a)(1), as amended.

28 (2) "*Transferable record*" as defined in the uniform
29 electronic transactions Act, section 554D.118, subsection 1.

30 d. "*Value*" has the meaning provided in section 554.3303,
31 subsection 1.

32 2. Definitions in Article 9. The definitions in Article
33 9 of "*account debtor*", "*authenticate*", "*controllable account*",
34 "*controllable payment intangible*", "*chattel paper*", "*deposit*
35 *account*", "*electronic chattel paper*", "*electronic money*", and

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1 "*investment property*" apply to this Article.

2 Sec. 3. **NEW SECTION. 554.14103 Scope.**

3 1. *Article 9 governs in case of conflict.* If there is
4 conflict between this Article and Article 9, Article 9 governs.
5 2. *Applicable consumer law and other laws.* A transaction
6 subject to this Article is subject to:

7 a. any applicable rule of law that establishes a different
8 rule for consumers, including as provided in chapter 537 and
9 any other consumer protection statute or regulation of this
10 state; and

11 b. any other statute or regulation of this state that
12 regulates the rates, charges, agreements, and practices for
13 loans, credit sales, or other extensions of credit or credit
14 transactions, including as provided in chapter 535.

15 Sec. 4. **NEW SECTION. 554.14104 Rights in controllable**
account, controllable electronic record, and controllable payment
intangible.

16 1. *Applicability of section to controllable account and*
17 *controllable payment intangible.* This section applies to the
18 acquisition and purchase of rights in a controllable account
19 or controllable payment intangible, including the rights of
20 a purchaser and a qualifying purchaser and under subsections

23 3, 4, and 6, and in the same manner this section applies to a
24 controllable electronic record.

25 2. *Applicability of other law to acquisition of
26 rights.* Except as provided in this section, law other than
27 this Article determines whether a person acquires a right in
28 a controllable electronic record and the right the person
29 acquires.

30 3. *Shelter principle and purchase of limited interest.* A
31 purchaser of a controllable electronic record acquires
32 all rights in the controllable electronic record that the
33 transferor had or had power to transfer, except that a
34 purchaser of a limited interest in a controllable electronic
35 record acquires rights only to the extent of the interest

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1 purchased.

2 4. *Rights of qualifying purchaser.* A qualifying purchaser
3 acquires its rights in the controllable electronic record free
4 of a claim of a property right in the controllable electronic
5 record.

6 5. *Limitation of rights of qualifying purchaser in other
7 property.* Except as provided in subsections 1 and 4 for
8 controllable accounts and controllable payment intangibles or
9 law other than this Article, a qualifying purchaser takes a
10 right to payment, right to performance, or interest in property
11 evidenced by the controllable electronic record subject to a
12 claim of a property right in the right to payment, right to
13 performance, or other interest in property.

14 6. *No-action protection for qualifying purchaser.* An action
15 shall not be asserted against a qualifying purchaser based on
16 both a purchase by the qualifying purchaser of a controllable
17 electronic record and a claim of a property right in another
18 controllable electronic record, whether framed in conversion,
19 replevin, constructive trust, equitable lien, or other theory.

20 7. *Filing notice.* Filing of a financing statement under
21 Article 9 is not notice of a claim of a property right in a
22 controllable electronic record.

23 Sec. 5. **NEW SECTION. 554.14105 Control of controllable
24 electronic record.**

25 1. *General rule — control of controllable electronic
26 record.* A person has control of a controllable electronic
27 record if:

28 a. the electronic record, a record attached to or logically
29 associated with the electronic record, or a system in which the
30 electronic record is recorded gives the person:

31 (1) the power to avail itself of substantially all the
32 benefit from the electronic record; and

33 (2) exclusive power, subject to subsection 2, to:

34 (a) prevent others from availing themselves of

35 substantially all the benefit from the electronic record; and

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1 (b) transfer control of the electronic record to another
2 person or cause another person to obtain control of another
3 controllable electronic record as a result of the transfer of
4 the electronic record; and
5 b. the electronic record, a record attached to or logically
6 associated with the electronic record, or a system in which
7 the electronic record is recorded enables the person readily
8 to identify itself in any way, including by name, identifying
9 number, cryptographic key, office, or account number, as having
10 the powers specified in paragraph "a".

11 2. *Control through another person.* A person has control of
12 a controllable electronic record if another person, other than
13 the transferor of an interest in the electronic record:
14 a. has control of the electronic record and acknowledges
15 that it has control on behalf of the person, or
16 b. obtains control of the electronic record after having
17 acknowledged that it will obtain control of the electronic
18 record on behalf of the person.

19 3. *Meaning of exclusive.* A power specified in subsection 1,
20 paragraph "a", subparagraph (2), is exclusive, even if:
21 a. the controllable electronic record or a system in
22 which the electronic record is recorded limits the use of
23 the electronic record or has a protocol programmed to cause
24 a change, including a transfer or loss of control or a
25 modification of benefits afforded by the electronic record; or
26 b. the person has agreed to share the power with another
27 person.

28 Sec. 6. **NEW SECTION. 554.14106 Discharge of account debtor
on controllable account or controllable payment intangible.**

30 1. *Discharge of account debtor.* An account debtor on a
31 controllable account or controllable payment intangible may
32 discharge its obligation by paying:

33 a. the person having control of the controllable electronic
34 record that evidences the controllable account or controllable
35 payment intangible; or

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1 b. except as provided in subsection 2, a person that
2 formerly had control of the controllable electronic record.

3 2. *Effect of notification.* Subject to subsection 4, an
4 account debtor shall not discharge its obligation by paying a
5 person that formerly had control of the controllable electronic
6 record if the account debtor receives a notification that:

7 a. is authenticated by a person that formerly had control or
8 the person to which control was transferred;
9 b. reasonably identifies the controllable account or
10 controllable payment intangible;
11 c. notifies the account debtor that control of the
12 controllable electronic record that evidences the controllable

13 account or controllable payment intangible was transferred;
14 d. identifies the transferee, in any reasonable way,
15 including by name, identifying number, cryptographic key,
16 office, or account number; and
17 e. provides a commercially reasonable method by which the
18 account debtor is to pay the transferee.

19 3. *Discharge following effective notification.* After
20 receipt of a notification that complies with subsection 2, the
21 account debtor may discharge its obligation only by paying in
22 accordance with the notification and shall not discharge the
23 obligation by paying a person that formerly had control.

24 4. *When notification ineffective.* Notification is
25 ineffective under subsection 2:

26 a. unless, before the notification is sent, an account
27 debtor and the person that, at that time, had control of the
28 controllable electronic record that evidences the controllable
29 account or controllable payment intangible agree in an
30 authenticated record to a commercially reasonable method by
31 which a person must furnish reasonable proof that control has
32 been transferred;

33 b. to the extent an agreement between an account debtor and
34 seller of a payment intangible limits the account debtor's duty
35 to pay a person other than the seller and the limitation is

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1 effective under law other than this Article; or
2 c. at the option of an account debtor, if the notification
3 notifies the account debtor to:
4 (1) divide a payment;
5 (2) make less than the full amount of any installment or
6 other periodic payment; or
7 (3) pay any part of a payment by more than one method or to
8 more than one person.

9 5. *Proof of transfer of control.* If requested by the
10 account debtor, the person giving the notification seasonably
11 shall furnish reasonable proof, using the agreed method,
12 that control of the controllable electronic record has been
13 transferred. Unless the person complies with the request, the
14 account debtor may discharge its obligation by paying a person
15 that formerly had control, even if the account debtor has
16 received a notification under subsection 2.

17 6. *What constitutes reasonable proof.* A person furnishes
18 reasonable proof that control has been transferred if the
19 person demonstrates, using the agreed method, that the
20 transferee has the power to:

21 a. avail itself of substantially all the benefit from the
22 controllable electronic record;
23 b. prevent others from availing themselves of substantially
24 all the benefit from the controllable electronic record; and
25 c. transfer the powers mentioned in paragraphs "a" and "b"
26 to another person.

27 *7. Rights not waivable.* An account debtor shall not waive
28 or vary its rights under subsection 4, paragraph "a", and
29 subsection 5 or its option under subsection 4, paragraph "c".

30 Sec. 7. **NEW SECTION. 554.14107 Governing law.**

31 Unless otherwise agreed to by the parties, the laws of this
32 state shall govern any actions taken pursuant to this Article.
33 This Article and the local law of this state shall apply to
34 any transaction involving a controllable account, controllable
35 electronic record, or controllable payment intangible if

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1 under section 554.9306A, the local law of this state governs
2 perfection, the effect of perfection or nonperfection, and the
3 priority of a security interest in such controllable account,
4 controllable electronic record, or controllable payment
5 intangible.

6 Sec. 8. **NEW SECTION. 554.14108 Applicability.**

7 This Article applies to any transaction involving a
8 controllable electronic record that arises on or after the
9 effective date of this Article. This Article does not apply to
10 any transaction involving a controllable electronic record that
11 arises before the effective date of this Article even if the
12 transaction would be subject to this Article if the transaction
13 had arisen on or after the effective date of this Article.
14 This Article does not apply to a right of action with regard to
15 any transaction involving a controllable electronic record that
16 has accrued before the effective date of this Article.

17 Sec. 9. **NEW SECTION. 554.14109 Savings clause.**

18 Any transaction involving a controllable electronic record
19 that arose before the effective date of this Article and
20 the rights, obligations, and interests flowing from that
21 transaction are governed by any statute or other rule amended
22 or repealed by this Article as if such amendment or repeal had
23 not occurred and may be terminated, completed, consummated, or
24 enforced under that statute or other rule.

25 DIVISION II

26 CORRESPONDING CHANGES

27 PART A

28 GENERAL PROVISIONS

29 Sec. 10. Section 554.1201, subsection 2, Code 2022, is
30 amended by adding the following new paragraph:

31 **NEW PARAGRAPH. 0q.** "Electronic" means relating to
32 technology having electrical, digital, magnetic, wireless,
33 optical, electromagnetic, or similar capabilities.

34 Sec. 11. Section 554.1201, subsection 2, paragraph x, Code
35 2022, is amended to read as follows:

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1 x. "Money" means a medium of exchange that:
2 (1) is currently authorized or adopted by a domestic or

3 foreign government, by an intergovernmental organization, or
4 pursuant to an agreement between two or more governments; and
5 (2) was initially issued, created, or distributed by
6 a domestic or foreign government, by an intergovernmental
7 organization, or pursuant to an agreement between two or
8 more governments. The term includes a monetary unit of
9 account established by an intergovernmental organization or by
10 agreement between two or more countries.

11 Sec. 12. Section 554.1204, unnumbered paragraph 1, Code
12 2022, is amended to read as follows:

13 Except as otherwise provided in Articles 3, 4, and 5, and 14,
14 a person gives value for rights if the person acquires them:

PART B

SECURED TRANSACTIONS

17 Sec. 13. Section 554.9102, subsection 1, paragraphs b and
18 bi, Code 2022, are amended to read as follows:
19 b. "Account", except as used in "account for", "on account
20 of", and paragraph "ac", means a right to payment of a monetary
21 obligation, whether or not earned by performance, (i) for
22 property that has been or is to be sold, leased, licensed,
23 assigned, or otherwise disposed of; (ii) for services rendered
24 or to be rendered; (iii) for a policy of insurance issued or to
25 be issued; (iv) for a secondary obligation incurred or to be
26 incurred; (v) for energy provided or to be provided; (vi) for
27 the use or hire of a vessel under a charter or other contract;
28 (vii) arising out of the use of a credit or charge card or
29 information contained on or for use with the card; or (viii)
30 as winnings in a lottery or other game of chance operated or
31 sponsored by a state, governmental unit of a state, or person
32 licensed or authorized to operate the game by a state or
33 governmental unit of a state. The term includes controllable
34 accounts and health care insurance receivables. The term
35 does not include ~~rights to payment evidenced by chattel paper~~

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1 ~~or an instrument, (i) chattel paper, (ii) commercial tort~~
2 claims, (iii) deposit accounts, (iv) investment property, (v)
3 letter-of-credit rights or letters of credit, ~~or (vi)~~ rights
4 to payment for money or funds advanced or sold, other than
5 rights arising out of the use of a credit or charge card or
6 information contained on or for use with the card, ~~or (vii)~~
7 rights to payment evidenced by an instrument.

8 bi. "Payment intangible" means a general intangible
9 under which the account debtor's principal obligation is a
10 monetary obligation. The term includes a controllable payment
11 intangible.

12 Sec. 14. Section 554.9102, subsection 1, Code 2022, is
13 amended by adding the following new paragraphs:
14 NEW PARAGRAPH. oab. "Controllable account" means an account
15 evidenced by a controllable electronic record that provides
16 that the account debtor undertakes to pay the person that under

17 section 554.14105 has control of the controllable electronic
18 record.

19 NEW PARAGRAPH. *00ab.* “*Controllable payment intangible*” means
20 a payment intangible evidenced by a controllable electronic
21 record that provides that the account debtor undertakes to pay
22 the person that under section 554.14105 has control of the
23 controllable electronic record.

24 NEW PARAGRAPH. *00af.* “*Electronic money*” means money that is
25 in an electronic form.

26 NEW PARAGRAPH. *00bc.* “*Money*” has the meaning provided in
27 section 554.1201, subsection 2, paragraph “x”, but does not
28 include a deposit account.

29 NEW PARAGRAPH. *00cb.* “*Tangible money*” means money in a
30 tangible form.

31 Sec. 15. Section 554.9102, subsection 2, Code 2022, is
32 amended by adding the following new paragraphs:

33 NEW PARAGRAPH. *0i.* “Controllable electronic
34 record” Section 554.14102.

35 NEW PARAGRAPH. *00ae.* “Qualifying

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1 “purchaser” Section 554.14102.

2 Sec. 16. NEW SECTION. **554.9105A Control of electronic
3 money.**

4 1. *General rule —— control of electronic money.* A person has
5 control of electronic money if:

6 a. the electronic money or a system in which the electronic
7 money is recorded gives the person:
8 (1) the power to avail itself of substantially all the
9 benefit from the electronic money; and

10 (2) exclusive power, subject to subsection 2, to:
11 (a) prevent others from availing themselves of
12 substantially all the benefit from the electronic money; and
13 (b) transfer control of the electronic money to another
14 person or cause another person to obtain control of other
15 electronic money as a result of the transfer of the electronic
16 money; and

17 b. the electronic money, a record attached to or logically
18 associated with the electronic money, or a system in which
19 the electronic money is recorded enables the person readily
20 to identify itself in any way, including by name, identifying
21 number, cryptographic key, office, or account number, as having
22 the powers under paragraph “a”.

23 2. *Control through another person.* A person has control of
24 electronic money if another person, other than the transferor
25 of an interest in the electronic money:

26 a. has control of the electronic money and acknowledges that
27 it has control on behalf of the person, or

28 b. obtains control of the electronic money after having
29 acknowledged that it will obtain control of the electronic
30 money on behalf of the person.

31 3. *Meaning of exclusive.* A power is exclusive under
32 subsection 1, paragraph "a", subparagraph (2), even if:
33 a. the electronic money or a system in which the electronic
34 money is recorded limits the use of the electronic money or has
35 a protocol programmed to transfer control; or

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1 b. the person has agreed to share the power with another
2 person.
3 Sec. 17. **NEW SECTION. 554.9107A Control of controllable
4 account, controllable electronic record, or controllable payment
5 intangible.**
6 1. *Control under section 554.14105.* A secured party has
7 control of a controllable electronic record as provided in
8 section 554.14105.
9 2. *Control of controllable account and controllable payment
10 intangible.* A secured party has control of a controllable
11 account or controllable payment intangible if the secured
12 party has control of the controllable electronic record that
13 evidences the controllable account or controllable payment
14 intangible.
15 Sec. 18. Section 554.9203, subsection 2, Code 2022, is
16 amended to read as follows:
17 2. *Enforceability.* Except as otherwise provided in
18 subsections 3 through 9 10, a security interest is enforceable
19 against the debtor and third parties with respect to the
20 collateral only if:
21 a. value has been given;
22 b. the debtor has rights in the collateral or the power to
23 transfer rights in the collateral to a secured party; and
24 c. one of the following conditions is met:
25 (1) the debtor has authenticated a security agreement that
26 provides a description of the collateral and, if the security
27 interest covers timber to be cut, a description of the land
28 concerned;
29 (2) the collateral is not a certificated security and is
30 in the possession of the secured party under section 554.9313
31 pursuant to the debtor's security agreement;
32 (3) the collateral is a certificated security in registered
33 form and the security certificate has been delivered to the
34 secured party under section 554.8301 pursuant to the debtor's
35 security agreement; or

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1 (4) the collateral is controllable accounts, controllable
2 electronic records, controllable payment intangibles, deposit
3 accounts, electronic chattel paper, electronic documents,
4 electronic money, investment property, or letter-of-credit
5 rights, or electronic documents, and the secured party has
6 control under section 554.7106, 554.9104, 554.9105, 554.9105A.

7 554.9106, ~~or~~ 554.9107, or 554.9107A pursuant to the debtor's
8 security agreement.

9 Sec. 19. Section 554.9203, Code 2022, is amended by adding
10 the following new subsection:

11 **NEW SUBSECTION.** 10. *Controllable account or controllable
12 payment intangible.* The attachment of a security interest in a
13 controllable electronic record that evidences a controllable
14 account or controllable payment intangible is also attachment
15 of a security interest in the controllable account or
16 controllable payment intangible.

17 Sec. 20. Section 554.9207, subsection 3, Code 2022, is
18 amended to read as follows:

19 3. *Duties and rights when secured party in possession or
20 control.* Except as otherwise provided in subsection 4, a
21 secured party having possession of collateral or control
22 of collateral under section 554.7106, 554.9104, 554.9105,
23 **554.9105A, 554.9106, or 554.9107, or 554.9107A:**

24 a. may hold as additional security any proceeds, except
25 money or funds, received from the collateral;

26 b. shall apply money or funds received from the collateral
27 to reduce the secured obligation, unless remitted to the
28 debtor; and

29 c. may create a security interest in the collateral.

30 Sec. 21. Section 554.9208, subsection 2, paragraphs e and f,
31 Code 2022, are amended to read as follows:

32 e. a secured party having control of a letter-of-credit
33 right under section 554.9107 shall send to each person having
34 an unfulfilled obligation to pay or deliver proceeds of the
35 letter of credit to the secured party an authenticated release

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1 from any further obligation to pay or deliver proceeds of the
2 letter of credit to the secured party; **and**

3 f. a secured party having control of an electronic document
4 shall:

5 (1) give control of the electronic document to the debtor or
6 its designated custodian;

7 (2) if the debtor designates a custodian that is the
8 designated custodian with which the authoritative copy of
9 the electronic document is maintained for the secured party,
10 communicate to the custodian an authenticated record releasing
11 the designated custodian from any further obligation to
12 comply with instructions originated by the secured party
13 and instructing the custodian to comply with instructions
14 originated by the debtor; and

15 (3) take appropriate action to enable the debtor or its
16 designated custodian to make copies of or revisions to the
17 authoritative copy which add or change an identified assignee
18 of the authoritative copy without the consent of the secured
19 party; **and**

20 Sec. 22. Section 554.9208, subsection 2, Code 2022, is

21 amended by adding the following new paragraphs:

22 NEW PARAGRAPH. *g.* a secured party having control under
23 section 554.9105A of electronic money shall transfer control
24 of the electronic money to the debtor or a person designated
25 by the debtor; and
26 NEW PARAGRAPH. *h.* a secured party having control under
27 section 554.14105 of a controllable electronic record shall
28 transfer control of the controllable electronic record to the
29 debtor or a person designated by the debtor.

30 Sec. 23. Section 554.9301, subsection 3, Code 2022, is
31 amended to read as follows:

32 3. Except as otherwise provided in subsection 4, while
33 tangible negotiable documents, goods, instruments, tangible
34 money, or tangible chattel paper is located in a jurisdiction,
35 the local law of that jurisdiction governs:

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1 *a.* perfection of a security interest in the goods by filing
2 a fixture filing;
3 *b.* perfection of a security interest in timber to be cut;
4 and
5 *c.* the effect of perfection or nonperfection and the
6 priority of a nonpossessory security interest in the
7 collateral.

8 Sec. 24. NEW SECTION. 554.9306A Law governing perfection
9 **and priority of security interests in controllable accounts,**
10 **controllable electronic records, and controllable payment**
intangibles.

12 The local law of this state governs perfection, the effect
13 of perfection or nonperfection, and the priority of a security
14 interest in a controllable account, controllable electronic
15 record, or controllable payment intangible granted by a debtor
16 located in this state at the time the security interest becomes
17 enforceable against the debtor with respect to the collateral
18 under section 554.9203.

19 Sec. 25. Section 554.9308, Code 2022, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 8. *Controllable account or payment*
22 *intangible.* Perfection of a security interest in a controllable
23 electronic record that evidences a controllable account or
24 controllable payment intangible also perfects a security
25 interest in the controllable account or controllable payment
26 intangible.

27 Sec. 26. Section 554.9310, subsection 2, paragraph h, Code
28 2022, is amended to read as follows:

29 *h.* in controllable accounts, controllable electronic
30 records, controllable payment intangibles, deposit accounts,
31 electronic chattel paper, electronic documents, investment
32 property, or letter-of-credit rights which is perfected by

33 control under section 554.9314;
34 Sec. 27. Section 554.9312, Code 2022, is amended to read as
35 follows:

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1 **554.9312 Perfection of security interests in controllable**
2 **accounts, controllable electronic records, controllable payment**
3 **intangibles, chattel paper, deposit accounts, documents,**
4 **goods covered by documents, instruments, investment property,**
5 **letter-of-credit rights, and money — perfection by permissive**
6 **filings — temporary perfection without filing or transfer of**
7 **possession.**
8 1. *Perfection by filing permitted.* A security interest
9 in controllable accounts, controllable electronic records,
10 controllable payment intangibles, chattel paper, negotiable
11 documents, instruments, or investment property may be perfected
12 by filing.
13 2. *Control or possession of certain collateral.* Except as
14 otherwise provided in section 554.9315, subsections 3 and 4,
15 for proceeds:
16 a. a security interest in a deposit account may be perfected
17 only by control under section 554.9314;
18 b. and except as otherwise provided in section 554.9308,
19 subsection 4, a security interest in a letter-of-credit right
20 may be perfected only by control under section 554.9314; **and**
21 c. a security interest in tangible money may be perfected
22 only by the secured party's taking possession under section
23 554.9313; **and**
24 d. a security interest in electronic money may be perfected
25 only by control under section 554.9314.
26 3. *Goods covered by negotiable document.* While goods are
27 in the possession of a bailee that has issued a negotiable
28 document covering the goods:
29 a. a security interest in the goods may be perfected by
30 perfecting a security interest in the document; and
31 b. a security interest perfected in the document has
32 priority over any security interest that becomes perfected in
33 the goods by another method during that time.
34 4. *Goods covered by nonnegotiable document.* While goods are
35 in the possession of a bailee that has issued a nonnegotiable

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1 document covering the goods, a security interest in the goods
2 may be perfected by:
3 a. issuance of a document in the name of the secured party;
4 b. the bailee's receipt of notification of the secured
5 party's interest; or
6 c. filing as to the goods.
7 5. *Temporary perfection — new value.* A security
8 interest in certificated securities, negotiable documents,

9 or instruments is perfected without filing or the taking of
10 possession or control for a period of twenty days from the time
11 it attaches to the extent that it arises for new value given
12 under an authenticated security agreement.

13 6. *Temporary perfection — goods or documents made available
to debtor.* A perfected security interest in a negotiable
14 document or goods in possession of a bailee, other than one
15 that has issued a negotiable document for the goods, remains
16 perfected for twenty days without filing if the secured
17 party makes available to the debtor the goods or documents
18 representing the goods for the purpose of:

19 a. ultimate sale or exchange; or
20 b. loading, unloading, storing, shipping, transshipping,
21 manufacturing, processing, or otherwise dealing with them in a
22 manner preliminary to their sale or exchange.

23 7. *Temporary perfection — delivery of security certificate
or instrument to debtor.* A perfected security interest in
24 a certificated security or instrument remains perfected for
25 twenty days without filing if the secured party delivers the
26 security certificate or instrument to the debtor for the
27 purpose of:

28 a. ultimate sale or exchange; or
29 b. presentation, collection, enforcement, renewal, or
30 registration of transfer.

31 8. *Expiration of temporary perfection.* After the twenty-day
32 period specified in subsection 5, 6, or 7 expires, perfection
33 depends upon compliance with this Article.

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1 Sec. 28. Section 554.9313, subsection 1, Code 2022, is
2 amended to read as follows:

3 1. *Perfection by possession or delivery.* Except as otherwise
4 provided in subsection 2, a secured party may perfect a
5 security interest in tangible negotiable documents, goods,
6 instruments, tangible money, or tangible chattel paper by
7 taking possession of the collateral. A secured party may
8 perfect a security interest in certificated securities by
9 taking delivery of the certificated securities under section
10 554.8301.

11 Sec. 29. Section 554.9314, subsections 1 and 2, Code 2022,
12 are amended to read as follows:

13 1. *Perfection by control.* A security interest in investment
14 property, deposit accounts, letter of credit rights, electronic
15 chattel paper, or electronic documents controllable accounts,
16 controllable electronic records, controllable payment
17 intangibles, deposit accounts, electronic chattel paper,
18 electronic documents, electronic money, investment property,
19 or letter-of-credit rights, may be perfected by control of
20 the collateral under section 554.7106, 554.9104, 554.9105,
21 554.9105A, 554.9106, or 554.9107, or 554.9107A.

22 2. *Specified collateral — time of perfection by control —*

23 *continuation of perfection.* A security interest in ~~deposit~~
24 ~~accounts, electronic chattel paper, letter of credit rights,~~
25 ~~or electronic documents~~ controllable accounts, controllable
26 electronic records, controllable payment intangibles, deposit
27 accounts, electronic chattel paper, electronic documents,
28 electronic money, or letter-of-credit rights, is perfected by
29 control under section 554.7106, 554.9104, 554.9105, 554.9105A
30 ~~or 554.9107, or 554.9107A~~ when the secured party obtains
31 control and remains perfected by control only while the secured
32 party retains control.
33 Sec. 30. **NEW SECTION. 554.9326A Priority of security**
34 **interests in controllable account, controllable electronic**
35 **record, and controllable payment intangible.**

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1 A security interest in a controllable account, controllable
2 electronic record, or controllable payment intangible held by a
3 secured party having control of the account, electronic record,
4 or payment intangible has priority over a conflicting security
5 interest held by a secured party that does not have control.
6 Sec. 31. Section 554.9331, Code 2022, is amended to read as
7 follows:
8 **554.9331 Priority of rights of purchasers of instruments,**
9 **controllable accounts, controllable records, controllable payment**
10 **intangibles, documents, instruments, and securities under other**
11 **articles** — priority of interests in financial assets
12 and security entitlements and protections against assertions of
13 **claims under Article Articles 8 and 14.**
14 1. *Rights under Articles 3, 7, and 8, and 14 not*
15 *limited.* This Article does not limit the rights of a holder
16 in due course of a negotiable instrument, a holder to which a
17 negotiable document of title has been duly negotiated, ~~or~~ a
18 protected purchaser of a security, ~~or a qualifying purchaser~~
19 ~~of a controllable account, controllable electronic record, or~~
20 ~~controllable payment intangible.~~ These holders or purchasers
21 take priority over an earlier security interest, even if
22 perfected, to the extent provided in Articles 3, 7, ~~and 8, and~~
23 14.
24 2. *Protection under Article Articles 8 and 14.* This Article
25 does not limit the rights of or impose liability on a person to
26 the extent that the person is protected against the assertion
27 of a claim under Article 8 ~~or 14.~~
28 3. *Filing not notice.* Filing under this Article does not
29 constitute notice of a claim or defense to the holders, ~~or~~
30 purchasers, or persons described in subsections 1 and 2.
31 Sec. 32. Section 554.9332, Code 2022, is amended to read as
32 follows:
33 **554.9332 Transfer of money — transfer of funds from deposit**
34 **account.**
35 1. *Transferee of tangible money.* A transferee of tangible

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1 money takes the money free of a security interest ~~unless the~~
2 ~~transferee acts in the money if the transferee when receiving~~
3 ~~delivery of the money does not act~~ in collusion with the debtor
4 in violating the rights of the secured party.

5 *2. Transferee of electronic money. A transferee of*
6 ~~electronic money takes the money free of a security interest~~
7 ~~in the money if the transferee when obtaining control of the~~
8 ~~money does not act in collusion with the debtor in violating~~
9 ~~the rights of the secured party.~~

10 *2. 3. Transferee of funds from deposit account. A*
11 transferee of funds from a deposit account takes the funds
12 free of a security interest in the deposit account ~~unless the~~
13 ~~transferee acts if the transferee when receiving the funds does~~
14 ~~not act in collusion with the debtor in violating the rights of~~
15 the secured party.

16 Sec. 33. Section 554.9406, subsections 1, 2, and 3, Code
17 2022, are amended to read as follows:

18 *1. Discharge of account debtor — effect of*
19 ~~notification. Subject to subsections 2 through 9 and~~
20 ~~11, an account debtor on an account, chattel paper, or a~~
21 payment intangible may discharge its obligation by paying the
22 assignor until, but not after, the account debtor receives a
23 notification, authenticated by the assignor or the assignee,
24 that the amount due or to become due has been assigned and that
25 payment is to be made to the assignee. After receipt of the
26 notification, the account debtor may discharge its obligation
27 by paying the assignee and may not discharge the obligation by
28 paying the assignor.

29 *2. When notification ineffective. Subject to subsection*
30 ~~subsections 8 and 11, notification is ineffective under~~
31 subsection 1:
32 *a. if it does not reasonably identify the rights assigned;*
33 *b. to the extent that an agreement between an account*
34 *debtor and a seller of a payment intangible limits the account*
35 *debtor's duty to pay a person other than the seller and the*

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1 limitation is effective under law other than this Article; or
2 *c. at the option of an account debtor, if the notification*
3 notifies the account debtor to make less than the full amount
4 of any installment or other periodic payment to the assignee,
5 even if:
6 *(1) only a portion of the account, chattel paper, or payment*
7 *intangible has been assigned to that assignee;*
8 *(2) a portion has been assigned to another assignee; or*
9 *(3) the account debtor knows that the assignment to that*
10 *assignee is limited.*

11 *3. Proof of assignment. Subject to subsections*
12 *8 and 11, if requested by the account debtor, an assignee shall*

13 seasonably furnish reasonable proof that the assignment has
14 been made. Unless the assignee complies, the account debtor
15 may discharge its obligation by paying the assignor, even if
16 the account debtor has received a notification under subsection
17 1.

18 Sec. 34. Section 554.9406, Code 2022, is amended by adding
19 the following new subsection:

20 **NEW SUBSECTION.** 11. *Inapplicability of certain*
21 *subsections.* Subsections 1 through 3 and 7 do not apply to a
22 controllable account or controllable payment intangible.

23 Sec. 35. Section 554.9601, subsection 2, Code 2022, is
24 amended to read as follows:

25 2. *Rights and duties of secured party in possession or*
26 *control.* A secured party in possession of collateral or control
27 of collateral under section 554.7106, 554.9104, 554.9105,
28 ~~554.9105A~~, 554.9106, ~~or 554.9107, or 554.9107A~~ has the rights
29 and duties provided in section 554.9207.

30 Sec. 36. Section 554.9605, Code 2022, is amended to read as
31 follows:

32 **554.9605 Unknown debtor or secondary obligor.**

33 1. *Duties to unknown persons — general rule.* A Except as
34 provided in subsection 2, a secured party does not owe a duty
35 based on its status as secured party:

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1 1. a. to a person that is a debtor or obligor, unless the
2 secured party knows:
3 a. (1) that the person is a debtor or obligor;
4 b. (2) the identity of the person; and
5 c. (3) how to communicate with the person; or
6 2. b. to a secured party or lienholder that has filed a
7 financing statement against a person, unless the secured party
8 knows:
9 a. (1) that the person is a debtor; and
10 b. (2) the identity of the person.

11 2. *When secured party owes duty to debtor notwithstanding*
12 *subsection 1. A secured party owes a duty based on its status*
13 *as a secured party to a person that is a debtor if, at the time*
14 *the secured party obtains control of a controllable account,*
15 *controllable electronic record, or controllable payment*
16 *intangible, the secured party has knowledge that the nature of*
17 *the collateral or a system in which the collateral is recorded*
18 *would prevent the secured party from acquiring the knowledge*
19 *specified in subsection 1, paragraph "a", subparagraph (1),*
20 *(2), or (3).*

21 Sec. 37. Section 554.9628, subsection 2, Code 2022, is
22 amended to read as follows:

23 2. *Limitation of liability based on status as secured*
24 *party.* A Subject to subsection 6, a secured party is not liable
25 because of its status as secured party:

26 a. to a person that is a debtor or obligor, unless the

27 secured party knows:
28 (1) that the person is a debtor or obligor;
29 (2) the identity of the person; and
30 (3) how to communicate with the person; or
31 b. to a secured party or lienholder that has filed a
32 financing statement against a person, unless the secured party
33 knows:
34 (1) that the person is a debtor; and
35 (2) the identity of the person.

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1 Sec. 38. Section 554.9628, Code 2022, is amended by adding
2 the following new subsection:
3 NEW SUBSECTION. 6. When secured party owes duty to debtor
4 *notwithstanding subsection 2.* A secured party owes a duty
5 based on its status as a secured party to a person that is
6 a debtor if, at the time the secured party obtains control
7 of a controllable account, controllable electronic record,
8 or controllable payment intangible, the secured party has
9 knowledge that the nature of the collateral or a system in
10 which the collateral is recorded would prevent the secured
11 party from acquiring the knowledge specified in subsection 2,
12 paragraph "a", subparagraph (1), (2), or (3).>

JEFF TAYLOR

S-5057

1 Amend House File 2154, as passed by the House, as follows:
2 1. Page 1, after line 31 by inserting:
3 <Sec. ___. Section 411.5, subsection 6, paragraph d, Code
4 2022, is amended by striking the paragraph.>
5 2. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5058

1 Amend the amendment, S-5052, to Senate File 2328, as
2 follows:
3 1. By striking page 1, line 1, through page 17, line 13, and
4 inserting:
5 <Amend Senate File 2328 as follows:
6 1. By striking everything after the enacting clause and
7 inserting:
8 <DIVISION I
9 COMMUNICATIONS IN PROFESSIONAL CONFIDENCE — CRIMINAL ACTIONS
10 Section 1. Section 622.10, subsection 4, paragraph a,
11 subparagraph (2), Code 2022, is amended by adding the following
12 new subparagraph division:

13 NEW SUBPARAGRAPH DIVISION. (e) For purposes of this
14 subsection, “*exculpatory information*” means only information
15 that tends to negate the guilt of the defendant, and not
16 information that is merely impeaching or is substantially
17 cumulative in nature.

18 DIVISION II

19 NO-CONTACT ORDERS

20 Sec. 2. Section 664A.8, Code 2022, is amended to read as
21 follows:

22 **664A.8 Extension of no-contact order.**

23 Upon the filing of an application by the state or by the
24 victim of any public offense referred to in section 664A.2,
25 subsection 1 which is filed within ninety days prior to the
26 expiration of a modified no-contact order, the The court shall
27 modify and extend the no-contact order upon the expiration of
28 the no-contact order for an additional period of five years,
29 unless, upon the filing of an application by the defendant
30 within ninety days prior to the expiration of a modified
31 no-contact order, the court finds that the defendant no longer
32 poses a threat to the safety of the victim, persons residing
33 with the victim, or members of the victim’s family. The number
34 of modifications extending the no-contact order permitted by
35 this section is not limited.

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1 DIVISION III

2 DOMESTIC ABUSE ASSAULT PENALTIES

3 Sec. 3. Section 708.2A, subsection 6, paragraph a, Code
4 2022, is amended by striking the paragraph.

5 DIVISION IV

6 LIMITATION OF CRIMINAL ACTIONS INVOLVING CERTAIN SEXUAL
7 OFFENSES

8 Sec. 4. Section 802.2B, Code 2022, is amended by adding the
9 following new subsections:

10 NEW SUBSECTION. 5A. Continuous sexual abuse of a child in
11 violation of section 709.23.

12 NEW SUBSECTION. 5B. Kidnapping in the first degree when the
13 person kidnapped, and as a consequence of the kidnapping, is
14 intentionally subjected to sexual abuse in violation of section
15 710.2.

16 NEW SUBSECTION. 5C. Burglary in the first degree in
17 violation of section 713.3, subsection 1, paragraph “d”.

18 Sec. 5. Section 802.2C, Code 2022, is amended to read as
19 follows:

20 **802.2C Kidnapping.**

21 An information or indictment for kidnapping in the first,
22 second, or third degree, except as provided in section 802.2B,
23 committed on or with a person who is under the age of eighteen
24 years shall be found within ten years after the person upon
25 whom the offense is committed attains eighteen years of age,
26 or if the person against whom the information or indictment

27 is sought is identified through the use of a DNA profile, an
28 information or indictment shall be found within three years
29 from the date the person is identified by the person's DNA
30 profile, whichever is later.

31 DIVISION V

32 CRIMINAL SENTENCING AND CORRECTIONS

33 Sec. 6. Section 901.4B, subsection 2, Code 2022, is amended
34 to read as follows:

35 2. After hearing any statements presented pursuant to

Page 3

1 subsection 1, and before imposing sentence, the court shall
2 address any victim of the crime who is physically present at
3 the sentencing and shall allow do all of the following:
4 a. Ask any victim or representative of the victim whether
5 the victim has been informed by the prosecuting attorney or the
6 prosecuting attorney's designee of the status of the case and
7 of the prosecuting attorney's recommendation for sentencing.
8 b. Allow any victim to be reasonably heard, including but
9 not limited to by presenting a victim impact statement in the
10 manner described in section 915.21.

11 Sec. 7. Section 901.8, Code 2022, is amended to read as
12 follows:

13 **901.8 Consecutive sentences.**

14 1. If a person is sentenced for two or more separate
15 offenses, the sentencing judge may order the second or further
16 sentence to begin at the expiration of the first or succeeding
17 sentence.

18 2. If a person is sentenced for escape under section 719.4
19 or for a crime committed while confined in a detention facility
20 or penal institution, the sentencing judge shall order the
21 sentence to begin at the expiration of any existing sentence.
22 If the person is presently in the custody of the director
23 of the Iowa department of corrections, the sentence shall be
24 served at the facility or institution in which the person
25 is already confined unless the person is transferred by the
26 director.

27 3. If a person is sentenced for two or more separate
28 offenses contained in section 902.12, subsection 1, and one or
29 more of the convictions is for an offense under chapter 709
30 or chapter 710, the sentencing judge shall require that the
31 sentences be served consecutively.

32 4. Except as otherwise provided in section 903A.7, if
33 consecutive sentences are specified in the order of commitment,
34 the several terms shall be construed as one continuous term of
35 imprisonment.

Page 4

1 Sec. 8. Section 901.11, subsections 2, 3, 4, and 5, Code
2 2022, are amended to read as follows:

3 2. At the time of sentencing, the court shall determine
4 when a person convicted of child endangerment as described in
5 section 902.12, subsection ~~2~~ 3, shall first become eligible
6 for parole or work release within the parameters specified
7 in section 902.12, subsection ~~2~~ 3, based upon all pertinent
8 information including the person's criminal record, a validated
9 risk assessment, and whether the offense involved multiple
10 intentional acts or a series of intentional acts, or whether
11 the offense involved torture or cruelty.

12 3. At the time of sentencing, the court shall determine when
13 a person convicted of robbery in the first degree as described
14 in section 902.12, subsection ~~3~~ 4, shall first become eligible
15 for parole or work release within the parameters specified
16 in section 902.12, subsection ~~3~~ 4, based upon all pertinent
17 information including the person's criminal record, a validated
18 risk assessment, and the negative impact the offense has had
19 on the victim or other persons.

20 4. At the time of sentencing, the court shall determine when
21 a person convicted of robbery in the second degree as described
22 in section 902.12, subsection ~~4~~ 5, shall first become eligible
23 for parole or work release within the parameters specified
24 in section 902.12, subsection ~~4~~ 5, based upon all pertinent
25 information including the person's criminal record, a validated
26 risk assessment, and the negative impact the offense has had
27 on the victim or other persons.

28 5. At the time of sentencing, the court shall determine when
29 a person convicted of arson in the first degree as described
30 in section 902.12, subsection ~~5~~ 6, shall first become eligible
31 for parole or work release within the parameters specified
32 in section 902.12, subsection ~~5~~ 6, based upon all pertinent
33 information including the person's criminal record, a validated
34 risk assessment, and the negative impact the offense has had
35 on the victim or other persons.

Page 5

1 Sec. 9. **NEW SECTION. 902.9A Minimum sentence — certain**
2 **felonies.**

3 The minimum sentence for any person convicted of a felony
4 contained in section 902.12, and who did not receive a deferred
5 judgment or a deferred or suspended sentence under chapter 907,
6 shall be that prescribed by statute or, if not prescribed by
7 statute, shall be determined as follows:

8 1. A class "B" felon shall be confined for no less than one
9 year.

10 2. A class "C" felon shall be confined for no less than two
11 months.

12 3. A class "D" felon shall be confined for no less than one
13 month.

14 Sec. 10. Section 902.12, Code 2022, is amended to read as
15 follows:

16 **902.12 Minimum sentence for certain felonies — eligibility**

17 **for parole or work release.**

18 1. A person serving a sentence for conviction of any of
19 the following felonies that occur on or after July 1, 2022, if
20 other than a class "A" felony, shall be denied parole or work
21 release unless the person has served at least nine-tenths of
22 the maximum term of the person's sentence:
23 a. Homicide or a related crime in violation of chapter 707.
24 b. Assault in violation of chapter 708.
25 c. Terrorism in violation of chapter 708A.
26 d. Sexual abuse in violation of chapter 709.
27 e. Kidnapping or related offenses in violation of chapter
28 710.
29 f. Human trafficking in violation of chapter 710A, except
30 for a violation of section 710A.2A.
31 g. Robbery, aggravated theft, or extortion in violation of
32 chapter 711.
33 h. Arson in violation of chapter 712.
34 i. Burglary in violation of chapter 713, except for a
35 violation of section 713.7.

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1 j. Criminal gang participation or gang recruitment in
2 violation of chapter 723A.
3 k. Sexual exploitation of a minor in violation of section
4 728.12.
5 l. 2. A person serving a sentence for conviction of any of
6 the following felonies, including a person serving a sentence
7 for conviction of the following felonies that occur prior to
8 July 1, 2003 2022, shall be denied parole or work release
9 unless the person has served at least seven-tenths of the
10 maximum term of the person's sentence:
11 a. Murder in the second degree in violation of section
12 707.3.
13 b. Attempted murder in violation of section 707.11, except
14 as provided in section 707.11, subsection 5.
15 c. Sexual abuse in the second degree in violation of section
16 709.3.
17 d. Kidnapping in the second degree in violation of section
18 710.3.
19 e. Robbery in the second degree in violation of section
20 711.3, except as determined in subsection 4 5.
21 f. Vehicular homicide in violation of section 707.6A,
22 subsection 1 or 2, if the person was also convicted under
23 section 321.261, subsection 4, based on the same facts or
24 event that resulted in the conviction under section 707.6A,
25 subsection 1 or 2.
26 g. 3. A person serving a sentence for a conviction of
27 child endangerment as defined in section 726.6, subsection
28 1, paragraph "b", that is described and punishable under
29 section 726.6, subsection 5, shall be denied parole or work
30 release until the person has served between three-tenths and

31 seven-tenths of the maximum term of the person's sentence as
32 determined under section 901.11, subsection 2.
33 ~~3. 4.~~ A person serving a sentence for a conviction for
34 robbery in the first degree in violation of section 711.2 for
35 a conviction that occurs ~~on or after July 1, 2018 prior to~~

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1 ~~July 1, 2022~~, shall be denied parole or work release until
2 the person has served between one-half and seven-tenths of
3 the maximum term of the person's sentence as determined under
4 section 901.11, subsection 3.
5 ~~4. 5.~~ A person serving a sentence for a conviction for
6 robbery in the second degree in violation of section 711.3
7 for a conviction that occurs ~~on or after July 1, 2016 prior~~
8 ~~to July 1, 2022~~, shall be denied parole or work release until
9 the person has served between one-half and seven-tenths of
10 the maximum term of the person's sentence as determined under
11 section 901.11, subsection 4.
12 ~~5. 6.~~ A person serving a sentence for a conviction for
13 arson in the first degree in violation of section 712.2 that
14 occurs ~~on or after July 1, 2019 prior to July 1, 2022~~, shall
15 be denied parole or work release until the person has served
16 between one-half and seven-tenths of the maximum term of
17 the person's sentence as determined under section 901.11,
18 subsection 5.
19 Sec. 11. Section 903A.2, subsection 1, paragraph c, Code
20 2022, is amended to read as follows:
21 c. Category "C" sentences are those sentences for attempted
22 murder described in section 707.11, subsection 5, and sentences
23 for the offenses described in section 902.12, subsection 1.
24 Notwithstanding ~~paragraphs~~ paragraph "a" or "b", an inmate
25 serving a category "C" sentence is ineligible for a reduction
26 of sentence under this section.

DIVISION VI

PAROLE AND WORK RELEASE

29 Sec. 12. Section 906.4, subsection 1, Code 2022, is amended
30 to read as follows:
31 1. A parole or work release shall be ordered only for
32 the best interest of society, any victim of the person, and
33 the ~~offender~~ person, not as an award of clemency. The board
34 shall release on parole or work release any person whom it
35 has the power to so release, only when in its opinion there

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1 is ~~reasonable a significant~~ probability that the person can
2 be released without detriment to the community, any victim
3 of the person, or to the person. A person's release is not
4 a detriment to the community, any victim of the person,
5 or the person if the person is able and willing to fulfill
6 the obligations of a law-abiding citizen, in the board's

7 determination.

8 Sec. 13. Section 906.5, subsection 1, paragraph a, Code
9 2022, is amended to read as follows:

10 a. The board shall establish and implement a plan by which
11 the board systematically reviews the status of each person who
12 has been committed to the custody of the director of the Iowa
13 department of corrections and considers the person's prospects
14 for parole or work release. The board shall, at least annually
15 ~~shall but no more frequently than every six months~~, review
16 the status of a person other than a class "A" felon, a class
17 "B" felon serving a sentence of more than twenty-five years,
18 ~~or~~ a felon serving an offense punishable under section 902.9,
19 subsection 1, paragraph "a", or a felon serving a mandatory
20 minimum sentence other than a class "A" felon, and provide
21 the person with notice of the board's parole or work release
22 decision.

23 Sec. 14. Section 906.5, subsection 1, Code 2022, is amended
24 by adding the following new paragraph:

25 NEW PARAGRAPH. c. The board shall require that all parole
26 hearings be recorded and maintained as public records under
27 chapter 22 for a minimum of three years from the date of the
28 hearing or the most recent release of an inmate on parole.

29 Sec. 15. Section 906.5, subsection 2, Code 2022, is amended
30 to read as follows:

31 2. It is the intent of the general assembly that the board
32 shall implement a plan of early release ~~in an effort to assist~~
~~in controlling the prison population and assuring prison~~
33 ~~space for the confinement of offenders whose release would be~~
34 ~~detrimental to the citizens of this state to ensure that parole~~

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1 or work release is only ordered when in the best interest of
2 society, any victim of the person, and the person. The board
3 shall report to the legislative services agency on a monthly
4 basis concerning the implementation of this plan and the number
5 of inmates paroled pursuant to this plan and the average length
6 of stay of those paroled.

7 DIVISION VII

8 CRIME VICTIMS —— RIGHTS

9 Sec. 16. Section 915.11, subsection 1, Code 2022, is amended
10 to read as follows:

11 1. a. A local police department or county sheriff's
12 department shall advise a victim of the right to
13 register with the county attorney, and shall provide a
14 request-for-registration form to each victim. A local police
15 department or county sheriff's department shall provide a
16 telephone number and internet site to each victim to register
17 with the automated victim notification system established
18 pursuant to section 915.10A.
19 b. A local police department or county sheriff's department
20 shall provide a victim with a pamphlet explaining the victim's

21 rights as a victim of a public offense or delinquent act.

22 Sec. 17. Section 915.20, Code 2022, is amended by adding the
23 following new subsection:

24 **NEW SUBSECTION.** 1A. A local police department or county
25 sheriff's department shall provide to the crime victim
26 assistance division of the department of justice with the
27 contact information for a victim of a public offense or
28 delinquent act. A victim counselor shall contact a victim to
29 determine whether the victim is in need of further assistance
30 from the victim counselor or whether the victim has any
31 questions regarding the person's rights as a victim.

32 Sec. 18. Section 915.38, Code 2022, is amended by adding the
33 following new subsection:

34 **NEW SUBSECTION.** 3A. *a.* It is the public policy of the
35 state that statements made by children to forensic interviewers

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1 at child advocacy centers and child protection centers are
2 presumptively reliable and should be admitted into evidence in
3 the courts.

4 *b.* Notwithstanding any other provision of law, the court
5 shall upon motion of a party admit a recorded statement of a
6 child as defined in section 702.5, if all of the following
7 apply:

8 (1) The recorded statement describes conduct that
9 constitutes a public offense committed against or involving a
10 child, or describes circumstances relevant to such conduct.

11 (2) The recorded statement was obtained by a forensic
12 interviewer employed by an accredited child advocacy center or
13 child protection center.

14 (3) The interview was conducted substantially in accordance
15 with a nationally recognized protocol for interviewing
16 children.

17 (4) The recorded statement is offered in a criminal
18 proceeding, the opposing party was given at least ten days'
19 notice prior to the trial commencing of the intention to admit
20 the recorded statement, and any of the following apply:

21 (a) The child testifies at trial.

22 (b) The child has been questioned by the defendant or the
23 defendant's attorney at a deposition or at any substantially
24 similar setting.

25 (c) The child is unavailable as a witness as provided in
26 rule of evidence 5.804(a).

27 (d) The court finds by a preponderance of the evidence that
28 the child would suffer significant emotional or psychological
29 trauma from testifying in the personal presence of the
30 defendant at the time of the criminal proceeding.

31 *c.* A court may deny the admission of a recorded statement
32 under this section only if the party opposing the admission

33 proves by clear and convincing evidence that the recorded
34 statement is unreliable.
35 *d.* Portions of a recorded interview admitted pursuant to

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- 1 this section may be redacted under the following circumstances:
- 2 (1) By agreement of the parties.
- 3 (2) By order of the court, if the court finds by a
- 4 preponderance of the evidence that redaction is necessary to
- 5 either:

6 (a) Minimize embarrassment or trauma to the child.
7 (b) Effectuate a provision of the rules of evidence other
8 than the rules against hearsay.

9 Sec. 19. NEW SECTION. 915.44A Limitation of evidence in
10 sexual abuse cases.

11 A defendant charged with a criminal offense under chapter
12 709 who has filed an application for postconviction relief
13 upon conviction for a criminal offense under chapter 709 shall
14 be precluded from questioning any victim or any other person
15 regarding evidence which is inadmissible under rule of evidence
16 5.412 or any other successor provision. Prohibited evidence
17 includes all of the following:

- 18 1. Reputation or opinion evidence of a victim offered to
19 prove that a victim engaged in other sexual behavior.
- 20 2. Evidence of a victim's other sexual behavior other than
21 reputation or opinion evidence.

22 3. Evidence of a victim's sexual predisposition.

23 Sec. 20. COMMISSION ON CONTINUING LEGAL EDUCATION —

24 CONTINUING LEGAL EDUCATION REQUIREMENTS. The supreme court

25 shall amend Iowa court rule 42.2 to require all attorneys

26 licensed in this state to complete a minimum of one hour,

27 annually, of continuing legal education that focuses on crime

28 victims and how to improve a crime victim's experience within

29 the criminal justice system.

DIVISION VIII DISCOVERY

32 Sec. 21. NEW SECTION. 821A.1 Subpoenas in criminal actions.

33 1. A criminal defendant or counsel acting on the defendant's
34 behalf shall not issue any subpoena for documents or other
35 evidence except upon application to the court. Such an

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- 1 application shall not be granted unless a defendant proves by a
- 2 preponderance of the evidence all of the following:
- 3 a. The evidence is material and necessary to prepare a
- 4 defense.
- 5 b. The defendant has made reasonable efforts to obtain the
- 6 evidence without invoking compulsory process.
- 7 c. The evidence is not available from any other source.
- 8 d. For evidence that is obtainable by the state only through

9 the execution of a search warrant, the defendant must show
10 probable cause that the information sought contains exculpatory
11 information that is not available from any other source and
12 that there is a compelling need for the evidence to enable the
13 defendant to present a defense at trial.

14 2. This section is the exclusive mechanism for a criminal
15 defendant or counsel acting on the defendant's behalf to issue
16 a subpoena for documents or other evidence.

17 3. An application made pursuant to this section shall not
18 be filed ex parte.

19 4. This section shall not apply to a subpoena issued solely
20 to secure the presence of a witness listed in the minutes of
21 testimony at an authorized deposition or to secure the presence
22 of a witness listed in either the minutes of testimony or in
23 the defendant's witness list submitted for a hearing or trial.

24 5. The prosecuting attorney shall not be required to execute
25 or effectuate any order or subpoena issued pursuant to this
26 section.

27 6. If any documents or evidence are obtained pursuant to
28 this section, the criminal defendant or counsel acting on the
29 defendant's behalf must notify the prosecuting attorney within
30 twenty-four hours of obtaining the documents or evidence. The
31 documents or evidence received, or copies of the same, must be
32 provided to the prosecuting attorney as soon as possible.

33 7. Evidence or documents obtained by a subpoena that does
34 not comply with this section shall not be admissible in any
35 criminal action if offered by the defendant.

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1 8. Any person who knowingly issues a subpoena that does not
2 comply with this section may be declared in contempt of court.

3 9. Nothing in this section shall eliminate or reduce a
4 criminal defendant's obligation to comply with section 622.10,
5 subsection 4, when seeking privileged records.

6 10. Any provision of law or rule of court promulgated by the
7 supreme court that is inconsistent with this section shall have
8 no legal effect.

9 Sec. 22. **NEW SECTION. 821A.2 Discovery depositions in**
10 **criminal actions — witness lists.**

11 1. Discovery depositions shall not be permitted in any
12 criminal action, except upon application to the court and a
13 showing of exceptional circumstances.

14 2. A criminal defendant must file a witness list when the
15 defendant requests or receives any discretionary discovery, the
16 date when any deposition is taken, or ten days before trial,
17 whichever date is earliest. If the defendant fails to timely
18 list a witness, the court shall prohibit the witness from
19 testifying at trial absent good cause shown for the defendant's
20 failure to timely list the witness.

21 3. A person who is not yet a party to a criminal action
22 shall not be permitted to depose another person until the time

23 the person who is not yet a party to the criminal action is
24 charged with or indicted for the associated criminal offense.

DIVISION IX

26 POSTCONVICTION RELIEF AND DISCOVERY PROCEDURE

27 Sec. 23. Section 822.7, Code 2022, is amended to read as
28 follows:

29 822.7 Court to hear application.

30 The application shall be heard in, and before any judge
31 of the court in which the conviction or sentence took place.
32 However, if the applicant is seeking relief under section
33 822.2, subsection 1, paragraph "f", the application shall be
34 heard in, and before any judge of the court of the county
35 in which the applicant is being confined. A record of the

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proceedings shall be made and preserved. All rules and statutes applicable in civil proceedings including pretrial and discovery procedures are available to the parties, subject to the restrictions contained in section 822.7A. The court may receive proof of affidavits, depositions, oral testimony, or other evidence, and may order the applicant brought before it for the hearing. If the court finds in favor of the applicant, it shall enter an appropriate order with respect to the conviction or sentence in the former proceedings, and any supplementary orders as to rearraignment, retrial, custody, bail, discharge, correction of sentence, or other matters that may be necessary and proper. The court shall make specific findings of fact, and state expressly its conclusions of law, relating to each issue presented. This order is a final judgment.

Sec. 24. NEW SECTION. **822.7A Postconviction relief—discovery.**

18 This chapter is intended to provide a limited scope of
19 discovery that is no broader than what is afforded to a
20 defendant in a criminal action. Notwithstanding any other
21 statute, rule, or law, the following limitations on discovery
22 and procedure shall apply to a claim for postconviction relief
23 under this chapter.

24 1. An applicant may conduct discovery only by order of the
25 court to be granted upon a showing that the information sought
26 is reasonably calculated to lead to the discovery of admissible
27 evidence to support or defeat a claim that is adequately
28 pled in the application and, if taken as true, constitutes a
colorable claim for relief

29 colorable claim for relief.

30 2. An applicant shall not be permitted to depose or
31 otherwise conduct discovery upon the victim, as defined in
32 section 915.10, of the underlying public offense, unless the
33 applicant proves all of the following by clear and convincing
34 evidence:

35 a. The evidence is necessary to prove the applicant is

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- 1 actually innocent of the underlying public offense and all
2 lesser-included offenses.
- 3 b. The information is not available from any other source.
- 4 c. Contact with a victim is minimized by limitations on
5 the method of discovery including in camera review, remote
6 testimony, or allowing a victim to provide a written statement
7 in lieu of testimony.
- 8 3. The privileges contained in section 622.10 shall be
9 absolute, except that the filing of an application shall waive
10 any privilege an applicant may claim regarding an attorney who
11 represented the applicant in the underlying criminal action or
12 any previous postconviction action.
- 13 4. Evidence that would be excluded in a criminal action
14 pursuant to rule of evidence 5.412 shall not be discoverable or
15 admissible in a postconviction action.
- 16 5. The state shall not be required to produce copies of
17 discovery that was previously disclosed to an applicant in the
18 underlying criminal action or a previous postconviction relief
19 action or which the applicant was in possession of in the
20 underlying criminal action or a previous postconviction action.
- 21 6. The state shall not be required to produce any discovery
22 contained in a court file accessible to the applicant.
- 23 7. The state shall not be required to produce any discovery
24 that cannot be lawfully disseminated or that is otherwise
25 confidential by law.
- 26 8. An applicant shall not be permitted to conduct discovery
27 or seek the appointment of an expert witness through ex parte
28 communication or in camera review.
- 29 9. Depositions shall only be permitted upon a showing of
30 exceptional circumstances, except that the applicant's criminal
31 trial counsel may be deposed by the respondent upon request or
32 by the applicant pursuant to subsection 1 and a victim may only
33 be deposed pursuant to subsection 2.

DIVISION II

REQUIRED REPORTS TO THE GENERAL ASSEMBLY

1 Sec. 25. **NEW SECTION. 602.6204 Reporting requirement.**
2 The state court administrator shall submit to the governor
3 and to the general assembly, not later than December 15 each
4 year, an annual report which shall include, for the violent and
5 sexual criminal offenses listed in section 902.12, all of the
6 following:
7 1. The number of deferred judgments, deferred sentences,
8 and suspended sentences the court entered, including the
9 criminal offenses involved, during the previous year.
10 2. The number of defendants who received deferred
11 judgments, deferred sentences, and suspended sentences during
12 the previous year.

13 3. The number of cases where the court pronounced judgment
14 and imposed sentence after a defendant failed to comply with
15 the conditions set by the court for a deferred judgment or
16 deferred sentence.

17 4. The number of cases where the court revoked a suspended
18 sentence after a defendant failed to comply with conditions set
19 by the court.

20 5. The types of violations by a defendant of the conditions
21 imposed by the court that resulted in the court pronouncing
22 judgment and imposing sentence or revoking a suspended sentence
23 of a defendant. The report shall include information on
24 whether the violations were technical violations, due to the
25 commission of a new crime, or due to any other reason.

26 Sec. 26. NEW SECTION. 904.103A Recidivism — annual report.

27 1. The department, in cooperation with the board of parole,
28 shall submit to the governor and to the general assembly, not
29 later than December 15 each year, an annual report detailing
30 the recidivism rate in the state specifically for the violent
31 and sexual criminal offenses contained in section 902.12.

31 and sexual criminal offenses contained in section 362.
32 2. The report shall include, at a minimum, all of the
33 following:

34 a. The rate of recidivism, including the percentage and
35 number of offenders who committed another crime within

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1 years of being released from the custody of the department.

2 b. The percentage and number of offenders paroled or placed

3 on probation who violate the conditions of the offender's

4 release and are reincarcerated including information regarding

5 offenders who were returned for technical violations, and those

6 who were returned for the commission of a new crime.

7 c. Whether there were victims involved in the crimes

8 committed while an offender was paroled or on probation,

9 and whether any of the victims were previous victims of the

10 offender.

10 offender.
11 d. The types of offenses that caused the offender to be
12 returned to the custody of the department.

12 returned to the custody of the department.
13 e. The type of release that preceded the offender's return
14 to the custody of the department.

15 f. The number of hearings the board of parole held before
16 the release of an offender who subsequently violated the
17 conditions of release and who was subsequently returned to the
18 custody of the department.

DIVISION XI

CONDITIONAL GUILTY PLEAS

21 Sec. 27. NEW SECTION. 814.30 Conditional guilty pleas not
22 allowed.

23 A conditional guilty plea that reserves the right to
24 appellate review of an adverse determination of a specified
25 pretrial motion shall not be allowed. >

26 2. Title page by striking lines 1 through 3 and inserting

27 <An Act relating to criminal law including the disclosure of a
28 defendant's privileged records in a criminal action, no-contact
29 orders, penalties for domestic abuse>
30 3. Title page, by striking lines 7 and 8 and inserting
31 <actions, postconviction relief procedure, certain reporting
32 requirements, conditional guilty pleas, and making penalties
33 applicable.>

JEFF REICHMAN

S-5059

1 Amend Senate File 2251 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 WORKFORCE ADVERTISING
6 Section 1. Section 7E.3, Code 2022, is amended by adding the
7 following new subsection:
8 NEW SUBSECTION. 6. *Workforce advertising.* Ensure that
9 companies that have no physical presence in the state shall
10 not be allowed to advertise for workers on an internet site
11 maintained by the department or independent agency or through
12 any other means funded by an appropriation to the department
13 or independent agency. However, this subsection shall not
14 apply to advertisements for internships or other employment
15 opportunities on an internet site or at an employee recruitment
16 event maintained or sponsored by an institution under the
17 control of the state board of regents or a community college.
18 DIVISION II
19 UNEMPLOYMENT INSURANCE
20 Sec. 2. DEPARTMENT OF WORKFORCE DEVELOPMENT — UNEMPLOYMENT
21 INSURANCE RULES. The department of workforce development shall
22 adopt or amend its administrative rules pursuant to chapter
23 17A to allow employers to protest a payment of unemployment
24 benefits and protest and sign a notice of claim electronically
25 using a form created by the department. The department shall
26 provide employees the option to submit the form by electronic
27 mail or through an internet site maintained by the department.>
28 2. Title page, line 1, by striking <concerning> and
29 inserting <relating to workers, concerning unemployment
30 insurance and>

ADRIAN DICKEY

S-5060

1 Amend House File 2411, as passed by the House, as follows:
2 1. Page 1, after line 18 by inserting:
3 <Sec. _____. Section 85.27, subsection 5, Code 2022, is
4 amended to read as follows:
5 5. a. When an artificial member or orthopedic appliance,

6 whether or not previously furnished by the employer, is damaged
7 or made unusable by circumstances arising out of and in the
8 course of employment other than through ordinary wear and tear,
9 the employer shall repair or replace it. When any crutch,
10 artificial member or appliance, whether or not previously
11 furnished by the employer, either is damaged or made unusable
12 in conjunction with a personal injury entitling the employee to
13 disability benefits or services as provided by this section,
14 or is damaged in connection with employee actions taken which
15 avoid such personal injury, the employer shall repair or
16 replace it.

17 b. Subject to paragraph "a" but notwithstanding any other
18 provision of this section, an employer shall not be required
19 to provide for the repair or replacement of an employee's
20 permanent prosthetic device if the employee has an account
21 credited to the employee pursuant to section 85.65, subsection
22 2, in relation to that permanent prosthetic device.

23 Sec. ___. Section 85.35, Code 2022, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 7A. *a.* If an injury relating to a claim
26 results in the injured worker needing a medically necessary
27 permanent prosthetic device or an alteration of an existing
28 medically necessary permanent prosthetic device, a settlement
29 pursuant to this section must describe the medically necessary
30 permanent prosthetic device and identify which portion of
31 the settlement proceeds are for the purpose of covering the
32 estimated cost of future repair or replacement of the device.

33 *b.* Upon the approval of a settlement by the workers'
34 compensation commissioner, moneys identified for the purpose
35 of covering the cost of future repair or replacement of a

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1 permanent prosthetic device shall be paid to the treasurer
2 of state as the custodian of the second injury fund for
3 administration pursuant to section 85.65, subsection 2, section
4 85.66, and section 85.67A.
5 *c.* Notwithstanding any other provision of this chapter,
6 moneys identified for the purpose of covering the estimated
7 cost of future repair or replacement of a permanent prosthetic
8 device shall not be used to calculate an injured worker's
9 compensation schedule.

10 Sec. ___. Section 85.45, Code 2022, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 4. When commuting future payments pursuant
13 to this section, if the claim for workers' compensation
14 benefits was related to an injury that resulted in the injured
15 worker needing a medically necessary permanent prosthetic
16 device or an alteration of an existing medically necessary
17 permanent prosthetic device, a portion of the lump sum payment
18 must be designated for the purpose of covering the estimated
19 cost of repair or replacement of the permanent prosthetic

20 device. Moneys identified pursuant to this subsection shall
21 be paid to the treasurer of state as custodian of the second
22 injury fund for administration pursuant to section 85.65,
23 subsection 2, section 85.66, and section 85.67A.

24 Sec. ___. Section 85.48, Code 2022, is amended to read as
25 follows:

26 **85.48 Partial commutation.**

27 1. When partial commutation is ordered, the workers'
28 compensation commissioner shall fix the lump sum to be paid
29 at an amount which will equal the future payments for the
30 period commuted, capitalized at their present value upon the
31 basis of interest at the rate provided in section 535.3 for
32 court judgments and decrees. Provisions shall be made for the
33 payment of weekly compensation not included in the commutation
34 with all remaining payments to be paid over the same period
35 of time as though the commutation had not been made by either

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1 eliminating weekly payments from the first or last part of the
2 payment period or by a pro rata reduction in the weekly benefit
3 amount over the entire payment period.

4 2. When commuting future payments pursuant to this
5 section, if the claim for workers' compensation benefits was
6 related to an injury that resulted in the injured worker
7 needing a medically necessary permanent prosthetic device or
8 an alteration of an existing medically necessary permanent
9 prosthetic device, a portion of the lump sum payment must be
10 designated for the purposes of covering the estimated cost
11 of repair or replacement of the permanent prosthetic device.
12 Moneys identified pursuant to this subsection shall be paid to
13 the treasurer of state as custodian of the second injury fund
14 for administration pursuant to section 85.65, subsection 2,
15 section 85.66, and section 85.67A.

16 Sec. ___. Section 85.61, Code 2022, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 01. "Alteration" means a material change
19 to a permanent prosthetic device that is necessary due to an
20 employee's injury, without which would not allow the injured
21 employee use of the prosthetic device as effectively as prior
22 to the injury.

23 Sec. ___. Section 85.65, Code 2022, is amended to read as
24 follows:

25 **85.65 Payments to second injury fund.**

26 1. The employer, or, if insured, the insurance carrier in
27 each case of compensable injury causing death, shall pay to
28 the treasurer of state for the second injury fund the sum of
29 twelve thousand dollars in a case where there are dependents
30 and forty-five thousand dollars in a case where there are no
31 dependents. The payment shall be made at the time compensation
32 payments are begun, or at the time the burial expenses are
33 paid in a case where there are no dependents. However, the

34 payments shall be required only in cases of injury resulting in
35 death coming within the purview of this chapter and occurring

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1 after July 1, 1978. These payments shall be in addition to
2 any payments of compensation to injured employees or their
3 dependents, or of burial expenses as provided in this chapter.
4 2. a. The employer, or, if insured, the insurance carrier
5 shall pay to the treasurer of state for the second injury
6 fund the sum of moneys designated for the purpose of covering
7 the estimated cost of repair or replacement of a permanent
8 prosthetic device for an injured worker pursuant to section
9 85.35, 85.45, or 85.48.
10 b. (1) Upon receipt of moneys pursuant to paragraph "a",
11 the treasurer of state shall credit the employee for the full
12 amount received.
13 (2) Moneys received by the treasurer of state pursuant to
14 this paragraph for a permanent prosthetic device that was not
15 medically necessary prior to an injury shall be credited to
16 the injured worker in a new account relating to that permanent
17 prosthetic device.
18 (3) Moneys received by the treasurer of state pursuant to
19 this paragraph for an existing permanent prosthetic device that
20 requires alteration due to an injury shall be credited to the
21 employee's account relating to that prosthetic device if one
22 exists, or credited to a new account if one is not in existence
23 for that prosthetic device.
24 c. Moneys credited to an employee pursuant to this
25 subsection may only be used for the purposes designated in
26 section 85.67A and only in relation to the permanent prosthetic
27 device for which the account was created.
28 Sec. ___. Section 85.66, subsection 2, Code 2022, is amended
29 to read as follows:
30 2. The treasurer of state is charged with the conservation
31 of the assets of the second injury fund. Moneys collected in
32 the second injury fund shall be disbursed only for the purposes
33 stated in this subchapter, and shall not at any time be
34 appropriated or diverted to any other use or purpose. Except
35 for reimbursements to the attorney general provided for in

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1 section 85.67, disbursements Disbursements from the fund shall
2 only be paid by the treasurer of state only for reimbursements
3 pursuant to section 85.67, for payments pursuant to section
4 85.67A, or upon the written order of the workers' compensation
5 commissioner. The treasurer of state shall invest any surplus
6 moneys of the fund in securities which constitute legal
7 investments for state funds under the laws of this state, and
8 may sell any of the securities in which the fund is invested,
9 if necessary, for the proper administration or in the best

10 interests of the fund.

11 Sec. ___. **NEW SECTION. 85.67A Administration of fund —**
12 **permanent prosthetic devices.**

13 1. For the purposes of this section:

14 a. "Prosthetic device" or "device" means a permanent
15 prosthetic device for which an account has been established
16 pursuant to section 85.65, subsection 2.

17 b. "Prosthetics supplier" means a person or business who
18 makes or repairs permanent prosthetic devices.

19 c. "Voucher" means a written statement that identifies all
20 of the following:

21 (1) The prosthetic device requiring repair or replacement.

22 (2) Whether the device appears to require repair or
23 replacement and the reason the device requires repair or
24 replacement.

25 (3) The exact amount, including taxes, necessary to pay for
26 the repair or replacement of the device.

27 2. The treasurer of state shall pay moneys from an account
28 established pursuant to section 85.65, subsection 2, to
29 a prosthetics supplier for the replacement or repair of a
30 prosthetic device upon the receipt of a voucher.

31 3. a. If an employee dies prior to receiving all moneys
32 credited to the employee pursuant to section 85.65, subsection
33 2, the treasurer of state shall pay the remaining moneys to the
34 employer which originally contributed such moneys.

35 b. If an employer cannot be paid pursuant to paragraph

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1 "a", the treasurer of state shall pay remaining moneys to the
2 insurer named in relation to the claim from which the credits
3 arose.

4 c. If an employer or insurer cannot be paid pursuant
5 to paragraphs "a" and "b", the treasurer of state shall pay
6 remaining moneys to the employee's beneficiaries.

7 d. If the employee did not designate any beneficiaries,
8 remaining moneys shall be paid to the employee's estate.

9 4. The labor commissioner and the commissioner of
10 insurance may adopt rules pursuant to chapter 17A to implement
11 this section. Such rules may include guidelines for which
12 prosthetics suppliers may provide a repair or replacement
13 for a prosthetic device, the form a voucher must take, and
14 information in addition to content described in subsection 1,
15 paragraph "c", that must appear on a voucher.>

16 2. By renumbering as necessary.

ADRIAN DICKEY

S-5061

1 Amend House File 2281, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, by striking lines 1 through 22 and inserting:
4 <Section 1. **NEW SECTION. 602.1601A** Video conferences in
5 **judicial proceedings.**
6 Upon motion of any party in a criminal, juvenile, or
7 postconviction relief proceeding, a judicial proceeding may
8 be conducted by video conference when appropriate technology
9 is available and if the proceeding can be conducted in an
10 efficient manner and does not prejudice a substantial right
11 of any party. The motion must include a statement that the
12 party has been advised and consents to the request for a video
13 conference proceeding. Any party may file a resistance to
14 the proceeding being conducted by video conference. When a
15 proceeding is uncontested, a denial of a motion to conduct
16 a proceeding by video conference must include a good cause
17 determination.>

COMMITTEE ON JUDICIARY
BRAD ZAUN, CHAIRPERSON

S-5062

1 Amend the amendment, S-3157, to House File 780, as passed by
2 the House, as follows:
3 1. Page 1, by striking lines 2 through 4 and inserting:
4 <__. Page 1, by striking lines 3 through 8 and inserting:
5 <**NEW SUBSECTION.** 6. Rules adopted relating to physical
6 examination requirements for licensed or registered facility
7 personnel and the children being provided child care by the
8 licensed or registered facility shall allow for any of the
9 following to perform the physical examination:
10 a. A licensed physician as defined in section 135.1, except
11 that a licensed physician shall not include an optometrist.
12 b. A physician assistant as defined in section 148C.1.
13 c. An advanced practice registered nurse as defined in
14 section 152E.3.>>

MARK LOFGREN

S-5063

1 Amend House File 2198, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, after line 14 by inserting:
4 <Sec. ___. DEPARTMENT OF HUMAN SERVICES — CHILD CARE
5 CENTER STAFF RATIO RULES. The department of human services
6 shall amend its administrative rules pursuant to chapter
7 17A to provide that child care centers maintain a minimum
8 child-to-staff ratio of one child care worker for every seven
9 children who are two years of age and a minimum child-to-staff
10 ratio of one child care worker for every ten children who are
11 three years of age.
12 Sec. ___. EFFECTIVE DATE. The following, being deemed of

13 immediate importance, takes effect upon enactment:
14 The section of this Act relating to child care center staff
15 ratio rules.>
16 2. Title page, by striking lines 1 and 2 and inserting <An
17 Act relating to child care center minimum age requirements for
18 employees and staff-to-children ratios, and including effective
19 date provisions.>

COMMITTEE ON HUMAN RESOURCES
JEFF EDLER, CHAIRPERSON

S-5064

1 Amend House File 736, as amended, passed, and reprinted by
2 the House, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:
5 <Section 1. **NEW SECTION 249A.42A Overpayment —**
6 **subsequent ineligibility of recipient — commencement of action**
7 **and recovery.**
8 1. Notwithstanding any provision to the contrary, if a
9 recipient is deemed ineligible for medical assistance following
10 delivery of care or service by a provider, any administrative
11 action to recover an overpayment to a provider based solely on
12 such recipient's ineligibility shall be commenced within one
13 year of the date the overpayment was incurred.
14 2. In an administrative action to recover an overpayment
15 brought on the grounds specified in subsection 1, the
16 department acting as the state Medicaid agency shall reimburse
17 the provider for any recoupment of an overpayment using
18 state-only funds for care or services delivered if all of the
19 following conditions are met:
20 a. The provider verified eligibility through the eligibility
21 and verification system or the secure web portal of, and
22 obtained any necessary prior authorization for, the recipient
23 on whose behalf payment was made to the provider prior to the
24 delivery of care or service to the recipient.
25 b. The provider documented the eligibility verification
26 performed and any necessary prior authorization obtained
27 pursuant to paragraph "a" in a manner and format established by
28 the department by rule, and retained the required documentation
29 in the recipient's file.
30 3. The one-year limitation period prescribed under this
31 section does not apply to recovery of an overpayment to a
32 provider in an administrative action brought on other grounds.
33 4. For the purposes of this section, "*incurred*" means the
34 same as defined in section 249A.42.>
35 2. Title page, by striking lines 1 through 3 and inserting

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- 1 <An Act relating to recovery of an overpayment to a provider
2 based on specified grounds under the Medicaid program.>

COMMITTEE ON HUMAN RESOURCES
JEFF EDLER, CHAIRPERSON

S-5065

- 1 Amend House File 2248, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:
3 <DIVISION I
4 AMBULATORY SURGICAL CENTER —— INFORMATION AND REFERRAL>
5 2. Page 2, after line 20 by inserting:
6 <DIVISION ____
7 CERTIFICATE OF NEED
8 Sec. _____. Section 135.61, Code 2022, is amended by adding
9 the following new subsections:
10 NEW SUBSECTION. 2A. “*Birthing hospital*” means the same as
11 defined in section 135.131.
12 NEW SUBSECTION. 15A. “*Mental health services*” means
13 services provided by a mental health professional as defined in
14 section 228.1 operating within the scope of the professional’s
15 practice which address mental, emotional, medical, or
16 behavioral problems.
17 NEW SUBSECTION. 18A. “*Nursing facility*” means the same as
18 defined in section 135C.1.
19 NEW SUBSECTION. 21A. “*Psychiatric services*” means services
20 provided under the direction of a physician which address
21 mental, emotional, medical, or behavioral problems.
22 Sec. _____. Section 135.61, subsections 12, 14, and 18, Code
23 2022, are amended to read as follows:
24 12. “*Health services*” means clinically related diagnostic,
25 curative, or rehabilitative services, and includes but does not
26 include alcoholism services, drug abuse substance use disorder
27 services, and mental health services, psychiatric services, or
28 obstetrical and gynecological services.
29 14. “*Institutional health facility*” means any of the
30 following, without regard to whether the facilities referred
31 to are publicly or privately owned or are organized for profit
32 or not or whether the facilities are part of or sponsored by a
33 health maintenance organization:
34 a. A hospital.
35 b. A health care facility.

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- 1 c. An organized outpatient health facility.
 - 2 d. An outpatient surgical facility.
 - 3 e. A community mental health facility.
 - 4 f. A birth center.

5 18. "New institutional health service" or "changed
6 institutional health service" means any of the following:
7 a. (1) The construction, development, or other
8 establishment of a new institutional health facility other than
9 a nursing facility regardless of ownership with a value in
10 excess of five million dollars.
11 (2) The construction, development, or other establishment
12 of a nursing facility regardless of ownership.
13 b. Relocation of an institutional health facility.
14 c. (1) Any capital expenditure, lease, or donation by or on
15 behalf of an institutional health facility other than a nursing
16 facility in excess of one five million five hundred thousand
17 dollars within a twelve-month period.
18 (2) Any capital expenditure, lease, or donation by or on
19 behalf of a nursing facility in excess of one million five
20 hundred thousand dollars within a twelve-month period.
21 d. A permanent change in the bed capacity, as determined
22 by the department, of an institutional health facility. For
23 purposes of this paragraph, a change is permanent if it is
24 intended to be effective for one year or more.
25 e. (1) Any expenditure in excess of five hundred thousand
26 million dollars by or on behalf of an institutional health
27 facility other than a nursing facility for health services
28 which are or will be offered in or through an institutional
29 health facility at a specific time but which were not offered
30 on a regular basis in or through that institutional health
31 facility within the twelve-month period prior to that time.
32 (2) Any expenditure in excess of five hundred thousand
33 dollars by or on behalf of a nursing facility for health
34 services which are or will be offered in or through a nursing
35 facility at a specific time but which were not offered on a

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1 regular basis in or through that nursing facility within the
2 twelve-month period prior to that time.
3 f. The deletion of one or more health services, previously
4 offered on a regular basis by an institutional health facility
5 or health maintenance organization or the relocation of one or
6 more health services from one physical facility to another.
7 g. Any acquisition by or on behalf of a health care provider
8 or a group of health care providers of any piece of replacement
9 equipment with a value in excess of one three million five
10 hundred thousand dollars, whether acquired by purchase, lease,
11 or donation.
12 h. Any acquisition by or on behalf of a health care
13 provider or group of health care providers of any piece of
14 equipment with a value in excess of one three million five
15 hundred thousand dollars, whether acquired by purchase, lease,
16 or donation, which results in the offering or development of
17 a health service not previously provided. A mobile service
18 provided on a contract basis is not considered to have been

19 previously provided by a health care provider or group of
20 health care providers.
21 i. (1) Any acquisition by or on behalf of an institutional
22 health facility other than a nursing facility or a health
23 maintenance organization of any piece of replacement equipment
24 with a value in excess of one three million five hundred
25 thousand dollars, whether acquired by purchase, lease, or
26 donation.
27 (2) Any acquisition by or on behalf of a nursing facility of
28 any piece of replacement equipment with a value in excess of
29 one million five hundred thousand dollars, whether acquired by
30 purchase, lease, or donation.
31 j. (1) Any acquisition by or on behalf of an institutional
32 health facility other than a nursing facility or health
33 maintenance organization of any piece of equipment with a value
34 in excess of one three million five hundred thousand dollars,
35 whether acquired by purchase, lease, or donation, which

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1 results in the offering or development of a health service not
2 previously provided. A mobile service provided on a contract
3 basis is not considered to have been previously provided by an
4 institutional health facility.
5 (2) Any acquisition by or on behalf of a nursing facility
6 of any piece of equipment with a value in excess of one
7 million five hundred thousand dollars, whether acquired by
8 purchase, lease, or donation, which results in the offering or
9 development of a health service not previously provided.
10 k. Any air transportation service for transportation of
11 patients or medical personnel offered through an institutional
12 health facility at a specific time but which was not offered
13 on a regular basis in or through that institutional health
14 facility within the twelve month period prior to the specific
15 time.
16 l. Any mobile health service with a value in excess of
17 one three million five hundred thousand dollars.
18 m. l. Any of the following services with a value in excess
19 of five million dollars:
20 (1) Cardiac catheterization service.
21 (2) Open heart surgical service.
22 (3) Organ transplantation service.
23 (4) Radiation therapy service applying ionizing radiation
24 for the treatment of malignant disease using megavoltage
25 external beam equipment.
26 Sec. ___. Section 135.63, subsection 1, Code 2022, is
27 amended to read as follows:
28 1. A new institutional health service or changed
29 institutional health service shall not be offered or developed
30 in this state without prior application to the department
31 for and receipt of a certificate of need, pursuant to
32 this subchapter. The application shall be made upon forms

33 furnished or prescribed by the department and shall contain
34 such information as the department may require under this
35 subchapter. The application shall be accompanied by a fee

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1 equivalent to three-tenths of one percent of the anticipated
2 cost of the project with a minimum fee of six hundred dollars
3 and a maximum fee of twenty-one thousand dollars. The fee
4 shall be remitted by the department to the treasurer of
5 state, who shall place it in the general fund of the state.
6 If an application is voluntarily withdrawn within thirty
7 calendar days after submission, seventy-five percent of the
8 application fee shall be refunded; if the application is
9 voluntarily withdrawn more than thirty but within sixty days
10 after submission, fifty percent of the application fee shall
11 be refunded; if the application is withdrawn voluntarily more
12 than sixty days after submission, twenty-five percent of
13 the application fee shall be refunded. Notwithstanding the
14 required payment of an application fee under this subsection,
15 an applicant for a new institutional health service or a
16 changed institutional health service offered or developed by
17 an intermediate care facility for persons with an intellectual
18 disability ~~or an intermediate care facility for persons with~~
19 ~~mental illness~~ as defined pursuant to section 135C.1 is exempt
20 from payment of the application fee.

21 Sec. ___. Section 135.63, subsection 2, paragraph a, Code
22 2022, is amended to read as follows:

23 a. Private offices and private clinics of an individual
24 physician, dentist, or other practitioner or group of
25 health care providers, except as provided by section 135.61,
26 subsection 18, paragraphs "g", "h", and "~~m~~" "l", and section
27 135.61, subsections 20 and 21.

28 Sec. ___. Section 135.63, subsection 2, paragraph e,
29 subparagraph (1), Code 2022, is amended to read as follows:

30 (1) Constructs, develops, renovates, relocates, or
31 otherwise establishes an institutional health facility as
32 specified under section 135.61, subsection 18.

33 Sec. ___. Section 135.63, subsection 2, Code 2022, is
34 amended by adding the following new paragraphs:

35 NEW PARAGRAPH. q. An institutional health facility that is

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1 a health care facility, a hospital or portion of a hospital,
2 or any other facility that is engaged primarily in providing
3 mental health services or psychiatric services including but
4 not limited to an intermediate care facility for persons with
5 mental illness as defined in section 135C.1, a psychiatric
6 medical institution for children licensed pursuant to chapter
7 135H, a community mental health center organized under chapter
8 230A or other community mental health facility, or a state

9 mental health institute designated by chapter 226.

10 **NEW PARAGRAPH.** *r.* A birth center or a birthing hospital.

11 Sec. ___. Section 135H.6, Code 2022, is amended to read as

12 follows:

13 **135H.6 Inspection — conditions for issuance.**

14 1. The department shall issue a license to an applicant

15 under this chapter if all the following conditions exist:

16 a. The department has ascertained that the applicant's

17 medical facilities and staff are adequate to provide the care

18 and services required of a psychiatric institution.

19 b. The proposed psychiatric institution is accredited

20 by the joint commission on the accreditation of health

21 care organizations, the commission on accreditation of

22 rehabilitation facilities, the council on accreditation of

23 services for families and children, or by any other recognized

24 accrediting organization with comparable standards acceptable

25 under federal regulation.

26 c. The applicant complies with applicable state rules

27 and standards for a psychiatric institution adopted by the

28 department in accordance with federal requirements under 42

29 C.F.R. §441.150 – 441.156.

30 d. ~~The applicant has been awarded a certificate of need~~

31 ~~pursuant to chapter 135, unless exempt as provided in this~~

32 ~~section.~~

33 e. ~~d.~~ The department of human services has submitted

34 written approval of the application based on the department of

35 human services' determination of need. The department of human

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1 services shall identify the location and number of children in

2 the state who require the services of a psychiatric medical

3 institution for children. Approval of an application shall be

4 based upon the location of the proposed psychiatric institution

5 relative to the need for services identified by the department

6 of human services and an analysis of the applicant's ability to

7 provide services and support consistent with requirements under

8 chapter 232, particularly regarding community-based treatment.

9 If the proposed psychiatric institution is not freestanding

10 from a facility licensed under chapter 135B or 135C, approval

11 under this paragraph shall not be given unless the department

12 of human services certifies that the proposed psychiatric

13 institution is capable of providing a resident with a living

14 environment similar to the living environment provided by a

15 licensee which is freestanding from a facility licensed under

16 chapter 135B or 135C.

17 f. ~~e.~~ The proposed psychiatric institution is under

18 the direction of an agency which has operated a facility

19 licensed under section 237.3, subsection 2, paragraph "a", as

20 a comprehensive residential facility for children for three

21 years or of an agency which has operated a facility for three

22 years providing psychiatric services exclusively to children or

23 adolescents and the facility meets or exceeds requirements for
24 licensure under section 237.3, subsection 2, paragraph "a", as a
25 comprehensive residential facility for children.

26 ~~§. L~~ If a child has an emotional, behavioral, or mental
27 health disorder, the psychiatric institution does not require
28 court proceedings to be initiated or that a child's parent,
29 guardian, or custodian must terminate parental rights over
30 or transfer legal custody of the child for the purpose of
31 obtaining treatment from the psychiatric institution for the
32 child. Relinquishment of a child's custody shall not be a
33 condition of the child receiving services.

34 2. The department of human services shall not give approval
35 to an application which would cause the total number of beds

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1 licensed under this chapter for services reimbursed by the
2 medical assistance program under chapter 249A to exceed four
3 hundred thirty beds.

4 3. In addition to the beds authorized under subsection 2,
5 the department of human services may establish not more than
6 thirty beds licensed under this chapter at the state mental
7 health institute at Independence. ~~The beds shall be exempt~~
8 ~~from the certificate of need requirement under subsection 1,~~
9 ~~paragraph "d".~~

10 4. The department of human services may give approval to
11 conversion of beds approved under subsection 2, to beds which
12 are specialized to provide substance abuse treatment. However,
13 the total number of beds approved under subsection 2 and this
14 subsection shall not exceed four hundred thirty. ~~Conversion~~
15 ~~of beds under this subsection shall not require a revision of~~
16 ~~the certificate of need issued for the psychiatric institution~~
17 ~~making the conversion.~~ Beds for children who do not reside
18 in this state and whose service costs are not paid by public
19 funds in this state are not subject to the limitations on the
20 number of beds ~~and certificate of need requirements~~ otherwise
21 applicable under this section.

22 5. A psychiatric institution licensed prior to July 1, 1999,
23 may exceed the number of beds authorized under subsection 2
24 if the excess beds are used to provide services funded from a
25 source other than the medical assistance program under chapter
26 249A. Notwithstanding subsection 1, ~~paragraphs~~ ~~paragraph "d"~~
27 ~~and "e",~~ and subsection 2, the provision of services using those
28 excess beds does not require ~~a certificate of need or a review~~
29 by the department of human services.

30 6. A psychiatric institution shall be exempt from the
31 certificate of need requirements pursuant to section 135.63.

32 Sec. ___. ADMINISTRATIVE RULES. The department of public
33 health, in accordance with section 135.72, may adopt rules
34 pursuant to chapter 17A to administer this division of this
35 Act.

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1 DIVISION ____
2 RURAL EMERGENCY HOSPITALS
3 Sec. ___. Section 135B.1, Code 2022, is amended by adding
4 the following new subsections:
5 NEW SUBSECTION. 5. "*Rural emergency hospital*" means a
6 facility that provides rural emergency hospital services in
7 the facility twenty-four hours per day, seven days per week;
8 does not provide any acute care inpatient services with the
9 exception of any distinct part of the facility licensed as a
10 skilled nursing facility providing posthospital extended care
11 services; and meets the criteria specified in section 135B.1A
12 and the federal Consolidated Appropriations Act, Pub. L. No.
13 116–260, §125.
14 NEW SUBSECTION. 6. "*Rural emergency hospital services*"
15 means the following services provided by a rural emergency
16 hospital that do not exceed an annual per patient average of
17 twenty-four hours in such a rural emergency hospital:
18 a. Emergency department services and observation care.
19 For purposes of providing emergency department services, an
20 emergency department of a rural emergency hospital shall
21 be considered staffed if a physician, nurse practitioner,
22 clinical nurse specialist, or physician assistant is available
23 to furnish rural emergency hospital services in the facility
24 twenty-four hours per day.
25 b. At the election of the rural emergency hospital, with
26 respect to services furnished on an outpatient basis, other
27 medical and health services as specified in regulations adopted
28 by the United States secretary of health and human services.
29 Sec. ___. NEW SECTION. 135B.1A Rural emergency hospital
30 licensure.
31 1. The department shall adopt rules pursuant to chapter
32 17A to establish minimum standards for the licensure of rural
33 emergency hospitals consistent with the federal Consolidated
34 Appropriations Act, Pub. L. No. 116-260, §125, and with
35 regulations issued by the United States secretary of health and

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1 human services for rural emergency hospitals.
2 2. To be eligible for a rural emergency hospital license, a
3 facility shall have been, on or before December 27, 2020, one
4 of the following:
5 a. A licensed critical access hospital.
6 b. A general hospital with not more than fifty licensed
7 beds located in a county in a rural area as defined in section
8 1886(d)(2)(D) of the federal Social Security Act.
9 c. A general hospital with no more than fifty licensed beds
10 that is deemed as being located in a rural area pursuant to
11 section 1886(d)(8)(E) of the federal Social Security Act.
12 Sec. ___. Section 135B.2, Code 2022, is amended to read as

13 follows:

14 **135B.2 Purpose.**

15 The purpose of this chapter is to provide for the
16 development, establishment and enforcement of basic standards
17 for the care and treatment of individuals in hospitals and
18 rural emergency hospitals and for the construction, maintenance
19 and operation of such hospitals, which, in the light of
20 existing knowledge, will promote safe and adequate treatment
21 of such individuals in such hospitals, in the interest of the
22 health, welfare and safety of the public.

23 Sec. ___. Section 135B.3, Code 2022, is amended to read as
24 follows:

25 **135B.3 Licensure.**

26 No person or governmental unit, acting severally or jointly
27 with any other person or governmental unit shall establish,
28 conduct or maintain a hospital or rural emergency hospital in
29 this state without a license.

30 Sec. ___. Section 135B.4, Code 2022, is amended to read as
31 follows:

32 **135B.4 Application for license.**

33 Licenses shall be obtained from the department.

34 Applications shall be upon forms and shall contain information
35 as the department may reasonably require, which may include

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1 affirmative evidence of ability to comply with reasonable
2 standards and rules prescribed under this chapter. Each
3 application for license shall be accompanied by the license
4 fee, which shall be refunded to the applicant if the license
5 is denied and which shall be deposited into the state treasury
6 and credited to the general fund if the license is issued.
7 Hospitals and rural emergency hospitals having fifty beds or
8 less shall pay an initial license fee of fifteen dollars;
9 hospitals of more than fifty beds and not more than one hundred
10 beds shall pay an initial license fee of twenty-five dollars;
11 all other hospitals shall pay an initial license fee of fifty
12 dollars.

13 Sec. ___. Section 135B.5, subsection 1, Code 2022, is
14 amended to read as follows:

15 1. Upon receipt of an application for license and the
16 license fee, the department shall issue a license if the
17 applicant and hospital facilities comply with this chapter,
18 chapter 135, and the rules of the department. Each licensee
19 shall receive annual reapproval upon payment of five hundred
20 dollars and upon filing of an application form which is
21 available from the department. The annual licensure fee shall
22 be dedicated to support and provide educational programs on
23 regulatory issues for hospitals and rural emergency hospitals
24 licensed under this chapter. Licenses shall be either general
25 or restricted in form. Each license shall be issued only
26 for the premises and persons or governmental units named in

- 27 the application and is not transferable or assignable except
28 with the written approval of the department. Licenses shall
29 be posted in a conspicuous place on the licensed premises as
30 prescribed by rule of the department.
- 31 Sec. ___. Section 135B.5A, Code 2022, is amended to read as
32 follows:
- 33 **135B.5A Conversion of a hospital relative to certain**
34 **hospitals.**
- 35 1. A conversion of a long-term acute care hospital,

Page 12

- 1 rehabilitation hospital, or psychiatric hospital as defined by
2 federal regulations to a general hospital or to a specialty
3 hospital of a different type is a permanent change in bed
4 capacity and shall require a certificate of need pursuant to
5 section 135.63.
- 6 2. A conversion of a critical access hospital or general
7 hospital to a rural emergency hospital or a conversion of a
8 rural emergency hospital to a critical access hospital or
9 general hospital shall not require a certificate of need
10 pursuant to section 135.63.
- 11 Sec. ___. Section 135B.7, Code 2022, is amended to read as
12 follows:
- 13 **135B.7 Rules and enforcement.**
- 14 1. a. The department, with the approval of the state
15 board of health, shall adopt rules setting out the standards
16 for the different types of hospitals and for rural emergency
17 hospitals to be licensed under this chapter. The department
18 shall enforce the rules.
- 19 b. Rules or standards shall not be adopted or enforced
20 which would have the effect of denying a license to a hospital,
21 rural emergency hospital, or other institution required to be
22 licensed, solely by reason of the school or system of practice
23 employed or permitted to be employed by physicians in the
24 hospital, rural emergency hospital, or other institution if the
25 school or system of practice is recognized by the laws of this
26 state.
- 27 2. a. The rules shall state that a hospital or rural
28 emergency hospital shall not deny clinical privileges to
29 physicians and surgeons, podiatric physicians, osteopathic
30 physicians and surgeons, dentists, certified health service
31 providers in psychology, physician assistants, or advanced
32 registered nurse practitioners licensed under chapter 148,
33 148C, 149, 152, or 153, or section 154B.7, solely by reason of
34 the license held by the practitioner or solely by reason of
35 the school or institution in which the practitioner received

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- 1 medical schooling or postgraduate training if the medical
2 schooling or postgraduate training was accredited by an

3 organization recognized by the council on higher education
4 accreditation or an accrediting group recognized by the United
5 States department of education.
6 b. A hospital or rural emergency hospital may establish
7 procedures for interaction between a patient and a
8 practitioner. The rules shall not prohibit a hospital or
9 rural emergency hospital from limiting, restricting, or
10 revoking clinical privileges of a practitioner for violation
11 of hospital rules, regulations, or procedures established
12 under this paragraph, when applied in good faith and in a
13 nondiscriminatory manner.
14 c. This subsection shall not require a hospital or rural
15 emergency hospital to expand the hospital's current scope of
16 service delivery solely to offer the services of a class of
17 providers not currently providing services at the hospital
18 or rural emergency hospital. This section shall not be
19 construed to require a hospital or rural emergency hospital
20 to establish rules which are inconsistent with the scope of
21 practice established for licensure of practitioners to whom
22 this subsection applies.
23 d. This section shall not be construed to authorize the
24 denial of clinical privileges to a practitioner or class of
25 practitioners solely because a hospital or rural emergency
26 hospital has as employees of the hospital or rural emergency
27 hospital identically licensed practitioners providing the same
28 or similar services.
29 3. The rules shall require that a hospital or rural
30 emergency hospital establish and implement written criteria
31 for the granting of clinical privileges. The written criteria
32 shall include but are not limited to consideration of all of
33 the following:
34 a. The ability of an applicant for privileges to provide
35 patient care services independently and appropriately in the

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1 hospital or rural emergency hospital.
2 b. The license held by the applicant to practice.
3 c. The training, experience, and competence of the
4 applicant.
5 d. The relationship between the applicant's request for the
6 granting of privileges and the hospital's or rural emergency
7 hospital's current scope of patient care services, as well as
8 the hospital's or rural emergency hospital's determination of
9 the necessity to grant privileges to a practitioner authorized
10 to provide comprehensive, appropriate, and cost-effective
11 services.
12 4. The department shall also adopt rules requiring
13 hospitals and rural emergency hospitals to establish and
14 implement protocols for responding to the needs of patients who
15 are victims of domestic abuse, as defined in section 236.2.
16 5. The department shall also adopt rules requiring

17 hospitals and rural emergency hospitals to establish and
18 implement protocols for responding to the needs of patients who
19 are victims of elder abuse, as defined in section 235F.1.

20 Sec. ___. Section 135B.7A, Code 2022, is amended to read as
21 follows:

22 **135B.7A Procedures — orders.**

23 The department shall adopt rules that require hospitals
24 and rural emergency hospitals to establish procedures for
25 authentication of all verbal orders by a practitioner within
26 a period not to exceed thirty days following a patient's
27 discharge.

28 Sec. ___. Section 135B.8, Code 2022, is amended to read as
29 follows:

30 **135B.8 Effective date of rules.**

31 Any hospital or rural emergency hospital which is in
32 operation at the time of promulgation of any applicable
33 rules or minimum standards under this chapter shall be given
34 a reasonable time, not to exceed one year from the date of
35 such promulgation, within which to comply with such rules and

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1 minimum standards.

2 Sec. ___. Section 135B.9, Code 2022, is amended to read as
3 follows:

4 **135B.9 Inspections and qualifications for hospital and rural
5 emergency hospital inspectors — protection and advocacy agency
6 investigations.**

7 1. The department shall make or cause to be made inspections
8 as it deems necessary in order to determine compliance with
9 applicable rules. Hospital and rural emergency hospital
10 inspectors shall meet the following qualifications:

11 a. Be free of conflicts of interest. A hospital or rural
12 emergency hospital inspector shall not participate in an
13 inspection or complaint investigation of a hospital or rural
14 emergency hospital in which the inspector or a member of the
15 inspector's immediate family works or has worked within the
16 last two years. For purposes of this paragraph, "immediate
17 family member" means a spouse; natural or adoptive parent,
18 child, or sibling; or stepparent, stepchild, or stepsibling.

19 b. Complete a yearly conflict of interest disclosure
20 statement.

21 c. Biennially, complete a minimum of ten hours of continuing
22 education pertaining to hospital or rural emergency hospital
23 operations including but not limited to quality and process
24 improvement standards, trauma system standards, and regulatory
25 requirements.

26 2. In the state resource centers and state mental health
27 institutes operated by the department of human services, the
28 designated protection and advocacy agency as provided in
29 section 135C.2, subsection 4, shall have the authority to
30 investigate all complaints of abuse and neglect of persons

31 with developmental disabilities or mental illnesses if the
32 complaints are reported to the protection and advocacy agency
33 or if there is probable cause to believe that the abuse has
34 occurred. Such authority shall include the examination of all
35 records pertaining to the care provided to the residents and

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1 contact or interview with any resident, employee, or any other
2 person who might have knowledge about the operation of the
3 institution.

4 Sec. ___. Section 135B.12, Code 2022, is amended to read as
5 follows:

6 **35B.12 Confidentiality.**

7 The department's final findings or the final survey findings
8 of the joint commission on the accreditation of health care
9 organizations or the American osteopathic association with
10 respect to compliance by a hospital or rural emergency hospital
11 with requirements for licensing or accreditation shall be made
12 available to the public in a readily available form and place.
13 Other information relating to a hospital or rural emergency
14 hospital obtained by the department which does not constitute
15 the department's findings from an inspection of the hospital
16 or rural emergency hospital or the final survey findings of
17 the joint commission on the accreditation of health care
18 organizations or the American osteopathic association shall
19 not be made available to the public, except in proceedings
20 involving the denial, suspension, or revocation of a license
21 under this chapter. The name of a person who files a complaint
22 with the department shall remain confidential and shall not
23 be subject to discovery, subpoena, or other means of legal
24 compulsion for its release to a person other than department
25 employees or agents involved in the investigation of the
26 complaint.

27 Sec. ___. Section 135B.14, Code 2022, is amended to read as
28 follows:

29 **135B.14 Judicial review.**

30 Judicial review of the action of the department may be sought
31 in accordance with chapter 17A. Notwithstanding the terms of
32 chapter 17A, the Iowa administrative procedure Act, petitions
33 for judicial review may be filed in the district court of the
34 county in which the hospital or rural emergency hospital is
35 located or to be located, and the status quo of the petitioner

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1 or licensee shall be preserved pending final disposition of the
2 matter in the courts.

3 Sec. ___. Section 135B.15, Code 2022, is amended to read as
4 follows:

5 **135B.15 Penalties.**

6 Any person establishing, conducting, managing, or operating

7 any hospital or rural emergency hospital without a license
8 shall be guilty of a serious misdemeanor, and each day of
9 continuing violation after conviction shall be considered a
10 separate offense.

11 Sec. ___. Section 135B.16, Code 2022, is amended to read as
12 follows:

13 **135B.16 Injunction.**

14 Notwithstanding the existence or pursuit of any other
15 remedy, the department may, in the manner provided by law,
16 maintain an action in the name of the state for injunction
17 or other process against any person or governmental unit to
18 restrain or prevent the establishment, conduct, management or
19 operation of a hospital or rural emergency hospital without a
20 license.

21 Sec. ___. Section 135B.20, subsection 3, Code 2022, is
22 amended to read as follows:

23 3. "*Hospital*" shall mean means all hospitals and rural
24 emergency hospitals licensed under this chapter.

25 Sec. ___. Section 135B.33, subsection 1, unnumbered
26 paragraph 1, Code 2022, is amended to read as follows:

27 Subject to availability of funds, the Iowa department of
28 public health shall provide technical planning assistance to
29 local boards of health and hospital or rural emergency hospital
30 governing boards to ensure access to hospital such services in
31 rural areas. The department shall encourage the local boards
32 of health and hospital or rural emergency hospital governing
33 boards to adopt a long-term community health services and
34 developmental plan including the following:

35 Sec. ___. Section 135B.34, subsection 7, Code 2022, is

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1 amended to read as follows:

2 7. For the purposes of this section, "comprehensive
3 preliminary background check".

4 a. "Comprehensive preliminary background check" means the
5 same as defined in section 135C.1.

6 b. "Hospital" means a hospital or rural emergency hospital
7 licensed under this chapter.

8 Sec. ___. EFFECTIVE DATE. This division of this Act, being
9 deemed of immediate importance, takes effect upon enactment.>

10 3. Title page, line 1, after <relating to> by inserting
11 <health care, health care facilities, and health services
12 including>

13 4. Title page, lines 3 and 4, by striking <and providing
14 for licensee discipline> and inserting <the application of the
15 certificate of need process, and licensure of rural emergency
16 hospitals, providing for licensee discipline, and including

- 17 effective date provisions.>
18 5. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES
JEFF EDLER, CHAIRPERSON

S-5066

- 1 Amend House File 2461, as passed by the House, as follows:
2 1. Page 4, line 3, after <research> by inserting <or
3 instructional>

COMMITTEE ON COMMERCE
JASON SCHULTZ, CHAIRPERSON

S-5067

- 1 Amend House File 781, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 544C.1, Code 2022, is amended by adding
5 the following new subsections:
6 NEW SUBSECTION. 1A. “*Building equipment*” means any
7 mechanical plumbing, electrical, or structural components,
8 including a conveyance, designed for or located in a building
9 or structure.
10 NEW SUBSECTION. 2A. “*Conveyance*” means an elevator,
11 dumbwaiter, vertical reciprocating conveyor, escalator, or
12 other motorized vertical transportation system.
13 NEW SUBSECTION. 2B. “*Direct supervision and responsible
charge*” means a registered interior designer’s personal
15 supervisory control of work of which the registered interior
16 designer has detailed professional knowledge. In respect
17 to preparing interior technical submissions, “*direct
supervision and responsible charge*” means that the registered
19 interior designer has the exercising, directing, guiding,
20 and restraining power over the preparation of the interior
21 technical submission, and exercises professional judgment in
22 all matters embodied in the interior technical submission.
23 “*Direct supervision and responsible charge*” does not mean
24 reviewing the interior technical submission prepared by another
25 person unless the reviewer actually exercises supervision and
26 control and is in responsible charge of the interior technical
27 submission.
28 NEW SUBSECTION. 2C. “*Interior alteration or construction
project*” means a project for an interior space or area within
30 a proposed or existing building or structure, including
31 construction, modification, renovation, rehabilitation, or
32 historic preservation, that involves changing or altering any
33 of the following:
34 a. The design function or layout of rooms.
35 b. The state of permanent fixtures or equipment.

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1 NEW SUBSECTION. 3A. “*Interior nonstructural element*” means
2 an interior design element that does not require structural
3 bracing and that is not load-bearing according to adopted code.

4 NEW SUBSECTION. 3B. “*Interior technical submission*” means
5 a design, drawing, specification, study, or other technical
6 report or calculation that establishes the scope of an interior
7 alteration or construction project including a description of
8 standards.

9 Sec. 2. Section 544C.1, subsection 3, Code 2022, is amended
10 to read as follows:

11 3. a. “*Interior design*” “*Registered interior design*”
12 means the design of interior spaces as a part of an interior
13 alteration or construction project including the preparation
14 of documents interior technical submissions relating to
15 space planning, finish materials, furnishings, fixtures,
16 and equipment, and the preparation of documents relating to
17 interior construction that does not affect the mechanical or
18 structural engineered systems of a building. “*Interior design*”
19 does not include services that constitute the practice of
20 architecture or the practice of professional engineering.

21 “*Registered interior design*” includes all of the following:

22 (1) Programming, planning, pre-design analysis, and
23 conceptual design of interior nonstructural elements, including
24 but not limited to the selection of materials, furniture,
25 fixtures, and equipment, but not building equipment.

26 (2) Alteration or construction of interior nonstructural
27 elements and any interior technical submissions related to such
28 alteration or construction.

29 (3) Preparation of a physical plan of space within a
30 proposed or existing building or structure including all of the
31 following:

32 (a) Determinations of circulation systems or patterns.
33 (b) Determinations of the location of exit requirements
34 based on occupancy loads.

35 (c) Assessment and analysis of interior safety factors to

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1 comply with building codes related to interior nonstructural
2 elements.

3 (4) Application of building codes, fire codes, and
4 accessibility standards, including but not limited to the
5 federal Americans with Disabilities Act of 1990, as applicable
6 to interior technical submissions for interior nonstructural
7 elements.

8 (5) Rendering of designs, plans, drawings, specifications,
9 contract documents, or other interior technical submissions and
10 administration of interior nonstructural element construction
11 and contracts relating to nonstructural elements in interior
12 alteration or construction of a proposed or existing building

13 or structure.
14 b. "Registered interior design" does not include any of the
15 following:
16 (1) Services that constitute the practice of professional
17 engineering or professional architecture, except as otherwise
18 provided in this chapter.
19 (2) The making of changes or additions to any of the
20 following:
21 (a) The structural system of a building, including changing
22 the building's live or dead load on the structural system.
23 (b) The building envelope, including exterior walls,
24 exterior wall coverings, exterior wall openings, exterior
25 windows and doors, architectural trim, balconies and similar
26 projections, bay and oriel windows, roof assemblies and rooftop
27 structures, and glass and glazing for exterior use in both
28 vertical and sloped applications in buildings and structures.
29 (c) The mechanical, plumbing, heating, air conditioning,
30 ventilation, electrical, vertical transportation, fire
31 sprinkler, or fire alarm systems.
32 (d) Means of egress systems, except for the exit access
33 component.
34 (e) Construction that materially affects life safety
35 systems pertaining to fire safety of structural elements or the

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1 fire protection of structural elements, smoke evacuation and
2 compartmentalization systems, or fire-rated vertical shafts in
3 multi-story structures.
4 (f) Changes of building use to occupancies not already
5 allowed by the current building.
6 (g) The construction classification of the building or
7 structure according to the international building code.
8 Sec. 3. Section 544C.2, subsection 1, Code 2022, is amended
9 to read as follows:
10 1. An interior design examining board is established within
11 the bureau. The board consists of seven members: five members
12 who are interior designers who are registered under this
13 chapter and who have been in the active practice of registered
14 interior design for not less than five years, the last two of
15 which shall have been in Iowa; and two members who are not
16 registered under this chapter and who shall represent the
17 general public. Members shall be appointed by the governor
18 subject to confirmation by the senate.
19 Sec. 4. Section 544C.5, unnumbered paragraph 1, Code 2022,
20 is amended to read as follows:
21 Each applicant for registration must meet the registered
22 interior design education and practical training requirements
23 adopted by rule by the board, and have passed an examination
24 prescribed by the board that is task-oriented, focused
25 on public safety, and validated by a recognized testing
26 agency. The bureau shall register an individual who submits

27 an application to the board on the form and in the manner
28 prescribed by the board as a registered interior designer if
29 the individual satisfies the following requirements:
30 Sec. 5. Section 544C.5, subsection 2, paragraphs a, b, and
31 c, Code 2022, are amended to read as follows:
32 a. Four years of registered interior design education plus
33 two years of full-time work experience in registered interior
34 design.
35 b. Three years of registered interior design education plus

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1 three years of full-time work experience in registered interior
2 design.
3 c. Two years of registered interior design education plus
4 four years of full-time work experience in registered interior
5 design.
6 Sec. 6. Section 544C.10, subsection 1, Code 2022, is amended
7 to read as follows:
8 1. It is unlawful for a person to use the title, or aid
9 or abet a person in using the title, of "registered interior
10 designer" or any title or device indicating that the person
11 is a registered interior designer unless the person has been
12 issued a certificate of registration as provided in this
13 chapter. This section does not prohibit the provision of
14 registered interior design services, or the use of the terms
15 "interior design" or "interior designer", by an architect or by
16 a person who is not registered as an interior designer.
17 Sec. 7. Section 544C.12, Code 2022, is amended by adding the
18 following new subsections:
19 NEW SUBSECTION. 4. A person engaged in an activity
20 traditionally performed by an interior designer, including
21 a professional service limited to the planning, design,
22 and implementation of kitchen and bathroom spaces or the
23 specification of products for kitchen and bathroom areas, in a
24 noncommercial setting.
25 NEW SUBSECTION. 5. A person not registered under this
26 chapter acting under the instruction, control, or supervision
27 of a registered interior designer, or a person executing
28 the plans of a registered interior designer, provided that
29 such a person shall not be in charge of interior technical
30 submissions.
31 Sec. 8. NEW SECTION. **544C.14 Registered interior designers**
32 — **stamp and seal.**
33 1. A registered interior designer shall have a seal with
34 which to identify all interior technical submissions issued by
35 the registered interior designer for use in this state. The

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1 seal shall be of a design, content, and size prescribed by the
2 board. A registered interior designer shall only sign and seal

3 an interior technical submission within the scope of registered
4 interior design.

5 2. Interior technical submissions prepared by a registered
6 interior designer, or under a registered interior designer's
7 direct supervision and responsible charge, shall be stamped
8 with the impression of the registered interior designer's seal.
9 A registered interior designer shall not impress the registered
10 interior designer's seal on an interior technical submission
11 if the registered interior designer was not the author of
12 the interior technical submission or if interior technical
13 submission was not prepared under the registered interior
14 designer's direct supervision and responsible charge.

15 3. A registered interior designer may sign and seal an
16 interior technical submission covering the scope of the
17 registered interior design and shall have the authority to
18 submit such interior technical submission to a state or local
19 governmental entity for the purpose of obtaining any requisite
20 permit for an interior alteration or construction project.

21 4. The placement of the registered interior designer's
22 signature and seal shall indicate the document or part thereof
23 for which the seal applies. The seal and date may be affixed
24 electronically. The registered interior designer may provide,
25 at the sole discretion of the registered interior designer,
26 an original signature in the handwriting of the registered
27 interior designer, a scanned copy of the document bearing an
28 original signature, or a computer-generated signature.

29 5. A registered interior designer shall not affix, or permit
30 to be affixed, the registration number, seal, or signature of
31 the registered interior designer to any interior technical
32 submission that the registered interior designer is not
33 competent to perform.

34 6. A registered interior designer shall not sign and seal
35 an interior technical submission that was not prepared by the

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1 registered interior designer or under the direct supervision
2 and responsible charge of the registered interior designer.

3 Sec. 9. **NEW SECTION. 544C.15 Registered interior designer**
4 **stamp and seal — conflicts of interest — penalties.**

5 1. A person shall not intentionally do any of the following:

6 a. Affix the signature or seal of a registered interior
7 designer to any interior technical submission without the
8 permission of the registered interior designer.

9 b. Use or attempt to use the interior design registration or
10 seal of another except as provided in section 544C.14.

11 c. Impersonate a registered interior designer.

12 d. Obtain or attempt to obtain registration from the board
13 by fraud.

14 e. Make any willfully false oath or affirmation to the
15 board.

16 f. As a registered interior designer, accept compensation

17 from a client in connection with a registered interior design
18 project, except as payment for the provision of registered
19 interior design services, which would reasonably appear to
20 compromise the registered interior designer's professional
21 judgment in serving the best interests of the client or public.
22 2. A person who intentionally violates a provision of
23 subsection 1 is guilty of a simple misdemeanor.
24 3. A registered interior designer shall avoid conflicts of
25 interest.
26 a. If an unavoidable conflict of interests arises, a
27 registered interior designer shall do all of the following:
28 (1) Immediately inform the client or employer of all
29 circumstances that may interfere with or impair the obligation
30 of the registered interior designer to provide professional
31 services.
32 (2) Notify the client or employer and withdraw from
33 employment at any time when it is not possible to faithfully
34 discharge the responsibilities and duties owed to the client
35 or employer.

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1 b. If an unavoidable conflict of interest arises, a
2 registered interior designer shall not do any of the following:
3 (1) Agree to perform professional registered interior
4 design services for a client or employer if the registered
5 interior designer has a significant financial or other interest
6 that would impair or interfere with the responsibility of
7 the registered interior designer to faithfully discharge
8 professional interior design services on behalf of the client
9 or employer.
10 (2) Accept payment from any party other than a client or
11 employer for a particular project and not have any direct or
12 indirect financial interest in a service or phase of a service
13 to be provided as part of a project unless the client or
14 employer approves of the conflict.
15 (3) Solicit or accept anything of value from material or
16 equipment suppliers in return for specifying or endorsing a
17 product.
18 (4) Violate the confidences of a client or employer except
19 as otherwise required by law.
20 (5) Perform services for a client or employer while a
21 full-time employee of another employer without notifying all
22 parties concerned.
23 4. This section shall not limit the professional
24 responsibility of a registered interior designer to an owner of
25 a project when the registered interior designer is employed by
26 a person under contract to engage in interior design practice
27 for that project.
28 Sec. 10. **NEW SECTION. 544C.16 Submission of interior**
29 **technical submissions.**
30 1. A registered interior designer may sign and seal an

31 interior technical submission that is required for an interior
32 alteration or construction project and that shall be kept as
33 public record.
34 2. If a political subdivision of the state requires a
35 seal or stamp on an interior technical submission that is

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1 submitted for an interior alteration or construction project,
2 the political subdivision shall accept an interior technical
3 submission impressed with the seal or stamp of a registered
4 interior designer consistent with the provisions of section
5 544C.14.
6 Sec. 11. REPEAL. Section 544C.13, Code 2022, is repealed.
7 2. Title page, lines 1 and 2, by striking <interior design,
8 providing penalties, and including effective date provisions>
9 and inserting <registered interior design and providing
10 penalties>

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5068

1 Amend House File 853, as passed by the House, as follows:
2 1. Page 2, line 28, by striking <fifteen> and inserting
3 <thirty>

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5069

1 Amend House File 2547, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. NEW SECTION. 147.11A Midwives —
5 reimbursement.
6 1. The department may issue a specialty occupational
7 license for medical reimbursement to an individual who is a
8 certified professional midwife, certified nurse midwife, or
9 certified midwife. The department shall adopt rules for the
10 implementation of this section, including a fee to cover the
11 administrative costs of licensure under this section.
12 2. For the purposes of this section:
13 a. “*Certified midwife*” means a person who holds a current,
14 valid certification from the American midwifery certification
15 board.
16 b. “*Certified nurse midwife*” means a registered nurse
17 who holds a current, valid certification from the American
18 midwifery certification board.
19 c. “*Certified professional midwife*” means a person who holds

20 a current, valid certification with the North American registry
21 of midwives or its successor organization.
22 d. "*Specialty occupational license for medical reimbursement*"
23 means a nontransferable authorization in law for an individual
24 to qualify for payment or reimbursement from a governmental
25 agency for providing identified medical services based on
26 meeting personal qualifications established in law which may be
27 recognized by a private company.

28 Sec. 2. CONTINGENT EFFECTIVE DATE. This Act takes effect
29 upon the enactment of 2022 Iowa Acts, Senate File 487.>
30 2. Title page, by striking lines 1 and 2 and inserting <An
31 Act relating to medical reimbursement for midwives, providing
32 for fees, and including contingent effective date provisions.>

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5070

1 Amend House File 2331, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 8, by striking lines 3 through 6 and inserting:
4 <Sec. ___. CONTINGENT EFFECTIVE DATE. This Act takes
5 effect on the date the states of Minnesota, Illinois, Nebraska,
6 Missouri, South Dakota, and Wisconsin have all adopted daylight
7 saving time as the official time in each state throughout the
8 year, but only if all the states have either adopted daylight
9 saving time as the official time or enacted legislation
10 substantially similar to this Act prior to January 1, 2033.
11 The department of transportation shall notify the Code editor
12 when the states of Minnesota, Illinois, Nebraska, Missouri,
13 South Dakota, and Wisconsin have all adopted daylight saving
14 time as the official time in each state throughout the year or
15 have enacted legislation substantially similar to this Act.>
16 2. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5071

1 Amend House File 2340, as passed by the House, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. **NEW SECTION. 123.56 Public safety nuisances**
5 **procedure.**
6 1. A public safety nuisance exists at a licensed premises
7 for purposes of this section when it is established by clear
8 and convincing evidence that an owner, manager, employee,
9 contemporaneous patron, or guest of the licensed premises
10 commits any of the following acts on the licensed premises or
11 in any parking lots or areas, including but not limited to

12 public rights of way, adjacent to the licensed premises:
13 a. Unlawfully discharges a firearm or uses an offensive
14 weapon, as defined in section 724.1, regardless of whether it
15 inflicts injury or death.
16 b. Assaults another person with a dangerous weapon as
17 defined in section 702.7 resulting in injury or death.
18 c. Engages in a riot as defined in section 723.1 on at
19 least three separate days within any twelve-month period in
20 which a peace officer responded for purposes of dispersing the
21 participants in the riot. A person who willingly joins in or
22 remains a part of a riot need not be the same person for each
23 riot incident.
24 2. If the county attorney or city attorney where the
25 licensed premises is located has reason to believe a public
26 safety nuisance that constitutes a serious threat to the
27 public safety exists, the county attorney or city attorney, or
28 attorney acting at the direction of the county attorney or city
29 attorney, may file a suit in equity in district court without
30 bond seeking abatement of a public safety nuisance arising
31 from a premises licensed under this chapter pursuant to the
32 requirements of this section.
33 3. Upon filing a suit in equity in district court pursuant
34 to subsection 2, the county attorney or city attorney shall
35 notify the administrator of the action. Upon receiving notice,

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1 the administrator shall issue an order reducing the hours
2 during which alcoholic beverages may be sold or consumed at
3 retail on the licensed premises to between 6:00 a.m. and 10:00
4 p.m. each day of the week during the pendency of the action in
5 equity. The county attorney or city attorney shall notify the
6 administrator of any final action or judgment entered resulting
7 from the action.
8 4. In an action seeking abatement of a public safety
9 nuisance as provided in this section, evidence of other
10 current violations of this chapter may be received by the
11 court and considered in determining the remedial provisions
12 of any abatement order. In addition, evidence of prior
13 sanctions, violations of law, nuisance behavior, or general
14 reputation relating to the licensed premises may be admissible
15 in determining the reasonableness of remedial provisions of an
16 abatement order. However, evidence of a prior conviction of
17 the licensee, managers, employees, or contemporaneous patrons
18 and guests is not necessary for purposes of considering or
19 issuing an abatement order under this section. In an action
20 under this section, the administrator may submit to the court
21 a report as evidence on behalf of the division regarding
22 the compliance history of the licensee or permittee for
23 consideration by the court.
24 5. If the district court finds that a public safety nuisance
25 exists, the court may enter judgment declaring the existence

26 of the nuisance and order such remedial action as the court
27 determines reasonable to abate the nuisance. The abatement
28 order may take the form of an injunction. The duration of an
29 abatement order may be up to two years. Remedial action may
30 include but is not limited to temporary closure of the licensed
31 premises, revocation of the license for such period of time as
32 is consistent with section 123.40, required change in business
33 practice or operations, or posting of a bond. If a bond is
34 ordered and posted, the bond shall be subject to forfeiture,
35 in whole or in part, for any further actions contrary to the

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1 abatement order.

2 6. For purposes of this section, "*licensed premises*" means
3 a premises where alcoholic beverages are authorized to be sold
4 for consumption on the licensed premises and where the serving
5 of food is only incidental to the consumption of alcoholic
6 beverages on the premises.>

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5072

1 Amend House File 2497, as passed by the House, as follows:

2 1. Page 1, by striking lines 10 and 11 and inserting <to
3 cashless wagering systems where a person accesses a cash
4 account through a mobile application used by the licensee
5 to conduct cashless wagering. The mobile application shall
6 include the statewide telephone number authorized by the
7 Iowa department of public health to provide problem gambling
8 information and extensive responsible gaming features in
9 addition to those described in section 99D.7, subsection 23.>

10 2. Page 1, by striking lines 19 and 20 and inserting <apply
11 to cashless wagering systems where a person accesses a cash
12 account through a mobile application used by the licensee
13 to conduct cashless wagering. The mobile application shall
14 include the statewide telephone number authorized by the
15 Iowa department of public health to provide problem gambling
16 information and extensive responsible gaming features in
17 addition to those described in section 99F.4, subsection 22.>

18 3. By striking page 1, line 23, through page 6, line 2, and
19 inserting:

20 <Sec. ___. Section 99D.7, subsection 23, Code 2022, is
21 amended to read as follows:

22 23. To establish a process to allow a person to be
23 voluntarily excluded from advance deposit wagering as defined
24 in section 99D.11, from an internet fantasy sports contest as
25 defined in section 99E.1, from advance deposit sports wagering
26 as defined in section 99F.9, and from the wagering area of
27 a racetrack enclosure, from the gaming floor, and from the

28 sports wagering area, as defined in section 99F.1, of all
29 other licensed facilities under this chapter and chapter 99F
30 as provided in this subsection. The process shall provide
31 that an initial request by a person to be voluntarily excluded
32 shall be for a period of five years or life and any subsequent
33 request following any five-year period shall be for a period of
34 five years or life. The process established shall require that
35 licensees be provided electronic access to names and social

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1 security numbers of persons voluntarily excluded through a
2 secured interactive internet site maintained by the commission
3 and information regarding persons voluntarily excluded shall
4 be disseminated to all licensees under this chapter, chapter
5 99E, and chapter 99F. The names, social security numbers, and
6 information regarding persons voluntarily excluded shall be
7 kept confidential unless otherwise ordered by a court or by
8 another person duly authorized to release such information.
9 The process established shall also require a person requesting
10 to be voluntarily excluded be provided information compiled
11 by the Iowa department of public health on gambling treatment
12 options. The state and any licensee under this chapter,
13 chapter 99E, or chapter 99F shall not be liable to any person
14 for any claim which may arise from this process. In addition
15 to any other penalty provided by law, any money or thing of
16 value that has been obtained by, or is owed to, a voluntarily
17 excluded person as a result of wagers made by the person after
18 the person has been voluntarily excluded shall be forfeited by
19 the person and shall be credited to the general fund of the
20 state. The commission shall not initiate any administrative
action or impose penalties on a licensee who voluntarily
reports to the commission activity described in section 99D.24,
subsection 4, paragraph "c".

24 Sec. ___. Section 99D.24, subsection 4, Code 2022, is
25 amended by adding the following new paragraphs:

26 NEW PARAGRAPH. *c.* Knowingly or intentionally passes a
27 winning wager or share to another person or provides fraudulent
28 identification in order to avoid the forfeiture of any money or
29 thing of value as a voluntarily excluded person pursuant to the
30 processes established under section 99D.7, subsection 23.

31 NEW PARAGRAPH. *d.* Knowingly or intentionally passes a
32 winning wager or share to another person or provides fraudulent
33 identification in order to avoid the application of a setoff
34 as provided in section 99D.28.

35 Sec. ___. Section 99D.28, subsection 7, Code 2022, is

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1 amended to read as follows:
2 7. A claimant agency or licensee, acting in good faith,
3 shall not be liable to any person for actions taken pursuant to

4 this section. In addition, the commission shall not initiate
5 any administrative action or impose penalties on a licensee who
6 voluntarily reports to the commission activity described in
7 section 99D.24, subsection 4, paragraph "d".

8 Sec. ___. Section 99F.4, subsection 22, Code 2022, is
9 amended to read as follows:

10 22. To establish a process to allow a person to be
11 voluntarily excluded from advance deposit wagering as defined
12 in section 99D.11, from an internet fantasy sports contest
13 as defined in section 99E.1, from advance deposit sports
14 wagering as defined in section 99F.9, from the gaming floor
15 and sports wagering area of an excursion gambling boat, from
16 the wagering area, as defined in section 99D.2, and from the
17 gaming floor and sports wagering area of all other licensed
18 facilities under this chapter and chapter 99D as provided in
19 this subsection. The process shall provide that an initial
20 request by a person to be voluntarily excluded shall be for
21 a period of five years or life and any subsequent request
22 following any five-year period shall be for a period of five
23 years or life. The process established shall require that
24 licensees be provided electronic access to names and social
25 security numbers of persons voluntarily excluded through a
26 secured interactive internet site maintained by the commission
27 and information regarding persons voluntarily excluded shall
28 be disseminated to all licensees under this chapter, chapter
29 99D, and chapter 99E. The names, social security numbers, and
30 information regarding persons voluntarily excluded shall be
31 kept confidential unless otherwise ordered by a court or by
32 another person duly authorized to release such information.
33 The process established shall also require a person requesting
34 to be voluntarily excluded be provided information compiled
35 by the Iowa department of public health on gambling treatment

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1 options. The state and any licensee under this chapter,
2 chapter 99D, or chapter 99E shall not be liable to any person
3 for any claim which may arise from this process. In addition
4 to any other penalty provided by law, any money or thing of
5 value that has been obtained by, or is owed to, a voluntarily
6 excluded person as a result of wagers made by the person after
7 the person has been voluntarily excluded shall be forfeited by
8 the person and shall be credited to the general fund of the
9 state. The commission shall not initiate any administrative
10 action or impose penalties on a licensee who voluntarily
11 reports to the commission activity described in section 99F.15,
12 subsection 4, paragraph "n".

13 Sec. ___. Section 99F.15, subsection 4, Code 2022, is
14 amended by adding the following new paragraphs:
15 NEW PARAGRAPH. n. Knowingly or intentionally passes a
16 winning wager or share to another person or provides fraudulent
17 identification in order to avoid the forfeiture of any money or

18 thing of value as a voluntarily excluded person pursuant to the
19 processes established under section 99F.4, subsection 22.

20 NEW PARAGRAPH. *o.* Knowingly or intentionally passes a
21 winning wager or share to another person or provides fraudulent
22 identification in order to avoid the application of a setoff
23 as provided in section 99F.19.

24 Sec. ___. Section 99F.19, subsection 7, Code 2022, is
25 amended to read as follows:

26 7. A claimant agency or licensee, acting in good faith,
27 shall not be liable to any person for actions taken pursuant to
28 this section. In addition, the commission shall not initiate
29 any administrative action or impose penalties on a licensee who
30 voluntarily reports to the commission activity described in
31 section 99F.15, subsection 4, paragraph "o.">

32 4. Title page, line 4, after <penalties> by inserting <and
33 making penalties applicable>

34 5. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
ROBY SMITH, CHAIRPERSON

S-5073

1 Amend House File 626, as passed by the House, as follows:

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

4 <Section 1. Section 403.22, subsection 1, unnumbered
5 paragraph 1, Code 2022, is amended to read as follows:

6 With respect to any urban renewal area established upon
7 the determination that the area is an economic development
8 area, unless exempted under section 403.22A, subsection 6, a
9 division of revenue as provided in section 403.19 shall not be
10 allowed for the purpose of providing or aiding in the provision
11 of public improvements related to housing and residential
12 development, unless the municipality assures that the project
13 will include assistance for low and moderate income family
14 housing.

15 Sec. 2. Section 403.22, subsection 2, Code 2022, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *e.* For urban renewal areas established
18 before July 1, 2022, rebates provided under section 403.22A.

19 Sec. 3. NEW SECTION. **403.22A Federal targeted area —**
20 **rebate agreements.**

21 1. For purposes of this section, unless the context
22 otherwise requires:

23 *a. "Actual value added by the improvements"* means the actual
24 value added by improvements made to the qualified real estate
25 as of the first assessment year for which the rebate was
26 received.

27 *b. "Federal targeted area"* means an area that has previously
28 been identified by the home owners' loan corporation or similar
29 entity as less desirable, declining, hazardous, or risky

30 for mortgage lending in accordance with or as the result of
31 implementation of the National Housing Act, Pub. L. No. 73-479,
32 48 Stat. 1246, the United States Housing Act of 1937, Pub. L.
33 No. 75-412, 50 Stat. 888, or a subsequent enactment of Congress
34 or successor provision of law prior to enactment of Tit. VIII
35 of the Civil Rights Act of 1968, commonly referred to as the

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1 Fair Housing Act of 1968.
2 c. "*Improvements*" means rehabilitation and additions to
3 existing structures as well as new construction on vacant land
4 or on land with existing structures. However, new construction
5 on land assessed as agricultural property shall not qualify as
6 "*improvements*" for purposes of this section.
7 d. "*Qualified real estate*" means real property, other than
8 land, which is located in that portion of an urban renewal area
9 that is a federal targeted area and to which improvements have
10 been added during the time the area was designated by ordinance
11 under subsection 2 that have increased the actual value by at
12 least the percentage specified in the ordinance adopted by the
13 municipality under subsection 2, or if no percent is specified,
14 then by at least thirty percent. "*Qualified real estate*" also
15 means land upon which no structure existed at the start of the
16 new construction that is located in that portion of an urban
17 renewal area that is a federal targeted area and upon which
18 new construction has been added during the time the area was
19 so designated.
20 2. A municipality may, by ordinance, designate an urban
21 renewal area as being eligible for the municipality to
22 authorize property tax rebates under this section to eligible
23 property owners within the portion of an urban renewal area
24 that is a federal targeted area.
25 3. Following the designation under subsection 2, the
26 municipality may enter into agreements to provide property
27 tax rebates using moneys from the special fund of the
28 municipality referred to in section 403.19, subsection 2,
29 to owners of qualified real estate that is owner-occupied
30 residential property containing two or fewer dwelling units.
31 The rebate amount each year shall not exceed an amount equal
32 to the actual value added by the improvements while the owner
33 owned the property, not to exceed fifty thousand dollars,
34 multiplied by the assessment limitation percentage under
35 section 441.21, subsection 4, divided by one thousand dollars,

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1 and then multiplied by the consolidated levy rate or average
2 consolidated levy rate per one thousand dollars of taxable
3 value applicable to the property.
4 4. The rebate provided under an agreement shall be allowed
5 for a period not to exceed fifteen consecutive years. Rebates

6 under this section shall be allowed for the authorized period
7 as long as the qualified real estate is legally or equitably
8 owned by the owner who added the improvements to the property
9 or the owner's spouse and is occupied by the owner or the
10 owner's spouse. If the military service or medical care
11 conditions of section 425.11, subsection 1, paragraph "d",
12 subparagraph (1), subparagraph divisions (a) and (b), relating
13 to homesteads apply to the qualified real estate, such real
14 estate shall be considered owner occupied.

15 5. If the owner of qualified real estate that receives a
16 rebate under this section sells the qualified real estate or
17 no longer occupies the qualified real estate, the agreement
18 shall be void for the remaining years of the agreement and if
19 the sale or move occurs within five years of the date of the
20 agreement, the owner shall be required to repay all rebate
21 amounts received under the agreement.

22 6. An urban renewal area established on or after July 1,
23 2022, upon the determination that the area is an economic
24 development area and which contains in whole or in part
25 a federal targeted area, is exempt from the requirements
26 of section 403.22, so long as the ordinance adopted under
27 subsection 2 remains in effect.>

28 2. Title page, by striking lines 1 through 5 and inserting
29 <An Act relating to urban renewal areas by authorizing
30 municipalities to provide property tax rebates for certain
31 owner-occupied residential property located in areas previously
32 subjected to lending discrimination.>

COMMITTEE ON WAYS AND MEANS
DAN DAWSON, CHAIRPERSON

S-5074

1 Amend Senate File 2210 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. **NEW SECTION. 135Q.1 Definitions.**
5 As used in this chapter, unless the context otherwise
6 requires:
7 1. "*Department*" means the department of inspections and
8 appeals.
9 2. "*Direct services*" means services provided to consumers
10 through person-to-person contact. "*Direct services*" excludes
11 services performed by persons in a health care entity setting
12 that do not involve the provision of any service or treatment
13 to a consumer of a health care entity. "*Direct services*" does
14 not include the practice of medicine and surgery or osteopathic
15 medicine and surgery by an individual licensed under chapter
16 148 or the practice of nursing by an advanced registered nurse
17 practitioner or an advanced practice registered nurse licensed
18 under chapter 152 or 152E.
19 3. "*Health care employment agency*" or "*agency*" means an

20 agency that contracts with a health care entity in this state
21 to provide agency workers for temporary, temporary-to-hire,
22 direct hire, or other contract or employee placements.
23 4. "*Health care employment agency worker*" or "*agency worker*"
24 means an individual who contracts with or is employed by a
25 health care employment agency to provide direct services or
26 nursing services to health care entity consumers.
27 5. "*Health care entity*" means a licensed or certified
28 facility, organization, or agency operated to provide services
29 and supports to meet the health or personal care needs of
30 consumers.
31 6. "*Managing entity*" means a business entity, owner,
32 ownership group, chief executive officer, program
33 administrator, director, or other decision maker whose
34 responsibilities include directing the management or policies
35 of a health care employment agency. "*Managing entity*" includes

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1 an individual who, directly or indirectly, holds a beneficial
2 interest in a corporation, partnership, or other business
3 entity that constitutes a managing entity.
4 7. "*Nursing services*" means those services which may be
5 provided only by or under the supervision of a nurse. "*Nursing*
6 *services*" does not include the practice of nursing by an
7 advanced registered nurse practitioner or an advanced practice
8 registered nurse licensed under chapter 152 or 152E.
9 Sec. 2. **NEW SECTION. 135Q.2 Health care employment agency**
10 **requirements — registration — liability — penalties.**
11 1. A health care employment agency operating in the state
12 shall register annually with the department. Each separate
13 location of a health care employment agency shall register
14 annually with and pay an annual registration fee of five
15 hundred dollars to the department. The department shall issue
16 each location a separate certification of registration upon
17 approval of registration and payment of the fee.
18 2. A health care employment agency shall do all of the
19 following:
20 a. Ensure that agency workers comply with all applicable
21 requirements relating to the health requirements and
22 qualifications of personnel in health care entity settings.
23 b. Document that each agency worker meets the minimum
24 licensing, certification, training, and health requirements
25 and the continuing education standards for the agency worker's
26 position in the health care entity setting.
27 c. Maintain records for each agency worker and report,
28 file, or otherwise provide any required documentation to
29 external parties or regulators which would otherwise be the
30 responsibility of the health care entity if the agency worker
31 was employed by the health care entity.
32 d. Maintain professional and general liability insurance
33 coverage with minimum per occurrence coverage of one million

34 dollars and aggregate coverage of three million dollars to
35 insure against loss, damage, or expense incident to a claim

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1 arising out of the death or injury of any person as the result
2 of negligence or malpractice in the provision of services by
3 the agency or an agency worker.
4 3. *a.* A health care employment agency shall not do any of
5 the following:
6 (1) Restrict in any manner the employment opportunities
7 of an agency worker by including a non-compete clause in any
8 contract with an agency worker or health care entity.
9 (2) In any contract with an agency worker or health care
10 entity, require payment of liquidated damages, employment fees,
11 or other compensation if the agency worker is subsequently
12 hired as a permanent employee of the health care entity.
13 *b.* Any contract that violates this subsection shall be
14 unenforceable in court.
15 4. A health care employment agency shall submit a report to
16 the department on a quarterly basis for each health care entity
17 participating in Medicare or Medicaid with whom the agency
18 contracts that includes all of the following by provider type:
19 *a.* A detailed list of the average amount charged to the
20 health care entity for each individual agency worker category.
21 *b.* A detailed list of the average amount paid by the agency
22 to agency workers in each individual agency worker category.
23 5. *a.* A health care employment agency that violates
24 subsection 1 or subsection 2 is subject to denial or revocation
25 of registration for a period of one year and a monetary penalty
26 of five hundred dollars for a first offense and five thousand
27 dollars for each offense thereafter.
28 *b.* A health care employment agency that violates subsection
29 3 or that knowingly provides an agency worker who has an
30 illegally or fraudulently obtained or issued diploma,
31 registration, license, certification, or background check to
32 a health care entity is subject to immediate revocation of
33 registration. The department shall notify the agency thirty
34 days in advance of the date of such revocation.
35 *c.* (1) The managing entity of an agency for which

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1 registration has been denied or revoked under this subsection
2 shall not be eligible to apply for or be granted registration
3 for another agency during the two-year period following the
4 date of the denial or revocation.
5 (2) The department shall not approve a new registration
6 or renew an existing registration for any agency for which
7 the managing entity is also the managing entity of an agency
8 for which registration has been denied or revoked during the
9 two-year period in which registration of the violating agency

10 is denied or revoked.

11 6. The department shall establish a system for members of
12 the public to report complaints against an agency or agency
13 worker. The department shall investigate any complaint
14 received and shall report the department's findings to the
15 complaining party and the agency involved.>

MARK COSTELLO

S-5075

1 Amend Senate File 2276 as follows:

2 2. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 135N.1, Code 2022, is amended by
5 striking the section and inserting in lieu thereof the
6 following:

7 **135N.1 Direct health care agreements.**

8 1. *Definitions.* For the purpose of this section:

9 a. "*Direct health care agreement*" means an agreement between
10 a provider and a patient, or the patient's representative, in
11 which the provider agrees to provide health care services for a
12 specified period of time to the patient for a service charge.

13 b. "*Durable power of attorney for health care*" means the same
14 as defined in section 144B.1.

15 c. "*Health care services*" means services for the diagnosis,
16 prevention, treatment, cure, or relief of a health condition,
17 illness, injury, or disease. "*Health care services*" includes
18 dental care services.

19 d. "*Patient*" means an individual, or an individual and the
20 individual's immediate family, that is a party to a direct
21 health care agreement.

22 e. "*Patient's representative*" means a parent, guardian, or
23 an individual holding a durable power of attorney for health
24 care for a patient.

25 f. "*Provider*" means a health care professional licensed,
26 accredited, registered, or certified to perform health care
27 services consistent with the laws of this state. "*Provider*"
28 includes an individual health care professional or other
29 legal health care entity alone or with other health care
30 professionals professionally associated with the individual
31 health care professional or other legal health care entity.

32 g. "*Service charge*" means a charge for health care services
33 provided by a provider to a patient covered by a direct health
34 care agreement. "*Service charge*" may include a periodic
35 retainer, a membership fee, a subscription fee, or a charge in

1 any other form paid by a patient to a provider under a direct
2 health care agreement.
3 2. *Requirements for a valid direct health care agreement.*

4 a. In order to be a valid agreement, a direct health care
5 agreement must meet all of the following requirements:
6 (1) Be in writing.
7 (2) Be signed by the provider, or an agent of the provider,
8 and the patient or the patient's representative.
9 (3) Describe the scope of the health care services covered
10 by the direct health care agreement.
11 (4) State each of the provider's locations where a patient
12 may obtain health care services and specify any out-of-office
13 health care services that are covered under the direct health
14 care agreement.
15 (5) Specify the service charge and the frequency at which
16 the service charge must be paid by the patient. A patient
17 shall not be required to pay more than twelve months of a
18 service charge in advance.
19 (6) Specify any additional costs for health care services
20 not covered by the service charge for which the patient will
21 be responsible.
22 (7) Specify the duration of the direct health care
23 agreement, whether renewal is automatic, and if required, the
24 procedure for renewal.
25 (8) Specify the terms and conditions under which the direct
26 health care agreement may be terminated by the provider.
27 A termination of the direct health care agreement by the
28 provider shall include a minimum of a thirty-calendar-day
29 advance, written notice to the patient or to the patient's
30 representative.
31 (9) Specify that the direct health care agreement may be
32 terminated at any time by the patient upon written notice to
33 the provider.
34 (10) State that if the direct health care agreement is
35 terminated by either the patient or the provider all of the

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1 following apply:
2 (a) Within thirty calendar days of the date of the notice of
3 termination from either party, the provider shall refund all
4 unearned service charges to the patient.
5 (b) Within thirty calendar days of the date of the notice
6 of termination from either party, the patient shall pay all
7 outstanding earned service charges to the provider.
8 (11) Include a notice in bold, twelve-point type that states
9 substantially as follows:
10 NOTICE. This direct health care agreement is not health
11 insurance and is not a plan that provides health coverage for
12 purposes of any federal mandates. This direct health care
13 agreement only covers the health care services described in
14 this agreement. It is recommended that you obtain health
15 insurance to cover health care services not covered under this
16 direct health care agreement. You are personally responsible
17 for the payment of any additional health care expenses you may

18 incur.

19 b. The provider shall provide the patient, or the patient's
20 representative, with a fully executed copy of the direct health
21 care agreement at the time the direct health care agreement is
22 executed.

23 3. *Application for a direct health care agreement.* If
24 a provider requires a prospective patient to complete an
25 application for a direct health care agreement, the provider
26 shall provide a written disclaimer on each application that
27 informs the prospective patient of the patient's financial
28 rights and responsibilities and that states that the provider
29 will not bill a health insurance carrier for health care
30 services covered under the direct health care agreement. The
31 disclaimer shall also include the identical notice required by
32 subsection 2, paragraph "a", subparagraph (11).

33 4. *Notice required for changes to the terms or conditions of
34 a direct health care agreement.*

35 a. A provider shall provide at least a sixty-calendar-day

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1 advance, written notice to a patient of any of the following
2 changes to a direct health care agreement:
3 (1) Any change in the scope of the health care services
4 covered under the agreement.
5 (2) Any change in the provider's locations where the patient
6 may access health care services.
7 (3) Any change in the out-of-office services that are
8 covered under the direct health care service agreement.
9 (4) Any change in the service charge.
10 (5) Any change in the additional costs for health care
11 services not covered by the service charge.
12 (6) Any change in the renewal terms.
13 (7) Any change in the terms to terminate the agreement.

14 b. A provider shall provide the notice by mailing a letter
15 to the last known address of the patient that the provider has
16 on file. The postmark date on the letter shall be the first day
17 of the required sixty-calendar-day notice period.

18 5. *Discrimination based on an individual's health status
19 or preexisting condition.* A provider shall not do any of
20 the following based on a patient's or prospective patient's
21 preexisting condition or health status:

22 a. Refuse to accept a new patient.
23 b. Refuse to renew a direct health care agreement.
24 c. Establish an additional service charge for a direct
25 health care agreement.

26 6. *A direct health care agreement is not insurance.*

27 a. A direct health care agreement shall be deemed to not
28 be insurance and shall not be subject to the authority of the
29 commissioner of insurance. Neither a provider or an agent of a
30 provider shall be required to be licensed by the commissioner
31 to transact the business of insurance in this state, or to

32 obtain a certificate issued by the commissioner to market or
33 offer a direct health care agreement.
34 b. A provider shall not bill an insurer for a health care
35 service provided under a direct health care agreement. A

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1 patient may submit a request for reimbursement to an insurer
2 if permitted under the patient's policy of insurance. This
3 paragraph does not prohibit a provider from billing a patient's
4 insurance for a health care service provided to the patient by
5 the provider that is not covered under the direct health care
6 agreement.

7 *7. Third-party payment of a service charge.* A provider
8 may accept payment of a service charge for a patient either
9 directly or indirectly from a third party. A provider may
10 accept all or part of a service charge paid by an employer
11 on behalf of an employee who is a patient of the provider.
12 A provider shall not enter directly into an agreement with
13 an employer relating to a health care agreement between the
14 provider and employees of the employer, other than an agreement
15 to establish the timing and method of the payment of a service
16 charge paid by the employer on behalf of the employee.

17 *8. Sale or transfer of a direct health care agreement.* A
18 direct health care agreement shall not be sold or transferred
19 by a provider without the prior written consent of the patient
20 who is a party to the direct health care agreement. A patient
21 shall not sell or transfer a direct health care agreement to
22 which the patient is a party.

23 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
24 importance, takes effect upon enactment.

25 Sec. 3. APPLICABILITY. This Act applies to direct health
26 care agreements that are fully executed on or after the date
27 of enactment.>

CRAIG WILLIAMS

S-5076

1 Amend Senate File 2372 as follows:
2 1. Page 1, after line 10 by inserting:
3 ~~<Sec. ____.~~ Section 423.2, Code 2022, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 13. The department shall adopt rules
6 pursuant to chapter 17A to administer subsection 6, paragraphs
7 "bu", "bv", and "bu">
8 2. Page 2, by striking lines 19 through 23 and inserting:
9 ~~<NEW SUBSECTION.~~ 108. The sales price from the sale of
10 feminine hygiene products. For purposes of this subsection,
11 "feminine hygiene products" means tampons, panty liners,
12 menstrual cups, sanitary napkins, and other similar tangible
13 personal property designed for feminine hygiene in connection

14 with the human menstrual cycle.>
15 3. Page 2, line 24, by striking <108.> and inserting <109.>
16 4. Page 3, after line 13 by inserting:
17 <Sec. ___. EFFECTIVE DATE. The following takes effect
18 January 1, 2024:
19 The section of this division of this Act amending section
20 423.3, subsection 47, paragraph "a", subparagraph (4).>
21 5. Page 6, after line 1 by inserting:
22 <Sec. ___. Section 422.7, Code 2022, is amended by adding
23 the following new subsection:
24 NEW SUBSECTION. 6. a. For tax years beginning in the 2023
25 calendar year, subtract the amount of federal income taxes
26 paid during the tax year to the extent payment is for a tax
27 year beginning prior to January 1, 2023, and add any federal
28 income tax refunds received during the tax year to the extent
29 the federal income tax was deducted for a tax year beginning
30 prior to January 1, 2023. Where married persons who have filed
31 a joint federal income tax return file separately for state tax
32 purposes, such total shall be divided between them according
33 to the portion of the total paid by each. Federal income taxes
34 paid for a tax year in which an Iowa return was not required to
35 be filed shall not be subtracted.

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- 1 b. Notwithstanding any other provision of law to the
- 2 contrary, amounts subtracted or added pursuant to this
- 3 subsection shall not be included in the calculation of net
- 4 income for purposes of section 422.5, subsection 3 or 3B, or
- 5 section 422.13.
- 6 c. This subsection is repealed January 1, 2028.>
- 7 6. By striking page 7, line 29, through page 8, line 22.
- 8 7. By renumbering as necessary.

DAN DAWSON

S-5077

1 Amend Senate File 2363 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 692A.128, Code 2022, is amended to read
5 as follows:
6 **692A.128 Modification.**
7 1. A sex offender ~~who is on probation, parole, work release,~~
8 ~~special sentence, or any other type of conditional release may~~
9 file an application in district court seeking to modify the
10 registration requirements under this chapter.
11 2. ~~An~~ For an offender whose requirement to register as a sex

offender commenced prior to July 1, 2022, an application shall
not be granted unless all of the following apply:
14 a. The date of the commencement of the requirement to

15 register occurred at least two years prior to the filing of the
16 application for a tier I offender and five years prior to the
17 filing of the application for a tier II or III offender.
18 b. The sex offender has successfully completed all sex
19 offender treatment programs that have been required.
20 c. A risk assessment has been completed and the sex offender
21 was classified as a low risk to reoffend. The risk assessment
22 used to assess an offender as a low risk to reoffend shall
23 be a validated risk assessment approved by the department of
24 corrections.
25 d. The sex offender is not incarcerated when the application
26 is filed.
27 e. The director of the judicial district department
28 of correctional services supervising the sex offender, or
29 the director's designee, stipulates to the modification,
30 and a certified copy of the stipulation is attached to the
31 application.
32 3. For an offender whose requirement to register as a sex
33 offender commenced on or after July 1, 2022, an application
34 shall not be granted unless all of the following apply:
35 a. A period of time has elapsed since the offender's initial

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1 registration as follows:
2 (1) (a) Except as otherwise provided in subparagraph
3 division (b), a tier I offender initially registered at least
4 ten years prior to the filing of the application.
5 (b) A tier I offender who was under twenty years of age at
6 the time the offender committed a violation of section 709.4,
7 subsection 1, paragraph "b", subparagraph (2), subparagraph
8 division (d), initially registered at least five years prior to
9 the filing of the application.
10 (2) A tier II or tier III offender initially registered at
11 least fifteen years prior to the filing of the application.
12 b. The sex offender has successfully completed all sex
13 offender treatment programs that have been required.
14 c. A risk assessment has been completed and the sex offender
15 was classified as a low risk to reoffend. The risk assessment
16 used to assess an offender as a low risk to reoffend shall
17 be a validated risk assessment approved by the department of
18 corrections.
19 d. The sex offender is not incarcerated when the application
20 is filed has successfully completed any pretrial release,
21 probation, parole, or work release for the offense requiring
22 registration.
23 e. The director of the judicial district department
24 of correctional services supervising the sex offender, or
25 the director's designee, stipulates to the modification,
26 and a certified copy of the stipulation is attached to the
27 application.
28 f. The sex offender is not incarcerated when the application

29 is filed.

30 (1) A tier I offender must not have been convicted of any
31 criminal offense other than a simple misdemeanor, or a simple
32 or serious misdemeanor or traffic violation under chapter 321,
33 for the ten-year period immediately preceding the filing of the
34 application.

35 (2) A tier II or tier III offender shall not have been

Page 3

1 convicted of any criminal offense other than a simple
2 misdemeanor, or a simple or serious misdemeanor or traffic
3 violation under chapter 321, for the fifteen-year period
4 immediately preceding the filing of the application.

5 3. 4. The application shall be filed in the sex offender's
6 county of principal residence.

7 4. 5. Notice of any application shall be provided to the
8 county attorney of the county of the sex offender's principal
9 residence, the county attorney of any county in this state
10 where a conviction requiring the sex offender's registration
11 occurred, and the department. The county attorney where the
12 conviction occurred shall notify the victim of an application
13 if the victim's address is known.

14 5. 6. The court may, but is not required to, conduct
15 a hearing on the application to hear any evidence deemed
16 appropriate by the court. The court may modify the
17 registration requirements under this chapter by reducing the
18 registration period.

19 6. A sex offender may be granted a modification if the
20 offender is required to be on the sex offender registry as a
21 result of an adjudication for a sex offense, the offender is
22 not under the supervision of the juvenile court or a judicial
23 district judicial department of correctional services, and the
24 department of corrections agrees to perform a risk assessment
25 on the sex offender. However, all other provisions of this
26 section not in conflict with this subsection shall apply to the
27 application prior to an application being granted except that
28 the sex offender is not required to obtain a stipulation from
29 the director of a judicial district department of correctional
30 services, or the director's designee.

31 7. If the court modifies the registration requirements
32 under this chapter, the court shall send a copy of the order to
33 the department, the sheriff of the county of the sex offender's
34 principal residence, any county attorney notified in subsection
35 4, and the victim, if the victim's address is known.>

JEFF REICHMAN

S-5078

1 Amend Senate File 2372 as follows:
2 1. Page 1, after line 10 by inserting:

3 <Sec. ___. Section 423.2, Code 2022, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 13. The department shall adopt rules
6 pursuant to chapter 17A to administer subsection 6, paragraphs
7 "bu", "bv", and "bw".>
8 2. Page 2, by striking lines 19 through 23 and inserting:
9 <NEW SUBSECTION. 108. The sales price from the sale of
10 feminine hygiene products. For purposes of this subsection,
11 "*feminine hygiene products*" means tampons, panty liners,
12 menstrual cups, sanitary napkins, and other similar tangible
13 personal property designed for feminine hygiene in connection
14 with the human menstrual cycle.>
15 3. Page 2, line 24, by striking <108.> and inserting <109.>
16 4. Page 3, after line 13 by inserting:
17 <Sec. ___. EFFECTIVE DATE. The following takes effect
18 January 1, 2024:
19 The section of this division of this Act amending section
20 423.3, subsection 47, paragraph "a", subparagraph (4).>
21 5. By striking page 3, line 32, through page 4, line 7.
22 6. Page 6, after line 1 by inserting:
23 <Sec. ___. Section 422.7, Code 2022, is amended by adding
24 the following new subsection:
25 NEW SUBSECTION. 6. a. For tax years beginning in the 2023
26 calendar year, subtract the amount of federal income taxes
27 paid during the tax year to the extent payment is for a tax
28 year beginning prior to January 1, 2023, and add any federal
29 income tax refunds received during the tax year to the extent
30 the federal income tax was deducted for a tax year beginning
31 prior to January 1, 2023. Where married persons who have filed
32 a joint federal income tax return file separately for state tax
33 purposes, such total shall be divided between them according
34 to the portion of the total paid by each. Federal income taxes
35 paid for a tax year in which an Iowa return was not required to

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1 be filed shall not be subtracted.
2 b. Notwithstanding any other provision of law to the
3 contrary, amounts subtracted or added pursuant to this
4 subsection shall not be included in the calculation of net
5 income for purposes of section 422.5, subsection 3 or 3B, or
6 section 422.13.
7 c. This subsection is repealed January 1, 2028.>
8 7. By striking page 7, line 29, through page 8, line 22.
9 8. Title page, line 3, by striking <the automobile rental
10 excise tax,>
11 9. By renumbering as necessary.

DAN DAWSON

S-5079

1 Amend House File 2462, as passed by the House, as follows:
2 1. Page 1, after line 13 by inserting:
3 <Sec. ___. The following amendment to the Constitution of
4 the State of Iowa is proposed:
5 Article XI of the Constitution of the State of Iowa is
6 amended by adding the following new section:
7 Sec. 9. **Cannabis.** The possession, growth, cultivation,
8 processing, manufacture, preparation, packaging, transferal,
9 consumption, and retail sale and purchase of cannabis, or
10 products created from or including cannabis, by persons
11 21 years of age or older, shall be lawful and subject to
12 regulation by the alcoholic beverages division or its successor
13 agency, except for cannabis purchased for medical use pursuant
14 to the recommendation of a medical professional as provided
15 for by law. "Cannabis" means all parts of the plant genus
16 Cannabis L., whether growing or not, the seeds thereof, and
17 every compound, manufacture, salt, derivative, mixture, or
18 preparation of the plant or its seeds.
19 The receipts from retail purchases of cannabis or products
20 created from or which include cannabis, other than cannabis
21 purchased for medical use pursuant to the recommendation of a
22 medical professional as provided for by law, shall be subject
23 to taxation by the state at a rate to be determined by the
24 general assembly by law not to exceed twenty percent and shall
25 be credited to the general fund of the state.
26 The receipts from retail purchases of cannabis, other
27 than cannabis purchased for medical use pursuant to the
28 recommendation of a medical professional as provided for by
29 law, shall be subject to a supplemental tax at a rate to be
30 determined by the general assembly by law not to exceed three
31 percent. Revenue from this tax shall be apportioned to the
32 municipality overseeing the location generating the receipt or,
33 in the case of an unincorporated area, to the county overseeing
34 that location.
35 The general assembly shall provide by law for the

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1 implementation of this section.
2 Sec. ___. REFERRAL AND PUBLICATION. The foregoing proposed
3 amendment to the Constitution of the State of Iowa is referred
4 to the general assembly to be chosen at the next general
5 election for members of the general assembly, and shall be
6 published as provided by law for three consecutive months
7 previous to the date of that election.>
8 2. Title page, line 2, after <heroin> by inserting <, and

9 proposing an amendment to the Constitution of the State of Iowa
10 relating to cannabis>
11 3. By renumbering as necessary.

JOE BOLKCOM
JANET PETERSEN
TONY BISIGNANO
CLAIRE A. CELSI
WILLIAM A. DOTZLER, JR.
TODD TAYLOR
JACKIE SMITH
PAM JOCHUM
ZACH WAHLS

S-5080

1 Amend Senate File 2131 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 96.2, Code 2022, is amended to read as
5 follows:
6 **96.2 Guide for interpretation.**
7 As a guide to the interpretation and application of this
8 chapter, the public policy of this state is declared to be as
9 follows: Economic insecurity due to unemployment is a serious
10 menace to negatively impacts the health, morals, and welfare
11 of the people of this state Iowa. Involuntary unemployment
12 is therefore a subject of general interest and concern which
13 requires appropriate action by the legislature to prevent
14 its spread and to lighten its burden which now so often
15 falls with crushing force upon the unemployed worker and the
16 worker's family. The achievement of social security requires
17 protection against this greatest hazard of our economic
18 life. This can be provided These undesirable consequences can
19 be reduced by encouraging employers to provide more stable
20 employment and by the systematic accumulation of funds during
21 periods of employment to provide benefits for periods of
22 unemployment, thus maintaining purchasing power and limiting
23 the serious social consequences of poor relief assistance.
24 The legislature, therefore, declares that in its considered
25 judgment the public good and the general welfare of the
26 citizens of this state require the enactment of this measure,
27 under the police powers of the state, for the compulsory
28 setting aside of unemployment reserves to be used for the
29 benefit of persons. This chapter provides for payment of
30 benefits to workers unemployed through no fault of their own.
31 The policy herein is intended to encourage stabilization in
32 employment, to provide for integrated employment and training
33 services in support of state economic development programs, and
34 to provide meaningful job training and employment opportunities
35 for the unemployed, underemployed, economically disadvantaged.

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1 dislocated workers, and others with substantial barriers to
2 employment. To further this public policy, the state, through
3 its department of workforce development, will maintain close
4 coordination among all federal, state, and local agencies
5 whose missions affect the employment or employability of the
6 unemployed and underemployed.

7 Sec. 2. Section 96.3, subsection 5, paragraph a, Code 2022,
8 is amended to read as follows:

9 *a. Duration of benefits.* The maximum total amount of
10 benefits payable to an eligible individual during a benefit
11 year shall not exceed the total of the wage credits accrued to
12 the individual's account during the individual's base period,
13 or twenty six sixteen times the individual's weekly benefit
14 amount, whichever is the lesser. The director shall maintain
15 a separate account for each individual who earns wages in
16 insured work. The director shall compute wage credits for
17 each individual by crediting the individual's account with
18 one-third of the wages for insured work paid to the individual
19 during the individual's base period. However, the director
20 shall recompute wage credits for an individual who is laid
21 off due to the individual's employer going out of business at
22 the factory, establishment, or other premises at which the
23 individual was last employed, by crediting the individual's
24 account with one-half, instead of one-third, of the wages for
25 insured work paid to the individual during the individual's
26 base period. Benefits paid to an eligible individual shall
27 be charged against the base period wage credits in the
28 individual's account which have not been previously charged,
29 in the inverse chronological order as the wages on which the
30 wage credits are based were paid. However if the state "off"
31 indicator is in effect and if the individual is laid off due to
32 the individual's employer going out of business at the factory,
33 establishment, or other premises at which the individual was
34 last employed, the maximum benefits payable shall be extended
35 to thirty nine twenty-six times the individual's weekly benefit

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1 amount, but not to exceed the total of the wage credits accrued
2 to the individual's account.

3 Sec. 3. Section 96.3, subsection 7, paragraph b,
4 subparagraph (1), subparagraph division (a), Code 2022, is
5 amended to read as follows:

6 (a) If the department determines that an overpayment
7 has been made, the charge for the overpayment against the
8 employer's account shall be removed and the account shall
9 be credited with an amount equal to the overpayment from
10 the unemployment compensation trust fund and this credit
11 shall include both contributory and reimbursable employers,
12 notwithstanding section 96.8, subsection 5. The employer shall

13 not be relieved of charges if benefits are paid because the
14 employer or an agent of the employer failed to respond timely
15 or adequately to the department's request for information
16 relating to the payment of benefits. This prohibition
17 against relief of charges shall apply to both contributory and
18 reimbursable employers. If the department determines that an
employer's failure to respond timely or adequately was through
no fault of the employer, the employer's account shall not be
charged for the overpayment.

22 Sec. 4. Section 96.4, Code 2022, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 8. The individual has satisfied a single
25 one-week waiting period during the individual's benefit year.
26 To satisfy the one-week waiting period, the individual, with
27 respect to the week in question, must otherwise be eligible
28 for benefits from this state, must not have received or have
29 payable benefits from this state, and must not be eligible for
30 benefits from another state.

31 Sec. 5. Section 96.5, subsection 2, Code 2022, is amended by
32 adding the following new paragraph:

33 NEW PARAGRAPH. d. For the purposes of this subsection,
34 "misconduct" means a deliberate act or omission by an
35 employee that constitutes a material breach of the duties

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1 and obligations arising out of the employee's contract of
2 employment. Misconduct is limited to conduct evincing such
3 willful or wanton disregard of an employer's interest as
4 is found in deliberate violation or disregard of standards
5 of behavior which the employer has the right to expect of
6 employees, or in carelessness or negligence of such degree of
7 recurrence as to manifest equal culpability, wrongful intent
8 or evil design, or to show an intentional and substantial
9 disregard of the employer's interests or of the employee's
10 duties and obligations to the employer. Misconduct by an
11 individual includes but is not limited to all of the following:
12 (1) Falsification of the individual's employment
13 application.
14 (2) Knowing violation of a reasonable and uniformly
15 enforced rule of an employer.
16 (3) Intentional damage of an employer's property.
17 (4) Dishonesty to an employer with regard to the
18 individual's employment.
19 (5) Consumption of alcohol, illegal or nonprescribed
20 prescription drugs, or an impairing substance in a manner
21 not directed by the manufacturer, or a combination of such
22 substances, on the employer's premises in violation of the
23 employer's employment policies.
24 (6) Reporting to work under the influence of alcohol,
25 illegal or nonprescribed prescription drugs, or an impairing
26 substance in an off-label manner, or a combination of such

27 substances, on the employer's premises in violation of the
28 employer's employment policies, unless the individual is
29 compelled to work by the employer outside of scheduled or
30 on-call working hours.
31 (7) Conduct that endangers the personal safety of the
32 individual, coworkers, or the general public.
33 (8) Incarceration for an act for which one could reasonably
34 expect to be incarcerated that results in missing work.
35 (9) Incarceration as a result of a misdemeanor or felony

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1 conviction by a court of competent jurisdiction.
2 (10) Excessive unexcused tardiness or absenteeism.
3 (11) Falsification of any work-related report, task, or job
4 that could expose the employer or coworkers to legal liability
5 or sanction for violation of health or safety laws.
6 (12) Failure to maintain any license, registration, or
7 certification that is reasonably required by the employer or
8 by law, or that is a functional requirement to perform the
9 individual's regular job duties, unless the failure is not
10 within the control of the individual.
11 (13) Conduct that is libelous or slanderous toward an
12 employer or an employee of the employer if such conduct is not
13 protected under state or federal law.
14 (14) Conduct creating or attempting to create dissention or
15 animus against the employer or a coworker if such conduct is
16 not protected under state or federal law.
17 (15) Theft of an employer or coworker's funds or property.
18 (16) Misrepresentation of time worked or work carried out
19 that results in the individual receiving unearned wages or
20 unearned benefits.
21 Sec. 6. Section 96.5, subsection 3, paragraph a,
22 subparagraph (1), subparagraph divisions (a), (b), (c), and
23 (d), Code 2022, are amended to read as follows:
24 (a) One hundred percent, if the work is offered during the
25 first ~~five weeks~~ week of unemployment.
26 (b) ~~Seventy five Ninety~~ percent, if the work is offered
27 during the ~~sixth second~~ through the ~~twelfth third~~ week of
28 unemployment.
29 (c) ~~Seventy Eighty~~ percent, if the work is offered during
30 the ~~thirteenth fourth~~ through the ~~eighteenth fifth~~ week of
31 unemployment.
32 (d) ~~Sixty five Seventy~~ percent, if the work is offered
33 ~~after during the eighteenth sixth through the eighth~~ week of
34 unemployment.
35 Sec. 7. Section 96.5, subsection 3, paragraph a,

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1 subparagraph (1), Code 2022, is amended by adding the following
2 new subparagraph division:

3 NEW SUBPARAGRAPH DIVISION. (e) Sixty percent, if the work
4 is offered after the eighth week of unemployment.
5 Sec. 8. Section 96.6, subsection 3, paragraph b, Code 2022,
6 is amended to read as follows:
7 b. Appeals from the initial determination shall be heard
8 by an administrative law judge employed by the department.
9 An administrative law judge's decision may be appealed by
10 any party to the employment appeal board created in section
11 10A.601. ~~The decision of the appeal board is final agency~~
12 ~~action and an appeal of the decision shall be made or directly~~
13 to the district court.
14 Sec. 9. Section 96.40, subsection 2, Code 2022, is amended
15 by adding the following new paragraph:
16 NEW PARAGRAPH. l. The reduction in work hours for employees
17 was not based on a work week exceeding forty hours.
18 Sec. 10. Section 96.40, Code 2022, is amended by adding the
19 following new subsections:
20 NEW SUBSECTION. 4A. Approval of a shared work plan shall
21 be revoked if the employer lays off any employee, whether the
22 employee is employed within an affected unit or not, while
23 participating in the shared work unemployment compensation
24 program.
25 NEW SUBSECTION. 12. A part-time employee shall be eligible
26 for shared work unemployment compensation program benefits,
27 provided that the employee meets all other requirements in this
28 section.>

DENNIS GUTH
JASON SCHULTZ

S-5081

1 Amend Senate File 2330 as follows:
2 1. Page 2, by striking lines 8 through 10 and inserting:
3 <There is no known private burial site, well, solid waste
4 disposal site, underground storage tank, hazardous waste, or
5 private sewage disposal system on the property as described
6 in Iowa Code section 558.69, and therefore the transaction is
7 exempt from the requirement to submit a groundwater hazard
8 statement.>

JEFF TAYLOR

S-5082

1 Amend the amendment, S-5067, to House File 781, as passed by
2 the House, as follows:
3 1. Page 4, line 32, by striking <registered>
4 2. Page 4, line 35, by striking <registered>
5 3. Page 5, line 3, by striking <registered>

- 6 4. Page 5, by striking lines 6 through 16.
7 5. By renumbering as necessary.

CHRIS COURNOYER

S-5083

- 1 Amend the amendment, S-5080, to Senate File 2131, as
2 follows:
3 1. Page 3, by striking lines 22 through 30
4 2. By renumbering as necessary.

NATE BOULTON

S-5084

- 1 Amend the amendment, S-5080, to Senate File 2131, as
2 follows:
3 1. Page 3, after line 21 by inserting:
4 <Sec. ___. Section 96.4, subsection 3, paragraph b, Code
5 2022, is amended to read as follows:
6 b. Notwithstanding any provision of this chapter to the
7 contrary, the department may establish by rule a process to
8 waive or alter the work search requirements of this subsection
9 for a claim for benefits if an individual has a reasonable
10 expectation that the individual will be returning to employment
11 and is attached to a regular job or industry or a member in
12 good standing of a union therein eligible for referral for
13 employment. To be considered attached to a regular job or
14 industry, an individual must be on a short-term seasonal
15 temporary layoff. If work is not available at the conclusion
16 of the layoff period due to short-term circumstances beyond
17 the employer's control, the employer may request an extension
18 of the waiver or alteration for up to two weeks from the
19 department. For purposes of this paragraph, "*short-term*
20 seasonal temporary layoff" means a layoff period of sixteen
21 weeks or less due to seasonal weather conditions that impact
22 the ability to perform work ~~related to highway construction,~~
23 ~~repair, or maintenance~~ with a specific return-to-work date
24 verified by the employer.>
25 2. By renumbering as necessary.

JACKIE SMITH

S-5085

- 1 Amend the amendment, S-5080, to Senate File 2131, as
2 follows:
3 1. Page 2, line 35, by striking <~~thirty nine twenty-six~~> and
4 inserting <thirty-nine>
5 2. Page 6, after line 4 by inserting:
6 <Sec. ___. Section 96.5, subsection 3, paragraph b, Code

7 2022, is amended by adding the following new subparagraphs:

8 NEW SUBPARAGRAPH. (4) (a) If the individual has a
9 reasonable expectation that the individual will be returning
10 to employment, as defined by the department by rule, and
11 is attached to a regular job or industry or is a member in
12 good standing of a union therein eligible for referral for
13 employment.

14 (b) To be considered attached to a regular job or industry,
15 an individual must be on a short-term seasonal temporary layoff
16 as defined by the department by rule.

17 NEW SUBPARAGRAPH. (5) If all of the following circumstances
18 apply:

19 (a) The individual is unemployed due to the individual's
20 employer temporarily ceasing operations or going out of
21 business at the factory, establishment, or other premises at
22 which the individual was last employed.

23 (b) The reason for the employer going out of business was a
24 result of unforeseen circumstances, including but not limited
25 to cybersecurity attacks.

26 (c) The individual has a reasonable expectation that the
27 individual will be returning to employment with the employer
28 that temporarily ceased operations or went out of business.>

29 3. By renumbering as necessary.

NATE BOULTON
WILLIAM A. DOTZLER, JR.
TONY BISIGNANO
PAM JOCHUM
TODD TAYLOR

S-5086

1 Amend Senate File 2131 as follows:

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

4 <Section 1. Section 96.2, Code 2022, is amended to read as
5 follows:

6 **96.2 Guide for interpretation.**

7 As a guide to the interpretation and application of this
8 chapter, the public policy of this state is declared to be as
9 follows: Economic insecurity due to unemployment is a serious
10 menace to negatively impacts the health, morals, and welfare
11 of the people of this state Iowa. Involuntary unemployment
12 is therefore a subject of general interest and concern which
13 requires appropriate action by the legislature to prevent
14 its spread and to lighten its burden which now so often
15 falls with crushing force upon the unemployed worker and the
16 worker's family. The achievement of social security requires
17 protection against this greatest hazard of our economic
18 life. This can be provided These undesirable consequences can
19 be reduced by encouraging employers to provide more stable
20 employment and by the systematic accumulation of funds during

21 periods of employment to provide benefits for periods of
22 unemployment, thus maintaining purchasing power and limiting
23 the serious social consequences of poor relief assistance.
24 The legislature, therefore, declares that in its considered
25 judgment the public good and the general welfare of the
26 citizens of this state require the enactment of this measure,
27 under the police powers of the state, for the compulsory
28 setting aside of unemployment reserves to be used for the
29 benefit of persons. This chapter provides for payment of
30 benefits to workers unemployed through no fault of their own.
31 The policy herein is intended to encourage stabilization in
32 employment, to provide for integrated employment and training
33 services in support of state economic development programs, and
34 to provide meaningful job training and employment opportunities
35 for the unemployed, underemployed, economically disadvantaged,

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1 dislocated workers, and others with substantial barriers to
2 employment. To further this public policy, the state, through
3 its department of workforce development, will maintain close
4 coordination among all federal, state, and local agencies
5 whose missions affect the employment or employability of the
6 unemployed and underemployed.

7 Sec. 2. Section 96.3, subsection 5, paragraph a, Code 2022,
8 is amended to read as follows:

9 *a. Duration of benefits.* The maximum total amount of
10 benefits payable to an eligible individual during a benefit
11 year shall not exceed the total of the wage credits accrued to
12 the individual's account during the individual's base period,
13 or twenty six sixteen times the individual's weekly benefit
14 amount, whichever is the lesser. The director shall maintain
15 a separate account for each individual who earns wages in
16 insured work. The director shall compute wage credits for
17 each individual by crediting the individual's account with
18 one-third of the wages for insured work paid to the individual
19 during the individual's base period. However, the director
20 shall recompute wage credits for an individual who is laid
21 off due to the individual's employer going out of business at
22 the factory, establishment, or other premises at which the
23 individual was last employed, by crediting the individual's
24 account with one-half, instead of one-third, of the wages for
25 insured work paid to the individual during the individual's
26 base period. Benefits paid to an eligible individual shall
27 be charged against the base period wage credits in the
28 individual's account which have not been previously charged,
29 in the inverse chronological order as the wages on which the
30 wage credits are based were paid. However if the state "off"
31 indicator is in effect and if the individual is laid off due to
32 the individual's employer going out of business at the factory,

33 establishment, or other premises at which the individual was
34 last employed, the maximum benefits payable shall be extended
35 to thirty nine twenty-six times the individual's weekly benefit

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1 amount, but not to exceed the total of the wage credits accrued
2 to the individual's account.
3 Sec. 3. Section 96.3, subsection 7, paragraph b,
4 subparagraph (1), subparagraph division (a), Code 2022, is
5 amended to read as follows:
6 (a) If the department determines that an overpayment
7 has been made, the charge for the overpayment against the
8 employer's account shall be removed and the account shall
9 be credited with an amount equal to the overpayment from
10 the unemployment compensation trust fund and this credit
11 shall include both contributory and reimbursable employers,
12 notwithstanding section 96.8, subsection 5. The employer shall
13 not be relieved of charges if benefits are paid because the
14 employer or an agent of the employer failed to respond timely
15 or adequately to the department's request for information
16 relating to the payment of benefits. This prohibition
17 against relief of charges shall apply to both contributory and
18 reimbursable employers. If the department determines that an
employer's failure to respond timely or adequately was due to
insufficient notification from the department, the employer's
account shall not be charged for the overpayment.
22 Sec. 4. Section 96.5, subsection 2, Code 2022, is amended by
23 adding the following new paragraph:
24 NEW PARAGRAPH. d. For the purposes of this subsection,
25 "misconduct" means a deliberate act or omission by an
26 employee that constitutes a material breach of the duties
27 and obligations arising out of the employee's contract of
28 employment. Misconduct is limited to conduct evincing such
29 willful or wanton disregard of an employer's interest as
30 is found in deliberate violation or disregard of standards
31 of behavior which the employer has the right to expect of
32 employees, or in carelessness or negligence of such degree of
33 recurrence as to manifest equal culpability, wrongful intent
34 or evil design, or to show an intentional and substantial
35 disregard of the employer's interests or of the employee's

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1 duties and obligations to the employer. Misconduct by an
2 individual includes but is not limited to all of the following:
3 (1) Material falsification of the individual's employment
4 application.
5 (2) Knowing violation of a reasonable and uniformly
6 enforced rule of an employer.
7 (3) Intentional damage of an employer's property.
8 (4) Consumption of alcohol, illegal or nonprescribed

9 prescription drugs, or an impairing substance in a manner
10 not directed by the manufacturer, or a combination of such
11 substances, on the employer's premises in violation of the
12 employer's employment policies.
13 (5) Reporting to work under the influence of alcohol,
14 illegal or nonprescribed prescription drugs, or an impairing
15 substance in an off-label manner, or a combination of such
16 substances, on the employer's premises in violation of the
17 employer's employment policies, unless the individual is
18 compelled to work by the employer outside of scheduled or
19 on-call working hours.
20 (6) Conduct that substantially and unjustifiably endangers
21 the personal safety of coworkers or the general public.
22 (7) Incarceration for an act for which one could reasonably
23 expect to be incarcerated that results in missing work.
24 (8) Incarceration as a result of a misdemeanor or felony
25 conviction by a court of competent jurisdiction.
26 (9) Excessive unexcused tardiness or absenteeism.
27 (10) Falsification of any work-related report, task, or job
28 that could expose the employer or coworkers to legal liability
29 or sanction for violation of health or safety laws.
30 (11) Failure to maintain any license, registration, or
31 certification that is reasonably required by the employer or
32 by law, or that is a functional requirement to perform the
33 individual's regular job duties, unless the failure is not
34 within the control of the individual.
35 (12) Conduct that is libelous or slanderous toward an

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1 employer or an employee of the employer if such conduct is not
2 protected under state or federal law.
3 (13) Theft of an employer or coworker's funds or property.
4 (14) Intentional misrepresentation of time worked or work
5 carried out that results in the individual receiving unearned
6 wages or unearned benefits.
7 Sec. 5. Section 96.5, subsection 3, paragraph a,
8 subparagraph (1), subparagraph divisions (a), (b), (c), and
9 (d), Code 2022, are amended to read as follows:
10 (a) One hundred percent, if the work is offered during the
11 first ~~five weeks~~ week of unemployment.
12 (b) ~~Seventy five Ninety~~ percent, if the work is offered
13 during the ~~sixth second~~ through the ~~twelfth third~~ week of
14 unemployment.
15 (c) ~~Seventy Eighty~~ percent, if the work is offered during
16 the ~~thirteenth fourth~~ through the ~~eighteenth fifth~~ week of
17 unemployment.
18 (d) ~~Sixty five Seventy~~ percent, if the work is offered
19 ~~after during the eighteenth sixth through the eighth~~ week of
20 unemployment.
21 Sec. 6. Section 96.5, subsection 3, paragraph a,
22 subparagraph (1), Code 2022, is amended by adding the following

23 new subparagraph division:

24 NEW SUBPARAGRAPH DIVISION. (e) Sixty percent, if the work
25 is offered after the eighth week of unemployment.

26 Sec. 7. Section 96.6, subsection 3, paragraph b, Code 2022,
27 is amended to read as follows:

28 b. Appeals from the initial determination shall be heard
29 by an administrative law judge employed by the department.
30 An administrative law judge's decision may be appealed by
31 any party to the employment appeal board created in section
32 10A.601. ~~The decision of the appeal board is final agency~~
33 ~~action and an appeal of the decision shall be made or~~ directly
34 to the district court.

35 Sec. 8. Section 96.40, subsection 2, Code 2022, is amended

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1 by adding the following new paragraph:

2 NEW PARAGRAPH. l. The reduction in work hours for employees
3 was not based on a work week exceeding forty hours.

4 Sec. 9. Section 96.40, Code 2022, is amended by adding the
5 following new subsections:

6 NEW SUBSECTION. 4A. Approval of a shared work plan shall
7 be revoked if the employer lays off any employee, whether the
8 employee is employed within an affected unit or not, while
9 participating in the shared work unemployment compensation
10 program.

11 NEW SUBSECTION. 12. A part-time employee shall be eligible
12 for shared work unemployment compensation program benefits,
13 provided that the employee meets all other requirements in this
14 section.>

DENNIS GUTH
JASON SCHULTZ

S-5087

1 Amend House File 2355, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 3, after line 18 by inserting:

4 <Sec. ___. Section 96.4, Code 2022, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 8. The individual has satisfied a single
7 one-week waiting period during the individual's benefit year.
8 To satisfy the one-week waiting period, the individual, with
9 respect to the week in question, must otherwise be eligible
10 for benefits from this state, must not have received or have
11 payable benefits from this state, and must not be eligible for
12 benefits from another state.>

13 2. By renumbering as necessary.

DENNIS GUTH
JASON SCHULTZ

S-5088**HOUSE AMENDMENT TO
SENATE FILE 522**

1 Amend Senate File 522, as passed by the Senate, as follows:

2 1. Page 4, line 22, by striking <2021> and inserting <2022>

3 2. Page 11, line 13, by striking <parent, spouse, adult

4 child, or other>

5 3. Page 13, line 9, after <individual> by inserting <, to

6 the detriment of the older individual>

7 4. Page 14, after line 24 by inserting:

8 <___. Nothing in this section shall be construed to impose

9 criminal liability on a person who has made a good-faith effort

10 to assist an older individual in the management of the older

11 individual's benefits, property, resources, belongings, or

12 assets when the efforts are undertaken for the preservation of

13 the assets of the older individual or the older individual's

14 spouse or for the safety of the older individual or the older

15 individual's spouse.>

16 5. Page 17, line 1, by striking <2021> and inserting <2022>

17 6. Page 17, line 8, by striking <2021> and inserting <2022>

18 7. Page 17, line 19, by striking <2021> and inserting <2022>

19 8. Page 17, line 27, by striking <2021> and inserting <2022>

20 9. Page 17, line 34, by striking <2021> and inserting <2022>

21 10. Page 18, line 12, by striking <2021> and inserting

22 <2022>

23 11. Page 18, line 27, by striking <2021> and inserting

24 <2022>

25 12. Page 18, line 33, by striking <2021> and inserting

26 <2022>

27 13. Page 19, line 10, by striking <2021> and inserting

28 <2022>

29 14. Page 20, line 21, by striking <2021> and inserting

30 <2022>

31 15. Page 20, line 22, by striking <2021> and inserting

32 <2022>

33 16. By renumbering, redesignating, and correcting internal

34 references as necessary.

S-5089**HOUSE AMENDMENT TO
SENATE FILE 551**

1 Amend Senate File 551, as amended, passed, and reprinted by

2 the Senate, as follows:

3 1. Page 1, after line 31 by inserting:

4 <Sec. ___. Section 321.423, subsection 3, paragraph a,

5 subparagraph (2), Code 2022, is amended to read as follows:

6 (2) A vehicle authorized by the chief of the fire department

7 if the vehicle is owned by a member of the fire department,

8 the request for authorization is made by the member on forms
9 provided by the department, and necessity for authorization
10 is demonstrated in the request, and the member has received
11 emergency vehicle operations training.>
12 2. Page 1, line 33, by striking <2021> and inserting <2022>
13 3. Page 2, line 7, by striking <2021> and inserting <2022>
14 4. Title page, line 2, by striking <responding to emergency
15 situations in> and inserting <operating>
16 5. By renumbering as necessary.

S-5090**HOUSE AMENDMENT TO
SENATE FILE 2285**

1 Amend Senate File 2285, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. **335.2A Sale of consumer fireworks**
5 **— limitation.**
6 A county shall not adopt or enforce any ordinance under
7 this chapter to regulate, restrict, or prohibit the location
8 of permanent buildings or temporary structures used for the
9 sale of consumer fireworks pursuant to section 100.19, in any
10 location zoned for commercial or industrial purposes.
11 Sec. ___. Section 414.1, subsection 1, Code 2022, is amended
12 by adding the following new paragraph:
13 **NEW PARAGRAPH. f.** A city shall not adopt or enforce any
14 regulation or restriction under this chapter to regulate,
15 restrict, or prohibit the location of permanent buildings or
16 temporary structures used for the sale of consumer fireworks
17 pursuant to section 100.19, in any location zoned for
18 commercial or industrial purposes.>
19 2. Page 1, line 20, by striking <section 570A.1> and
20 inserting <section 570A.1, except when such requirement
21 prevents the identification of an eligible and willing
22 appointee for the planning and zoning commission or board of
23 adjustment for at least six months from the effective date of
24 the extension of zoning jurisdiction. The failure to identify
25 an eligible and willing appointee who owns land that is
26 actively used for an agricultural purpose shall be determined
27 independently for the planning and zoning commission and the
28 board of adjustment>
29 3. Page 2, after line 5 by inserting:
30 <Sec. ___. EFFECTIVE DATE. The following, being deemed of
31 immediate importance, take effect upon enactment:
32 1. The section of this Act enacting section 335.2A.
33 2. The section of this Act enacting section 414.1,
34 subsection 1, paragraph “f”.>
35 4. Title page, by striking lines 1 through 3 and inserting

Page 2

- 1 <An Act relating to zoning by counties and cities, and
- 2 including effective date provisions.>
- 3 5. By renumbering as necessary.

S-5091

- 1 Amend Senate File 2374 as follows:
- 2 1. Page 20, line 15, after <9,> by inserting <11,>
- 3 2. Page 20, after line 23 by inserting:
 - 4 <11. "Canned cocktail" means a mixed drink or cocktail
 - 5 that is premixed and packaged in a metal can and contains more
 - 6 than ~~six and twenty-five hundredths~~ one-half of one percent of
 - 7 alcohol by volume but not more than fifteen percent of alcohol
 - 8 by volume. A mixed drink or cocktail mixed and packaged in a
 - 9 metal can pursuant to section 123.49, subsection 2, paragraph
 - 10 "d", subparagraph (3), shall not be considered a canned
 - 11 cocktail.>

CHRIS COURNOYER

S-5092

- 1 Amend Senate File 2110 as follows:
- 2 1. By striking everything after the enacting clause and
- 3 inserting:
 - 4 <Section 1. Section 204.2, subsection 5, Code 2022, is
 - 5 amended to read as follows:
 - 6 5. "*Crop site*" or "*site*" means a single contiguous ~~pareel~~
 - 7 tract of agricultural land suitable for the planting, growing,
 - 8 or harvesting of hemp, if the ~~pareel tract~~ does not exceed
 - 9 ~~forty three hundred twenty~~ acres.
- 10 Sec. 2. Section 204.4, subsection 6, Code 2022, is amended
- 11 to read as follows:
 - 12 6. A person may hold any number of licenses at the same
 - 13 time. However, the person shall not hold a legal or equitable
 - 14 interest in a licensed crop site, if the total number of acres
 - 15 of all licensed crop sites in which the person holds ~~all any~~
 - 16 such ~~interests~~ interest equals more than ~~forty three hundred~~
 - 17 twenty acres.
- 18 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
- 19 importance, takes effect upon enactment.>

TOM SHIPLEY

S-5093

- 1 Amend House File 2369, as passed by the House, as follows:
- 2 1. Page 1, by striking lines 8 through 22 and inserting:
 - 3 <2. A person may kill, trap, or ensnare a fur-bearing animal
 - 4 when the killing, trapping, or ensnaring is for the protection

5 of a person or public or private property, including a
6 domestic animal, with the prior permission of a duly appointed
7 representative of the commission. If prior permission is
8 impractical or impossible to obtain and the fur-bearing animal
9 represents a threat to a person, domestic animal, or private
10 property, including a domestic animal, the fur-bearing animal
11 may be taken without prior permission. Prior permission is
12 not required for taking a coyote, raccoon, opossum, skunk, or
13 groundhog for purposes described in this subsection.
14 3. All fur-bearing animals and all parts thereof taken as
15 provided in this section subsection 2 shall be disposed of on
16 the site or shall be relinquished to a representative of the
17 commission.>

TOM SHIPLEY

S-5094

1 Amend House File 2239, as passed by the House, as follows:
2 1. Page 1, after line 18 by inserting:
3 <Sec. ____. **NEW SECTION. 622.31B Admissibility of evidence**
4 **in certain physical abuse and sexual offense cases.**
5 1. As used in this section:
6 a. "*Child*" means a person under fourteen years of age.
7 b. "*Cognitive impairment*" means a deficiency in a person's
8 short-term or long-term memory; orientation as to person,
9 place, and time; deductive or abstract reasoning; or judgment
10 as it relates to safety awareness.
11 c. "*Developmental disability*" means the same as defined
12 under the federal Developmental Disabilities Assistance and
13 Bill of Rights Act of 2000, Pub. L. No. 106-402, as codified in
14 42 U.S.C. §15002(8).
15 d. "*Intellectual disability*" means a disability of
16 children and adults who as a result of inadequately developed
17 intelligence have a significant impairment in ability to learn
18 or to adapt to the demands of society.
19 2. In a prosecution for physical abuse or a sexual offense
20 including but not limited to a sexual offense in violation of
21 section 709.2, 709.3, 709.4, 709.11, 709.12, 709.14, 709.15,
22 709.16, or 709.23, upon or against a child, a person with an
23 intellectual disability, person with a cognitive impairment, or
24 person with a developmental disability, the following evidence
25 shall be admitted as an exception to the hearsay rule if all of
26 the requirements in subsection 3 apply:
27 a. Testimony by the victim concerning an out-of-court
28 statement, whether consistent or inconsistent, made by the
29 victim to another person that is an initial disclosure of the
30 offense.
31 b. Testimony by another concerning an out-of-court
32 statement, whether consistent or inconsistent, made by the

33 victim that is an initial disclosure of an offense charged for
34 physical abuse or a sexual offense against the victim.
35 3. The testimony described in subsection 2 shall be admitted

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1 into evidence at trial as an exception to the hearsay rule if
2 all of the following apply:
3 a. The party intending to offer the statement does all of
4 the following:
5 (1) Notifies the adverse party of the intent to offer the
6 statement.
7 (2) Provides the adverse party with the name of the witness
8 through whom the statement will be offered.
9 (3) Provides the adverse party with a written summary of the
10 statement to be offered.
11 b. The court finds, in a hearing conducted outside the
12 presence of the jury, that the timing of the statement, the
13 content of the statement, and the circumstances surrounding
14 the making of the statement provide sufficient safeguards of
15 reliability.
16 c. The child, person with an intellectual disability, person
17 with a cognitive impairment, or a person with a developmental
18 disability testifies at the trial.
19 4. If a statement is admitted pursuant to this section,
20 the court shall instruct the jury that it is for the jury
21 to determine the weight and credibility to be given to the
22 statement, and in making that determination, the jury shall
23 consider the age and maturity of the child or the disability
24 of the person with an intellectual disability, person with
25 a cognitive impairment, or person with a developmental
26 disability; the nature of the statement; the circumstances
27 under which the statement was made, and any other relevant
28 factors.
29 5. This section shall not prevent the admission of any
30 evidence based upon forfeiture by wrongdoing.>
31 2. Title page, line 3, after <abuse> by inserting <, and the
32 admissibility of evidence in a prosecution for physical abuse
33 or a sexual offense upon or against a child, person with an
34 intellectual disability, person with a cognitive impairment, or
35 person with a developmental disability>

DAN DAWSON

S-5095

1 Amend House File 736, as amended, passed, and reprinted by
2 the House, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:
5 <Section 1. NEW SECTION. 249A.42A Overpayment —
6 subsequent ineligibility of recipient — recovery — recoupment

7 —— **reimbursement.**

8 Notwithstanding any provision to the contrary, if a recipient
9 is deemed ineligible for medical assistance following delivery
10 of care or service by a provider, in an administrative action
11 to recover an overpayment to the provider based solely on the
12 grounds of such recipient's ineligibility, the department
13 acting as the state Medicaid agency shall reimburse the
14 provider for any recoupment of an overpayment using state-only
15 funds for care or services delivered if all of the following
16 conditions are met:

- 17 1. The provider verified eligibility through the
18 eligibility and verification system or the secure web portal
19 of, and obtained any necessary prior authorization for, the
20 recipient on whose behalf payment was made to the provider
21 prior to the delivery of care or service to the recipient.
22 2. The provider documented the eligibility verification
23 performed and any necessary prior authorization obtained
24 pursuant to paragraph "a" in a manner and format established by
25 the department by rule, and retained the required documentation
26 in the recipient's file.>
27 2. Title page, by striking lines 1 through 3 and inserting
28 <An Act relating to recovery of an overpayment to a provider
29 based on specified grounds under the Medicaid program.>

MARK COSTELLO

S-5096

1 Amend Senate File 2377 as follows:

2 1. Page 1, line 10, after <university> by inserting <and
3 must meet the requirements for an endorsement area approved
4 by the board of educational examiners for a teacher intern
5 license>

6 2. Page 1, after line 23 by inserting:

7 <Sec. ___. Section 261.110, subsection 3, paragraphs a and
8 b, Code 2022, are amended to read as follows:

9 a. The applicant was in the top twenty-five thirty percent
10 academically of students exiting a teacher preparation program
11 approved by the state board of education pursuant to section
12 256.7, subsection 3, or a similar teacher preparation program
13 in another state, or had earned other comparable academic
14 credentials.

15 b. The applicant is preparing to teach in fields including
16 but not limited to science, technology, engineering, or
17 mathematics; English as a second language or special education
18 instruction; or is preparing to teach in a hard-to-staff
19 subject as identified by the department. The department shall
20 take into account the varying regional needs in the state for
21 teachers in these subject areas when applying the criterion
22 of this paragraph. The department shall annually identify
23 and designate hard-to-staff subjects for the purpose of this
24 paragraph. The eligibility of an applicant who receives a

25 teach Iowa scholar grant and who is preparing to teach in a
26 hard to staff subject as identified by the department shall
27 not be affected in subsequent years if the department does not
28 continue to identify that subject as a hard to staff subject
29 become a teacher who provides classroom instruction.>
30 3. Page 2, line 32, by striking <completed> and inserting
31 <enrolled in>
32 4. Page 4, by striking lines 10 through 13 and inserting:
33 <3. The board shall adopt either the program for early
34 retirement benefits provided in subsection 1 or the program for
35 teacher recruitment incentives provided in subsection 2, but

Page 2

1 shall not adopt both concurrently. After adopting a program,
2 the board may change programs, but only after at least five
3 years.>
4 5. Page 4, line 14, by striking <3.> and inserting <4.>
5 6. Page 5, line 7, by striking <section of> and inserting
6 <sections of>
7 7. Page 5, after line 7 by inserting:
8 <Sec. _____. APPLICABILITY. The following apply to school
9 budget years beginning July 1, 2023:
10 1. The section of this Act amending section 279.46.
11 2. The section of this Act amending section 298.4.>
12 8. By renumbering as necessary.

AMY SINCLAIR

S-5097

1 Amend Senate File 2376 as follows:
2 1. Page 1, by striking lines 1 through 18 and inserting:
3 <Section 1. Section 312.2, Code 2022, is amended by adding
4 the following new subsection:
5 NEW SUBSECTION. 18. The treasurer of state, before making
6 the allotments provided for in this section, shall credit
7 monthly from the road use tax fund to the state department of
8 transportation seventy-five percent of the moneys deposited in
9 the fund pursuant to section 321E.14, subsection 1, paragraph
10 "q". The department shall distribute such moneys to counties
11 having jurisdiction over secondary roads on which vehicles
12 issued a permit pursuant to section 321E.8, subsection 1A,
13 are authorized to operate, which moneys shall be used to
14 inspect, maintain, repair, or construct bridges on the county's
15 secondary roads. The department shall adopt rules pursuant to
16 chapter 17A governing the distribution of moneys in accordance
17 with this subsection.>
18 2. Page 3, by striking lines 7 through 11 and inserting

19 <all-systems permit issued pursuant to section 321E.8,
20 subsection 1A, which shall be deposited in the road use tax
21 fund.>

WAYLON BROWN

S-5098

1 Amend Senate File 2303 as follows:

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

4 <DIVISION I

5 SHAREHOLDER NOTICES, LISTS, AND RECORDS

6 Section 1. Section 490.140, Code 2022, is amended by adding
7 the following new subsections:

8 **NEW SUBSECTION.** 12A. "Electronic mail" means an electronic
9 transmission directed to a unique electronic mail address.

10 **NEW SUBSECTION.** 12B. "Electronic mail address" means a
11 destination, commonly expressed as a string of characters,
12 consisting of a unique user name or mailbox, commonly referred
13 to as the "local part" of the address, and a reference to an
14 internet domain, commonly referred to as the "domain part" of
15 the address, whether or not displayed, to which electronic mail
16 may be sent or delivered.

17 Sec. 2. Section 490.141, Code 2022, is amended to read as
18 follows:

19 **490.141 Notices and other communications.**

20 1. A notice under this chapter must be in writing unless
21 oral notice is reasonable in the circumstances. Unless
22 otherwise agreed between the sender and the recipient, words
23 in a notice or other communication under this chapter must be
24 in English.

25 2. A notice or other communication may be given by
26 any method of delivery, except that a notice or other
communication by electronic transmissions transmission must be
27 in accordance with this section. If the methods of delivery
28 are impracticable, a notice or other communication from a
29 corporation may be given by means of a broad nonexclusionary
30 distribution to the public, which may include a newspaper
31 of general circulation in the area where published; radio,
32 television, or other form of public broadcast communication;
33 or other methods of distribution that the corporation has
34 previously identified to its shareholders.

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1 3. A notice or other communication to a domestic corporation
2 or to a registered foreign corporation registered to do
3 business in this state may be delivered to the corporation's
4 registered agent at its registered office or to the secretary
5 at the corporation's principal office shown in its most recent
6 biennial report required by section 490.1621 or, in the case
7 of a foreign corporation that has not yet delivered a biennial

8 report, in its foreign registration statement.

9 4. A notice or other communication from a corporation
10 to a shareholder may be delivered by electronic mail to the
11 electronic mail address for a shareholder required to be
12 included in the record of shareholders maintained pursuant
13 to section 490.1601, subsection 4, unless the shareholder
14 has previously notified the corporation in writing that
15 the shareholder objects to receiving notices and other
16 communication by electronic mail. Any notice or other
17 communication may be delivered to a shareholder by another form
18 of electronic transmission if consented to by the shareholder
19 or if authorized by subsection 10. Any notice or other
20 communication from the corporation to any other person may be
21 delivered by electronic transmission if consented to by the
22 recipient or if authorized by subsection 10.

23 5. Any consent given under this subsection 4 or subsection
24 10 may be revoked with respect to future notices or
25 communications by the person who consented by giving written
26 or electronic notice to the person to whom the consent was
27 delivered. Any such consent is deemed revoked

28 5. A notice or other communication shall no longer be
29 delivered to an electronic mail address or other electronic
30 transmission address pursuant to subsection 4, if all of the
31 following apply:

32 a. The corporation is unable to deliver two consecutive
33 electronic transmissions given by the corporation in
34 accordance with such consent receives notice from the
35 information processing system into which such notice or other

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1 communication was entered that two consecutive notices or
2 other communications given by electronic transmission have
3 not been delivered to the electronic mail address or other
4 electronic transmission address to which such notice or other
5 communication was directed.

6 b. Such inability notice of nondelivery becomes known to the
7 secretary, or an assistant secretary or to the transfer agent,
8 or ~~other~~ another person responsible for the giving of notice
9 notices or other communications for the corporation; provided,
10 however, that the inadvertent failure to treat such inability
11 as a revocation recognize such notice of nondelivery as a
12 cessation of authority to provide a shareholder with notice
13 by electronic mail or other electronic transmission shall not
14 invalidate any meeting or other action.

15 6. Unless otherwise agreed between the sender and the
16 recipient, ~~an~~ a notice or other communication by electronic
17 transmission is received when all of the following apply:

18 a. The electronic transmission enters an information
19 processing system that the recipient has designated or uses
20 for the purposes of receiving electronic transmissions or
21 information of the type sent, and from which the recipient is

22 able to retrieve the directed to any of the following:
23 (1) In the case of a shareholder, the electronic mail
24 address for the shareholder required to be included in the
25 record of shareholders maintained pursuant to section 490.1601,
26 subsection 4, or other electronic transmission address at
27 which the shareholder has consented to receive notice or other
28 communications by electronic transmission.
29 (2) In the case of any other recipient, the electronic
30 transmission address at which the recipient has consented
31 to receive notice or other communications by electronic
32 transmission.
33 b. The electronic transmission is in a form capable of being
34 processed by that system.
35 7. Receipt of an electronic acknowledgment from an

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1 information processing system described in subsection 6,
2 paragraph "a", establishes that an electronic transmission was
3 received but, by itself, does not establish that the content
4 sent corresponds to the content received.
5 8. An electronic transmission is received under this
6 section even if no person is aware of its receipt.
7 9. A notice or other communication, if in a comprehensible
8 form or manner, is effective at the earliest of the following:
9 a. If in a physical form, the earliest of when it is
10 actually received, or when it is left at any of the following:
11 (1) A shareholder's address shown on included in the
12 corporation's record of shareholders maintained by the
13 corporation under pursuant to section 490.1601, subsection 4.
14 (2) A director's residence or usual place of business.
15 (3) The domestic or registered foreign corporation's
16 principal office.
17 b. If mailed by United States mail postage prepaid and
18 correctly addressed to a shareholder at the shareholder's
19 address included in the record of shareholders pursuant to
20 section 490.1601, subsection 4, upon deposit in the United
21 States mail.
22 c. If mailed by United States mail postage prepaid and
23 correctly addressed to a recipient other than a shareholder, at
24 the address included in the corporation's records the earliest
25 of when it is actually received, or as follows:
26 (1) If sent by registered or certified mail, return receipt
27 requested, the date shown on the return receipt signed by or on
28 behalf of the addressee.
29 (2) Five days after it is deposited in the United States
30 mail.
31 d. If an electronic transmission, when it is received as
32 provided in subsection 6.
33 e. If oral, when communicated.
34 10. A notice or other communication may be in the form of
35 an electronic transmission that cannot be directly reproduced

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1 in paper form by the recipient through an automated process
2 used in conventional commercial practice only if all of the
3 following apply:
4 a. The electronic transmission is otherwise retrievable in
5 perceivable form.
6 b. The sender and the recipient have consented in writing to
7 the use of such form of electronic transmission.
8 11. If this chapter prescribes requirements for notices
9 or other communications in particular circumstances, those
10 requirements govern. If articles of incorporation or bylaws
11 prescribe requirements for notices or other communications,
12 not inconsistent with this section or other provisions of
13 this chapter, those requirements govern. The articles of
14 incorporation or bylaws may authorize or require delivery of
15 notices of meetings of directors by electronic transmission.
16 12. In the event that any provisions of this chapter are
17 deemed to modify, limit, or supersede the federal Electronic
18 Signatures in Global and National Commerce Act, 15 U.S.C.
19 §§7001 §7001 et seq., the provisions of this chapter shall
20 control to the maximum extent permitted by section 102(a)(2) of
21 that federal Act.
22 13. a. Whenever notice would otherwise be required to
23 be given under any provision of this ~~subchapter~~ chapter
24 to a shareholder, ~~such~~ the notice need not be given if the
25 ~~corporation is not permitted to deliver notice by electronic~~
26 ~~transmission pursuant to subsections 4 and 5 and~~ any of the
27 following apply:
28 (1) Notices to the shareholders of two consecutive annual
29 meetings, and all notices of meetings during the period
30 between such two consecutive annual meetings, have been sent
31 to such shareholder at such shareholder's address ~~as shown~~
32 ~~on the records of the corporation included in the record~~
33 ~~of shareholders maintained pursuant to section 490.1601,~~
34 ~~subsection 4,~~ and have been returned undeliverable or could not
35 be delivered.

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1 (2) All, but not less than two, payments of dividends on
2 securities during a twelve-month period, or two consecutive
3 payments of dividends on securities during a period of more
4 than twelve months, have been sent to such shareholder at
5 such shareholder's address ~~as shown on the records of the~~
6 ~~corporation included in the record of shareholders maintained~~
7 ~~pursuant to section 490.1601, subsection 4,~~ and have been
8 returned undeliverable or could not be delivered.
9 (3) No address has been provided to the corporation by or on
10 behalf of a shareholder and the corporation has not otherwise
11 obtained an address for the shareholder that the corporation
12 believes is reliable.

13 b. ~~If In addition, if any such shareholder shall deliver
14 to which this subsection applies delivers~~ to the corporation a
15 written notice setting forth such shareholder's then-current
16 address, the requirement that notice be given to such
17 shareholder shall be reinstated.

18 Sec. 3. Section 490.720, Code 2022, is amended to read as
19 follows:

20 **490.720 Shareholders' list List of shareholders for meeting.**

21 1. After fixing a record date for a meeting, a corporation
22 shall prepare an alphabetical list of the names of all ~~its the~~
23 shareholders who are entitled to notice of ~~a the~~ shareholders'
24 meeting. If the board of directors fixes a different record
25 date under section 490.707, subsection 5, to determine the
26 shareholders entitled to vote at the meeting, a corporation
27 also shall prepare an alphabetical list of the names of
28 all ~~its the~~ shareholders who are entitled to vote at the
29 meeting. ~~A~~ The list must be arranged by voting group, and
30 within each voting group by class or series of shares, and
31 ~~show contain~~ the address of, and number ~~and class or series~~
32 of shares held by, each shareholder. ~~Nothing contained in~~
33 ~~this subsection shall require and, if the notice or other~~
34 ~~communications regarding the meeting has been or will be sent~~
35 ~~by the corporation to include on such list the a shareholder by~~

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1 electronic mail ~~address~~ or other electronic ~~contact information~~
2 ~~of a transmission, the electronic mail or other electronic~~
3 ~~transmission address of that shareholder.~~

4 2. a. The shareholders' list ~~for of shareholders entitled~~
5 ~~to notice~~ shall be available for inspection by any shareholder,
6 beginning two business days after notice of the meeting is
7 given for which the list was prepared and continuing through
8 the meeting. The ~~shareholders' list list of shareholders~~ for
9 notice shall be made available ~~at via~~ any of the following:

10 (1) ~~The At~~ the corporation's principal office or at a place
11 identified in the meeting notice in the city where the meeting
12 will be held.

13 (2) ~~A On a~~ reasonably accessible electronic network,
14 provided that the information required to gain access to such
15 list is provided with the notice of the meeting. ~~The list of~~
16 ~~shareholders entitled to vote shall be similarly available~~
17 ~~for inspection promptly after the record date for voting.~~ In
18 the event that the corporation determines to make the list
19 available on an electronic network, the corporation may take
20 reasonable steps to ensure that such information is available
21 only to shareholders of the corporation.

22 b. ~~A shareholders' list for voting shall be similarly~~
23 ~~available for inspection promptly after the record date for~~
24 ~~voting.~~ A shareholder, or the shareholder's agent or attorney,
25 is entitled on written demand to inspect and, subject to the
26 requirements of section 490.1602, subsection 3, to copy a

27 list of shareholders, during regular business hours and at
28 the shareholder's expense, during the period it is available
29 for inspection. A corporation may satisfy the shareholder's
30 right to copy a list of shareholders by furnishing a copy
31 in the manner described in section 490.1603, subsection 2.
32 A shareholder and the shareholder's agent or attorney who
33 inspects or is furnished a copy of a list of shareholders under
34 this subsection or under subsection 3 or who copies the list
35 under this subsection may use the information on that list only

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1 for purposes related to the meeting and its subject matter and
2 must keep the information on that list confidential.
3 3. If the meeting is to be held at a place, the corporation
4 shall make the list of shareholders entitled to vote available
5 at the meeting and any adjournment, and any shareholder, or the
6 shareholder's agent or attorney, is entitled to inspect the
7 list at any time during the meeting or and any adjournment.
8 If the meeting is to be held solely by means of remote
9 communication, then such list shall also be open to available
10 for such inspection during the meeting and any adjournment on a
11 reasonably accessible electronic network, and the information
12 required to access such list shall be provided with the notice
13 of the meeting. The corporation may satisfy its obligation
14 to make such list available for inspection during a meeting
15 by furnishing a copy of the list in the manner described in
16 section 490.1603, subsection 2, to the shareholders prior to
17 the meeting.
18 4. If the corporation refuses to allow a shareholder, or
19 the shareholder's agent or attorney, to inspect a shareholders'
20 list of shareholders before or at the meeting or any
21 adjournment, or copy a list as permitted by subsection 2, the
22 district court of the county where a corporation's principal
23 office or, if none in this state, its registered office, is
24 located, on application of the shareholder, may summarily order
25 the inspection or copying at the corporation's expense and may
26 postpone the meeting for which the list was prepared until the
27 inspection or copying is complete.
28 5. Refusal or failure to prepare or make available the
29 shareholders' list of shareholders does not affect the validity
30 of action taken at the meeting.
31 Sec. 4. Section 490.1601, subsection 4, Code 2022, is
32 amended to read as follows:
33 4. A corporation shall maintain a record of its current
34 shareholders in alphabetical order by class or series of shares
35 showing the address of, and the number and class or series of

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1 shares held by, each shareholder to which notices and other
2 communications from the corporation are to be sent, and which

3 shall include the number and class or series of shares held by
4 each such shareholder. Nothing contained in this subsection
5 shall require the corporation to include in such record the
6 electronic mail address or other electronic contact information
7 of In addition, if a shareholder has provided an electronic
8 mail address to the corporation or has consented to receive
9 notices or other communications by electronic mail or other
10 electronic transmission, the record of shareholders shall
11 include the electronic mail or other electronic transmission
12 address of the shareholder if notices or other communications
13 are being delivered by the corporation to the shareholder at
14 such electronic mail or other electronic transmission address
15 pursuant to section 490.141, subsection 4. An electronic
16 mail address of a shareholder shall be deemed to be provided
17 by a shareholder if the electronic mail address is contained
18 in a communication to the corporation by or on behalf of
19 the shareholder unless the communication expressly indicates
20 that the electronic mail address shall not be used to deliver
21 notices or other communications.

DIVISION II

GRAMMATICAL CHANGES

24 Sec. 5. Section 490.140, subsection 57, Code 2022, is
25 amended to read as follows:

26 57. "United States" includes a district, authority, bureau,
27 commission, department, and any other agency of the United
28 States.

29 Sec. 6. Section 490.143, subsection 1, paragraph e,
30 subparagraph (2), Code 2022, is amended to read as follows:

31 (2) Has a material relationship with a director or officer
32 who pursues or takes advantage of the business opportunity,
33 directly, or indirectly through or on behalf of another person.

34 Sec. 7. Section 490.1704, subsection 4, Code 2022, is
35 amended to read as follows:

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1 4. Unless otherwise provided in the articles of
2 incorporation, the violation by a director of the duties
3 imposed by subsections 1 and 2 shall not constitute an
4 intentional infliction of harm on the corporation or the
5 shareholders for the purposes of sections section 490.202,
6 subsection 2, paragraphs "d" and "e".

DIVISION III

TERMINOLOGY CHANGES

9 Sec. 8. Section 490.120, subsection 5, Code 2022, is amended
10 to read as follows:

11 5. The document must be in the English language. A
12 corporate name need not be in English if written in English
13 letters or Arabic or Roman numerals, and the certificate of
14 existence registration required of foreign corporations need
15 not be in English if accompanied by a reasonably authenticated
16 English translation.

17 Sec. 9. Section 490.401, subsection 2, paragraphs c and e,
18 Code 2022, are amended to read as follows:

19 c. The name of a registered foreign corporation registered
20 to do business in this state or an alternate name adopted by
21 a registered foreign corporation registered to do business in
22 this state because its corporate name is unavailable.

23 e. The name of a foreign nonprofit corporation registered
24 authorized to do business in this state or an alternate
25 name adopted by a foreign nonprofit corporation registered
26 authorized to conduct activities in this state because its real
27 name is unavailable.

28 Sec. 10. Section 490.401, subsection 4, unnumbered
29 paragraph 1, Code 2022, is amended to read as follows:

30 A corporation may use the name, including the fictitious
31 name, of another domestic or foreign corporation that is used
32 in this state if the other corporation is incorporated or
33 authorized registered to transact do business in this state
34 and the proposed user corporation submits documentation to the
35 satisfaction of the secretary of state establishing any of the

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1 following conditions:

2 Sec. 11. Section 490.748, subsection 3, Code 2022, is
3 amended to read as follows:

4 3. The district court may appoint an individual or domestic
5 or registered foreign corporation, registered to do business
6 in this state, as a custodian or receiver and may require the
7 custodian or receiver to post bond, with or without sureties,
8 in an amount the district court directs.

9 Sec. 12. Section 490.922, subsection 5, Code 2022, is
10 amended to read as follows:

11 5. If the domesticating corporation is a registered
12 foreign corporation that is registered to do business in this
13 state under subchapter XV, its registration statement shall
14 be canceled automatically when the domestication becomes
15 effective.

16 Sec. 13. Section 490.1511, subsection 4, Code 2022, is
17 amended to read as follows:

18 4. The registration of a registered foreign corporation
19 to do business in this state ceases on the effective date
20 of the termination as set forth in the certificate of
21 termination, unless before that date the foreign corporation
22 cures each ground for termination stated in the certificate of
23 termination. If the foreign corporation cures each ground, the
24 secretary of state shall file a statement that the certificate
25 of termination is withdrawn.

26 Sec. 14. Section 490.1621, subsection 4, Code 2022, is
27 amended to read as follows:

28 4. The first biennial report shall be delivered to the
29 secretary of state between January 1 and April 1 of the first
30 even-numbered year following the calendar year in which a

31 domestic corporation was incorporated or a foreign corporation
32 was ~~authorized to transact registered to do business in this~~
33 ~~state~~. Subsequent biennial reports must be delivered to
34 the secretary of state between January 1 and April 1 of the
35 following even-numbered calendar years. For purposes of this

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1 section, each biennial report shall contain information related
2 to the two-year period immediately preceding the calendar year
3 in which the report is filed.
4 Sec. 15. Section 496C.20, subsection 3, Code 2022, is
5 amended to read as follows:
6 3. The ~~certificate of authority foreign registration~~
7 ~~statement~~ of a foreign professional corporation may be revoked
8 by the secretary of state as provided in the Iowa business
9 corporation Act, chapter 490, if the foreign professional
10 corporation fails to comply with any provision of this
11 chapter.>

BRAD ZAUN

S-5099

1 Amend House File 2481, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, line 31, by striking <~~Three Five~~> and inserting
4 <~~Three~~>
5 2. Page 1, line 32, after <submitted> by inserting <if there
6 are less than nine applicants, four nominees shall be submitted
7 if there are nine or ten applicants, and five nominees shall be
8 submitted if there are eleven or more applicants>

NATE BOULTON

S-5100

1 Amend the amendment, S-5096, to Senate File 2377, as
2 follows:
3 1. Page 1, after line 31 by inserting:
4 <___. Page 4, line 5, after <program> by inserting <Under
5 the program, the board of directors of a school district shall
6 not do any of the following:>
7 __. Page 4, before line 6 by inserting:
8 <(1) Pay a teacher a teacher recruitment incentive that
9 annually exceeds ten percent of the amount of the salary for
10 an initial teacher established pursuant to section 284.15,
11 subsection 2, paragraph "a", subparagraph (1).
12 (2) Pay a teacher a teacher recruitment incentive in more

13 than five school budget years.>>
14 2. By renumbering as necessary.

AMY SINCLAIR

S-5101

1 Amend Senate File 2378 as follows:
2 1. Page 1, line 35, by striking <subsection> and inserting
3 <subsections>
4 2. Page 2, before line 1 by inserting:
5 <NEW SUBSECTION. 11A. "Mobile redemption system" means a
6 redemption center location at which a consumer may return empty
7 beverage containers on which a refund value has been paid that
8 uses innovative technology to process empty beverage containers
9 and return the amount of the refund value to consumers.>
10 3. Page 2, line 16, by striking <time.> and inserting <time
11 not to exceed ten days. A person who attempts to redeem two
12 thousand or more empty beverage containers in one transaction
13 with a participating dealer or a redemption center shall
14 provide proof of residency prior to receiving refund value. >
15 4. Page 3, line 3, by striking <for a dealer served by
16 the distributor> and inserting <for a dealer served by the
17 distributor in the distributor's geographic territory>
18 5. Page 4, line 2, by striking <if the> and inserting <if
19 the>
20 6. Page 4, by striking line 5 and inserting <455C.6.>
21 7. Page 4, line 26, after <1.> by inserting <a.>
22 8. Page 4, by striking lines 32 through 34 and inserting
23 <containers.>
24 9. Page 4, before line 35 by inserting:
25 <b. On and after November 15, 2023, the department of
26 revenue shall require the registration of the universal product
27 code for each beverage container using a method determined by
28 the department of revenue. >
29 10. Page 5, line 17, after <require.> by inserting <However,
30 on and after July 1, 2023, a redemption center does not need to
31 provide in its notice the names and addresses of dealers to be
32 served by the redemption center. >
33 11. Page 5, after line 21 by inserting:
34 <Sec. _____. Section 455C.6, Code 2022, is amended by adding
35 the following new subsection:

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1 NEW SUBSECTION. 6. A mobile redemption system shall
2 not be considered to be in violation of any county or city
3 ordinance that would otherwise limit the operation of the
4 mobile redemption system as long as the mobile redemption
5 system operates in a location that is not zoned primarily for
6 residential purposes.>
7 12. Page 6, line 9, by striking <subsection> and inserting

8 <subsections>
9 13. Page 6, after line 9 by inserting:
10 <NEW SUBSECTION. 6. A person who attempts to redeem
11 beverage containers obtained outside the state commits a
12 serious misdemeanor and is also subject to a civil penalty of
13 five thousand dollars per violation.>
14 14. Page 6, line 10, by striking <6.> and inserting <7.>
15 15. Page 6, line 10, by striking <A> and inserting <Except
16 as provided in subsection 6, a>
17 16. Page 7, after line 35 by inserting:
18 <Sec. ___. **NEW SECTION. 455C.18 Unclaimed refund value and**
handling fees.
20 Any amount of refund value or handling fees possessed by a
21 distributor after the distributor has made payments required
22 pursuant to this chapter shall be considered the property of
23 the distributor.>
24 17. Page 8, line 1, by striking <455C.7, 455C.10, and
25 455C.14,> and inserting <455C.7 and 455C.10,>
26 18. By renumbering as necessary.

JASON SCHULTZ

S-5102

1 Amend Senate File 2366 as follows:
2 1. Page 2, by striking lines 24 through 26 and inserting:
3 <Sec. ___. RETROACTIVE APPLICABILITY. Except for section
4 427B.26, subsection 3, paragraph "b", as enacted in this Act,
5 this Act applies retroactively to assessment years beginning on
6 or after January 1, 2022.
7 Sec. ___. APPLICABILITY. Section 427B.26, subsection 3,
8 paragraph "b", as enacted in this Act, applies to assessment
9 schedules commenced under section 427B.26, subsection 2, on or
10 after the effective date of this Act.>
11 2. Title page, line 2, by striking <date> and inserting
12 <date, applicability,>
13 3. By renumbering as necessary.

WAYLON BROWN

S-5103

HOUSE AMENDMENT TO
SENATE FILE 2324

1 Amend Senate File 2324, as passed by the Senate, as follows:
2 1. Page 1, line 9, after <brokerage> by inserting
3 <immediately preceding or>

S-5104

HOUSE AMENDMENT TO
SENATE FILE 586

1 Amend Senate File 586, as passed by the Senate, as follows:
2 1. Page 12, lines 7 and 8, by striking <section 534.217,
3 subsection 2> and inserting <section 524.217, subsection 2>
4 2. Page 52, after line 34 by inserting:
5 <NEW SUBSECTION. 11. A state bank, upon the approval of the
6 superintendent, may invest up to five percent of its aggregate
7 capital in a tax equity financing transaction in which the
8 state bank provides equity financing to fund a project or
9 projects that generate tax credits and the equity-based
10 structure of the transaction permits the transfer of such tax
11 credits to the state bank. A state bank may take a majority
12 financial position, but shall be a passive investor and shall
13 not take a management position, in each such project, subject
14 to the following:
15 a. The state bank shall not participate in the operation of
16 any project or facility resulting from such a transaction or
17 the sale of energy, if any, derived from the project.
18 b. The state bank shall obtain a legal opinion or otherwise
19 demonstrate a good-faith determination that the tax credits
20 are available before engaging in a tax equity financing
21 transaction.
22 c. The tax benefits or other payments the state bank
23 receives from the transaction shall repay the state bank's
24 investment and provide the expected rate of return at the time
25 of the investment.
26 d. Except as provided under paragraph "c", the state bank
27 shall not share in any appreciation in value of its interests
28 in the project or in any of the real or personal assets
29 associated with the project.
30 e. The state bank's total investment in any combination
31 of shares or equity interests of any tax equity financing
32 transactions pursuant to this subsection shall be limited to
33 fifteen percent of its aggregate capital.>
34 3. Page 92, by striking lines 17 through 26.
35 4. Title page, lines 1 and 2, by striking <providing civil

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- 1 penalties,>
2 5. By renumbering as necessary.

S-5105

- 1 Amend the House amendment, S-5090, to Senate File 2285, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, line 13, after <city> by inserting <with a
4 population of less than twenty thousand>

TONY BISIGNANO

S-5106

1 Amend Senate File 2369 as follows:

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

4 <DIVISION I

5 PARENT OR GUARDIAN BILL OF RIGHTS

6 Section 1. Section 256.11, subsection 10, paragraph a,
7 subparagraph (1), Code 2022, is amended by adding the following
8 new subparagraph division:

9 9. NEW SUBPARAGRAPH DIVISION. (0e) The requirements of
10 section 279.76.

11 11. Sec. 2. Section 256E.7, subsection 2, Code 2022, is amended
12 by adding the following new paragraph:

13 13. NEW PARAGRAPH. *0i.* Be subject to and comply with the
14 requirements of section 279.76 in the same manner as a school
15 district.

16 16. Sec. 3. NEW SECTION. 279.76 Parent or guardian bill of
17 rights.

18 18. 1. Unless otherwise prohibited by state or federal law, the
19 board of directors of a school district shall adopt policies to
20 ensure that all of the following parental rights are reserved
21 to the parent or guardian of a minor child without obstruction
22 or interference from the school district in which the minor
23 child is enrolled:

24 24. *a.* The right to know what the school district in which
25 the minor child is enrolled is teaching the minor child,
26 including the textbooks, books, articles, outlines, handouts,
27 presentations, videos, and any other similar materials the
28 school district uses for student instruction. By July 1, 2025,
29 the school district shall grant access through the internet to
30 the curriculum used for student instruction of a minor child
31 enrolled in the school district to the parent or guardian of
32 the minor child.

33 33. *b.* The right to access and review information related to
34 who is teaching the minor child, including guest lecturers and
35 outside presenters.

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1 1. *c.* The right to access and review information related to
2 persons who contract with or otherwise receive moneys from the
3 school district.

4 4. *d.* The right to access the minor child while the minor child
5 is in school that a reasonable person would deem necessary
6 to ensure the health and safety of the minor child, unless
7 otherwise prohibited by a court order.

8 e. The right to access and review all school records
9 relating to the minor child; provided, however, that the school
10 district may prohibit access to and disclosure of school
11 records if any of the following apply:
12 (1) The school records are related to the minor child's
13 reporting of the parent's or guardian's violation of any law.
14 (2) The school district determines based on actual threats
15 to the health, safety, or welfare of a minor child, that
16 providing access to or disclosing the school records may result
17 in serious harm to the minor child.
18 (3) Chapter 232, subchapter III, part 2, prohibits the
19 school record from being disclosed.
20 f. The right to access and review information related to the
21 collection and transmission of information related to the minor
22 child, including assessment information, documents created by
23 the minor child, and teacher evaluations of the minor child.
24 g. Subject to section 22.7, the right to access and
25 review information necessary to ensure the accountability and
26 transparency of the board of directors of the school district
27 in which the minor child is enrolled.
28 h. The right to access and review information related to the
29 minor child's safety while at school.
30 2. a. The school district shall not require any student
31 to engage in any activity, including instruction, or any
32 test, assessment, or other means of evaluation, that involves
33 sexually explicit material without the express prior written
34 consent of the student's parent or guardian, which may be
35 obtained by electronic means.

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1 b. The school district shall make every effort to prohibit
2 a minor child from accessing sexually explicit material in the
3 classroom on a device or through a computer network that is
4 owned or otherwise provided by the school district.
5 c. (1) A school district that maintains in electronic form
6 a catalog of library materials shall grant access through the
7 internet or other suitable means to the catalog of library
8 materials to the parent or guardian of any student enrolled in
9 the school district. School districts that maintain a catalog
10 of library materials in other than electronic form shall
11 grant physical access to the catalog of library materials to
12 the parent or guardian of any student enrolled in the school
13 district at the school where the student attends class and at
14 times that are convenient for the parent or guardian.
15 (2) The parent or guardian of a minor child enrolled in
16 the school district may provide notice to the school district
17 indicating the materials that the minor child shall not be
18 allowed to check out from a library operated by the school
19 district, and the school district shall not allow the minor
20 child to check out the materials described in the notice.
21 (3) If a school district does not maintain in electronic

22 form a catalog of library materials, the school district shall
23 not allow a minor child to check out sexually explicit material
24 from a library operated by the school district without the
25 express prior written consent of the minor child's parent or
26 guardian, which may be obtained by electronic means.
27 3. The school district must receive the prior written
28 consent of a student's parent or guardian before requiring a
29 student to take part in any of the following activities:
30 a. An activity that involves the collection, disclosure,
31 or use of personal information collected from students for the
32 purpose of marketing or selling the information or providing
33 the information to any other person for its marketing or sale.
34 b. A survey, analysis, or evaluation that reveals
35 information concerning any of the following:

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1 (1) The political affiliations or beliefs of the student or
2 the student's parent or guardian.
3 (2) Mental or psychological problems of the student or the
4 student's family.
5 (3) Sex behavior or attitudes.
6 (4) Illegal, antisocial, self-incriminating, or demeaning
7 behavior.
8 (5) Critical appraisals of other individuals with whom the
9 student has close familial relationships.
10 (6) Legally recognized privileged or analogous
11 relationships, such as those of attorneys, physicians, or
12 ministers.
13 (7) Religious practices, affiliations, or beliefs of the
14 student or the student's parent or guardian.
15 (8) Income, except when required by law to determine
16 eligibility for participation in a program or for receiving
17 financial assistance under such a program.
18 c. Any nonemergency, invasive physical examination or
19 screening that is required as a condition of attendance,
20 administered by the school and is scheduled in advance, and
21 that is not necessary to protect the immediate health and
22 safety of the student or other students.
23 4. The rights guaranteed to parents and guardians by this
24 section are not a comprehensive list of the rights reserved
25 to parents or guardians of a minor child. The enumeration of
26 the rights contained in this section shall not be construed to
27 limit the rights reserved to parents or guardians of a minor
28 child.
29 5. The school district shall publish a copy of this section
30 in the student handbook and on the school district's internet
31 site.
32 6. For purposes of this section, unless the context
33 otherwise requires:
34 a. "Material" means the same as defined in section 728.1.
35 b. "Minor child" means an individual under eighteen years

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1 of age.

2 c. "Sexually explicit material" means any material that

3 meets all of the following criteria:

4 (1) Taken as a whole with respect to minor children, the

5 material appeals to the prurient interest in nudity, sex, or

6 excretion.

7 (2) The material depicts, describes, or represents, in a

8 patently offensive way with respect to what is suitable for

9 minor children, a sex act or lewd exhibition of the genitals.

10 For purposes of this subparagraph, "lewd exhibition of the

11 genitals" includes any material depicting genitalia in which

12 the place or pose of the person in the depiction is sexually

13 suggestive, any visual depiction that suggests sexual coyness

14 or a willingness to engage in sexual activity, or any visual

15 depiction that is intended or designed to elicit a sexual

16 response from the viewer.

17 (3) Taken as a whole, the material lacks serious literary,

18 artistic, political, or scientific value as to minors. For

19 purposes of this subparagraph, material lacks serious literary,

20 artistic, political, or scientific value as to minor children

21 if the material contains material described in subparagraphs

22 (1) and (2) when substantially similar material is readily

23 available to minor children that does not contain material

24 described in subparagraphs (1) and (2) but that conveys a

25 substantially similar message or viewpoint.

26 d. "Visual depiction" includes any picture, slide,

27 photograph, digital or electronic image, negative image,

28 undeveloped film, motion picture, videotape, digital or

29 electronic recording, live transmission, or any other pictorial

30 or three-dimensional representation.

DIVISION II

STUDENT FIRST SCHOLARSHIP PROGRAM

33 Sec. 4. Section 256.9, Code 2022, is amended by adding the

34 following new subsection:

35 NEW SUBSECTION. 65. Adopt rules relating to the

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1 administration of and applications for the student first

2 scholarship program pursuant to section 257.11B, including but

3 not limited to application processing timelines and information

4 required to be submitted by a parent or guardian.

5 Sec. 5. Section 257.11, subsection 5, Code 2022, is amended

6 to read as follows:

7 5. *Shared operational functions — increased student*

8 *opportunities — budget years beginning in 2014 through 2024*

9 *2034.*

10 a. (1) In order to provide additional funding to increase

11 student opportunities and redirect more resources to student

12 programming for school districts that share operational

13 functions, a district that shares with a political subdivision
14 one or more operational functions of a curriculum director,
15 master social worker, independent social worker, work-based
16 learning coordinator, special education director, mental health
17 professional who holds a statement of recognition issued by the
18 board of educational examiners, a school resource officer, or
19 school counselor, or one or more operational functions in the
20 areas of superintendent management, business management, human
21 resources, transportation, or operation and maintenance for at
22 least twenty percent of the school year shall be assigned a
23 supplementary weighting for each shared operational function.
24 A school district that shares an operational function in
25 the area of superintendent management shall be assigned a
26 supplementary weighting of eight pupils for the function. A
27 school district that shares an operational function in the area
28 of business management, human resources, transportation, or
29 operation and maintenance shall be assigned a supplementary
30 weighting of five pupils for the function. A school district
31 that shares the operational functions of a curriculum director;
32 a master social worker or an independent social worker licensed
33 under chapters 147 and 154C; a work-based learning coordinator;
34 a special education director; a mental health professional
35 who holds a statement of recognition issued by the board

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1 of educational examiners; a school resource officer; or a
2 school counselor shall be assigned a supplementary weighting
3 of three pupils for the function. The additional weighting
4 shall be assigned for each discrete operational function
5 shared. However, a school district may receive the additional
6 weighting under this subsection for sharing the services of an
7 individual with a political subdivision even if the type of
8 operational function performed by the individual for the school
9 district and the type of operational function performed by
10 the individual for the political subdivision are not the same
11 operational function, so long as both operational functions are
12 eligible for weighting under this subsection. In such case,
13 the school district shall be assigned the additional weighting
14 for the type of operational function that the individual
15 performs for the school district, and the school district
16 shall not receive additional weighting for any other function
17 performed by the individual. The operational function sharing
18 arrangement does not need to be a newly implemented sharing
19 arrangement to receive supplementary weighting under this
20 subsection.

21 (2) For the purposes of this paragraph "a":
22 (a) "*Political subdivision*" means a city, township, county,
23 school corporation, merged area, area education agency,
24 institution governed by the state board of regents, or any
25 other governmental subdivision.
26 (b) "School resource officer" means the same as defined in

27 34 U.S.C. §10389.

28 **(b)** (c) “*Work-based learning coordinator*” means an
29 appropriately trained individual responsible for facilitating
30 authentic, engaging work-based learning experiences for
31 learners and educators in partnership with employers and others
32 to enhance learning by connecting the content and skills that
33 are necessary for future careers.
34 b. (1) Notwithstanding paragraph “*a*”, subparagraph (1),
35 each operational function assigned a supplementary weighting

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1 of five pupils under paragraph “*a*”, subparagraph (1), shall
2 instead be assigned a supplementary weighting of four pupils
3 for the school budget years beginning July 1, 2022, July 1,
2023, and July 1, 2024 through July 1, 2034.
4 (2) Notwithstanding paragraph “*a*”, subparagraph (1), each
5 operational function assigned a supplementary weighting of
6 three pupils under paragraph “*a*”, subparagraph (1), shall
7 instead be assigned a supplementary weighting of two pupils for
8 the school budget years beginning July 1, 2022, July 1, 2023,
and July 1, 2024 through July 1, 2034.
9 c. School districts that share operational functions with
10 other school districts are not required to be contiguous school
11 districts. If two or more districts sharing operational
12 functions are not contiguous to each other, the districts
13 separating those districts are not required to be a party to
14 the operational functions sharing arrangement.
15 d. Supplementary weighting pursuant to this subsection
16 shall be available to a school district during the period
17 commencing with the budget year beginning July 1, 2014,
18 through the budget year beginning July 1, 2024 2034. The
19 maximum amount of additional weighting for which a school
20 district shall be eligible in a budget year is twenty-one
21 additional pupils; provided, however, that the maximum amount
of additional weighting for which a school district shall be
eligible in a budget year may be increased to up to twenty-four
additional pupils if approved pursuant to section 257.16E.
22 Criteria for determining the qualification of operational
23 functions for supplementary weighting shall be determined by
24 the department by rule, through consideration of increased
25 student opportunities.
26 e. Supplementary weighting pursuant to this subsection shall
27 be available to an area education agency during the period
28 commencing with the budget year beginning July 1, 2014, through
29 the budget year beginning July 1, 2024 2034. The minimum
30 amount of additional funding for which an area education

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1 agency shall be eligible in a budget year is thirty thousand
2 dollars, and the maximum amount of additional funding for which

3 an area education agency shall be eligible is two hundred
4 thousand dollars. The department of management shall annually
5 set a weighting for each area education agency to generate
6 the approved operational sharing expense using the area
7 education agency's special education cost per pupil amount and
8 foundation level. Criteria for determining the qualification
9 of operational functions for supplementary weighting shall be
10 determined by the department by rule, through consideration of
11 increased student opportunities.

12 f. This subsection is repealed effective July 1, ~~2025~~ ~~2035~~.

13 Sec. 6. **NEW SECTION. 257.11B Student first scholarship**
program.

14 1. a. For the school budget year beginning July 1, 2022,
15 and each succeeding school budget year, the following resident
16 pupils shall be eligible to receive a student first scholarship
17 in the manner provided in this section:

18 (1) A pupil whose household has an annual income which
19 is less than or equal to four hundred percent of the most
20 recently revised poverty income guidelines published by the
21 United States department of health and human services. The
22 total number of student first scholarships the department of
23 education approves for pupils pursuant to this subparagraph
24 shall not exceed five thousand in a school year. However, if
25 the number of student first scholarships received by pupils
26 pursuant to subparagraph (2) is less than the number of student
27 first scholarships reserved for pupils under subparagraph (2),
28 the department of education may approve the difference for
29 pupils pursuant to this subparagraph for the same school year.

30 (2) A pupil who has an individualized education program.
31 The total number of student first scholarships the department
32 of education approves for pupils pursuant to this subparagraph
33 shall not exceed five thousand in a school year. However, if
34 the number of student first scholarships received by pupils

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35 pursuant to subparagraph (1) is less than the number of student
1 first scholarships reserved for pupils under subparagraph (1),
2 the department of education may approve the difference for
3 pupils pursuant to this subparagraph for the same school year.

4 (3) A pupil who received a student first scholarship
5 for the immediately preceding school budget year, who is
6 eligible to enroll in grade one through grade twelve, who meets
7 the requirements of subparagraph (1) or (2) and who is not
8 otherwise ineligible under this section.

9 10 b. Student first scholarships shall be made available to
11 parents and guardians in the manner authorized under subsection
12 4, paragraph "c", for the payment of qualified educational
13 expenses as provided in this section.

14 c. No more than ten thousand student first scholarships
15 shall be made available each school year.

16 d. For purposes of this subsection, "*resident*" means the

17 same as defined in section 282.1, subsection 2.
18 2. *a.* By January 1 preceding the school year for which the
19 student first scholarship is requested, all of the following
20 individuals may request a student first scholarship by
21 submitting an application to the department of education, on
22 application forms developed by the department of education,
23 indicating the individual intends to enroll the pupil in a
24 nonpublic school for the entirety of the school year:
25 (1) The parent or guardian of a pupil currently enrolled
26 in a school district who has been enrolled in that school
27 district for the equivalent of at least two semesters
28 immediately preceding the school year for which the student
29 first scholarship is requested.
30 (2) The parent or guardian of a pupil who is eligible to
31 enroll in a school district for kindergarten in the next school
32 year.
33 (3) The parent or guardian of pupil enrolled in a nonpublic
34 school who received a student first scholarship in the current
35 school year.

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1 *b.* By February 1 preceding the school year for which the
2 student first scholarship is requested, the department of
3 education shall determine the number of pupils in each school
4 district approved to receive a scholarship for the following
5 school year and shall notify the parent or guardian of each
6 pupil approved for the following school year to receive a
7 scholarship and the amount of the scholarship for the pupil.
8 The department of education shall approve pupils who received
9 a student first scholarship for the immediately preceding
10 school budget year who are eligible to enroll in grade one
11 through grade twelve, who meet the requirements of subsection
12 1, paragraph "a", subparagraph (1) or (2), and who are not
13 otherwise ineligible under this section. The department
14 of education shall approve the remaining pupils who did
15 not receive a student first scholarship for the immediately
16 preceding school budget year, subject to the limitation in
17 subsection 1, paragraph "c", on a first-come, first-served
18 basis based on the date the parent or guardian submitted the
19 application pursuant to paragraph "a".
20 *c.* Student first scholarships shall only be approved for
21 one school year and applications must be submitted annually for
22 student first scholarships in subsequent school years.
23 3. The department of education shall assign each pupil a
24 student first scholarship in an amount equal to the sum of all
25 the following for the same school budget year:
26 *a.* The product of the pupil's weighted enrollment that
27 would otherwise be assigned to the pupil under this chapter if
28 the pupil was enrolled in the pupil's district of residence
29 multiplied by the difference between eighty-eight and
30 four-tenths percent of the regular program state cost per pupil

31 and the statewide average foundation property tax per pupil.
32 b. The total teacher salary supplement district cost per
33 pupil for the pupil's district of residence.
34 c. The total professional development supplement district
35 cost per pupil for the pupil's district of residence.

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1 d. The total early intervention supplement district cost per
2 pupil for the pupil's district of residence.
3 e. The total area education agency teacher salary supplement
4 district cost per pupil for the pupil's district of residence.
5 f. The total area education agency professional development
6 supplement district cost per pupil for the pupil's district of
7 residence.
8 g. The total teacher leadership supplement district cost per
9 pupil for the pupil's district of residence.
10 4. A student first scholarship fund is created in the
11 state treasury under the control of the department of
12 education consisting of moneys appropriated to the department
13 of education for the purpose of providing student first
14 scholarships under this section. For the fiscal year
15 commencing July 1, 2022, and each succeeding fiscal year, there
16 is appropriated from the general fund of the state to the
17 department of education to be credited to the fund the amount
18 necessary to pay all student first scholarships approved for
19 that fiscal year. The director of the department of education
20 has all powers necessary to carry out and effectuate the
21 purposes, objectives, and provisions of this section pertaining
22 to the fund, including the power to do all of the following:
23 a. Make and enter into contracts necessary for the
24 administration of the fund.
25 b. Procure insurance against any loss in connection with the
26 assets of the fund or require a surety bond.
27 c. Contract with a private financial management firm to
28 manage the fund, in collaboration with the treasurer of state,
29 including providing for the disbursement of student first
30 scholarships in the form of an electronic debit card or checks
31 that are payable directly from the pupil's account within the
32 fund.
33 d. Conduct audits or other reviews necessary to properly
34 administer the program.
35 e. Adopt rules for the administration of the fund and

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1 accounts within the fund.
2 5. a. For each pupil approved for a student first
3 scholarship, the nonpublic school shall certify the pupil's
4 enrollment and the department of education shall establish an
5 account for that pupil in the student first scholarship fund.
6 The amount of the pupil's student first scholarship shall be

7 deposited into the pupil's account on July 1, and such amount
8 shall be immediately available for the payment of qualified
9 educational expenses incurred by the parent or guardian for
10 the pupil during that fiscal year using the payment method
11 authorized under subsection 4, paragraph "c".
12 b. A nonpublic school that accepts payment from a parent
13 or guardian using funds from a pupil's account in the student
14 first scholarship fund shall not refund, rebate, or share any
15 portion of such payment with the parent, guardian, or pupil.
16 c. Moneys remaining in a pupil's account upon conclusion
17 of the fiscal year shall remain in the pupil's account in the
18 student first scholarship fund for the payment of qualified
19 educational expenses in future fiscal years during which the
20 pupil participates in the program until the pupil becomes
21 ineligible under the program or until the remaining amounts are
22 transferred to the state general fund under subsection 8.
23 6. a. For purposes of this section, "*qualified educational*
24 *expenses*" includes tuition and fees at a nonpublic school,
25 textbooks, fees or payments for educational therapies,
26 including tutoring or cognitive skills training, curriculum
27 fees, software, and materials for a course of study for a
28 specific subject matter or grade level, tuition or fees for
29 nonpublic online education programs, tuition for vocational and
30 life skills education approved by the department of education,
31 education materials and services for pupils with disabilities,
32 including the cost of paraprofessionals and assistants who are
33 trained in accordance with state law, standardized test fees,
34 advanced placement examinations or examinations related to
35 postsecondary education admission or credentialing, qualified

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1 education expenses, as defined in section 12D.1, excluding
2 room and board expenses, and other expenses incurred by the
3 parent or guardian that are directly related to the education
4 of the pupil at a nonpublic school, including a nonpublic
5 school accredited by an independent accrediting agency approved
6 by the department of education. The cost of one computer or
7 other portable computing device shall be allowed as a qualified
8 educational expense for a pupil if the computer or portable
9 computing device is used primarily for the education of the
10 pupil and if such a purchase has not been made using funds from
11 that pupil's account in any of the three immediately preceding
12 fiscal years.
13 b. "*Qualified educational expenses*" does not include
14 transportation costs for the pupil, the cost of food or
15 refreshments consumed by the pupil, the cost of clothing for
16 the pupil, or the cost of disposable materials, including
17 but not limited to paper, notebooks, pencils, pens, and art
18 supplies.
19 7. a. A person who makes a false claim for the purpose
20 of obtaining a student first scholarship provided for in this

21 section or who knowingly receives the scholarship or makes a
22 payment from an account within the student first scholarship
23 fund without being legally entitled to do so is guilty of a
24 fraudulent practice under chapter 714. The false claim for a
25 student first scholarship or a payment from an account shall
26 be disallowed. The department of education shall also close
27 the pupil's account in the student first scholarship fund and
28 transfer any remaining moneys in the account for deposit in the
29 general fund of the state. If the improperly obtained amounts
30 from the scholarship have been disbursed from the applicable
31 account in the student first scholarship fund, the department
32 of education shall recover such amounts from the parent or
33 guardian, including by initiating legal proceedings to recover
34 such amounts, if necessary. A parent or guardian who commits
35 a fraudulent practice under this section is prohibited from

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1 participating in the student first scholarship program in the
2 future.
3 b. If, prior to the end of the required attendance
4 period of the school year, a pupil who receives a student
5 first scholarship withdraws from enrollment in the nonpublic
6 school or is expelled, the nonpublic school shall notify the
7 department of education in writing of the pupil's withdrawal
8 or expulsion, and the pupil's parent or guardian shall notify
9 the department of education of the pupil's withdrawal or
10 expulsion from the nonpublic school. A pupil's expulsion
11 from the nonpublic school prior to the end of the required
12 attendance period for the school year shall invalidate the
13 pupil's eligibility for the student first scholarship for the
14 school budget year. A pupil's withdrawal from a nonpublic
15 school prior to the end of the required attendance period of
16 the school year shall invalidate the pupil's eligibility for
17 the student first scholarship for the school budget year unless
18 the withdrawal is the result of a change in residence of the
19 pupil and the pupil, following written notice by the parent
20 or guardian and certification by the new nonpublic school to
21 the department of education, enrolls in a different nonpublic
22 school in this state for the remainder of the school year.
23 c. (1) Upon receipt of a notice of expulsion under
24 paragraph "b", the department of education shall close the
25 pupil's account in the student first scholarship fund and
26 transfer any remaining moneys in the account for deposit in
27 the general fund of the state. In addition, if amounts from
28 the scholarship for the school budget year during which the
29 pupil is expelled have been disbursed from the expelled pupil's
30 account in the student first scholarship fund, the department
31 of education shall recover such amounts from the parent or
32 guardian, including by initiating legal proceedings to recover

33 such amounts, if necessary.
34 (2) Upon receipt of a notice of withdrawal under paragraph
35 "b" and a determination that the pupil's withdrawal was

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1 not the result of a change in residence, the department of
2 education shall cease disbursements of remaining moneys in
3 the pupil's account in the student first scholarship fund,
4 close the pupil's account, and transfer any moneys remaining
5 in the pupil's account for deposit in the general fund of
6 the state. In addition, if amounts from the scholarship for
7 the school budget year during which the withdrawal occurs
8 have been disbursed from the pupil's account in the student
9 first scholarship fund, the department of education shall
10 recover such amounts from the parent or guardian to the extent
11 the amount disbursed exceeds the amount of the scholarship
12 proportionate to the remaining portion of the school year
13 following the withdrawal, including by initiating legal
14 proceedings to recover such amounts, if necessary.

15 (3) Upon receipt of a notice of withdrawal under paragraph
16 "b" and a determination that the withdrawal was the result of
17 a change in residence but that the pupil did not enroll in
18 a different nonpublic school in this state for the remainder
19 of the school year, the department of education shall cease
20 disbursements of remaining moneys in the pupil's account in
21 the student first scholarship fund, close the pupil's account,
22 and transfer any moneys remaining in the pupil's account for
23 deposit in the general fund of the state.

24 (4) If a pupil's eligibility is invalidated under the
25 provisions of paragraph "b", the pupil shall be ineligible for a
26 student first scholarship for the following school budget year
27 under subsection 1, paragraph "a", subparagraphs (2) and (3).

28 8. Moneys remaining in a pupil's account when the pupil
29 graduates from high school or turns twenty-one years of age,
30 whichever occurs first, shall be transferred by the department
31 of education for deposit in the general fund of the state.

32 9. a. A parent may appeal to the state board of education
33 any administrative decision the department of education
34 makes pursuant to this section, including but not limited
35 to determinations of eligibility, allowable expenses, and

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1 removal from the program. The department shall notify the
2 parent or guardian in writing of the appeal process at the same
3 time the department notifies the parent or guardian of the
4 administrative decision. The state board of education shall
5 establish the appeals process consistent with chapter 17A and
6 shall post such appeal process information on the state board
7 of education's internet site.
8 b. The state board of education shall refer cases of

9 substantial misuse of student first scholarship funds to the
10 attorney general for the purpose of collection or for the
11 purpose of a criminal investigation if the state board of
12 education obtains evidence of fraudulent use of an account.
13 10. *a.* This section shall not be construed to authorize
14 the state or any political subdivision of the state to exercise
15 authority over any nonpublic school or construed to require a
16 nonpublic school to modify its academic standards for admission
17 or educational program in order to receive payment from a
18 parent or guardian using funds from a pupil's account in the
19 student first scholarship fund.
20 *b.* This section shall not be construed to expand the
21 authority of the state or any political subdivision of the
22 state to impose regulations upon any nonpublic school that are
23 not necessary to implement this section.
24 *c.* A nonpublic school that accepts payment from a parent
25 or guardian using funds from a pupil's account in the student
26 first scholarship fund is not an agent of this state or of a
27 political subdivision of this state.
28 *d.* Rules adopted by the department of education to implement
29 this section that impose an undue burden on a nonpublic school
30 are invalid.
31 *e.* A nonpublic school that accepts payment from a parent
32 or guardian using funds from a pupil's account in the student
33 first scholarship fund shall be given the maximum freedom
34 possible to provide for the educational needs of the school's
35 students, consistent with state and federal law.

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1 1. **Sec. 7. NEW SECTION. 257.16E Student first operational**
2 **sharing fund.**
3 1. A student first operational sharing fund is created as
4 a separate and distinct fund in the state treasury under the
5 control of the department of management. Moneys in the fund
6 include revenues credited to the fund, appropriations made to
7 the fund, and other moneys deposited into the fund.
8 2. *a.* For each fiscal year beginning on or after July 1,
9 2023, there is appropriated annually from the general fund of
10 the state to the department of management for deposit in the
11 student first operational sharing fund an amount equal to the
12 product of the number of student first scholarships approved
13 under section 257.11B for the base year multiplied by the sum
14 of the statewide average foundation property tax per pupil plus
15 the difference between the amount determined under section
16 257.16B, subsection 2, paragraph "c", subparagraph (2), and
17 the amount determined under section 257.16B, subsection 2,
18 paragraph "c", subparagraph (1).
19 *b.* The moneys available in a fiscal year in the student
20 first operational sharing fund shall be used to increase the
21 maximum amount of additional weighting established pursuant to
22 section 257.11, subsection 5, paragraph "d", from twenty-one

23 additional pupils up to twenty-four additional pupils if the
24 school district requests the additional weighting from the
25 school budget review committee, and the school budget review
26 committee approves the additional weighting after examining
27 the need for the position requested. If the moneys in the
28 student first operational sharing fund are insufficient to make
29 the payments required by section 257.11, subsection 5, the
30 remainder shall be paid as foundation aid pursuant to section
31 257.16.

32 3. Payments to school districts under this section shall
33 be paid at the same time and in the same manner as foundation
34 aid is paid under section 257.16, and may be included in the
35 monthly payment of state aid under section 257.16, subsection

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1 2.

2 4. Notwithstanding section 8.33, any moneys remaining
3 in the student first operational sharing fund at the end of
4 a fiscal year shall not revert to any other fund but shall
5 remain in the student first operational sharing fund for use as
6 provided in this section for the following fiscal year.

7 Sec. 8. Section 257.31, subsection 16, Code 2022, is amended
8 to read as follows:

9 16. The committee shall perform the duties assigned to it
10 under sections 257.16E, 257.32, 257.40, and 260C.18B.

11 Sec. 9. Section 422.7, Code 2022, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 51. Subtract, to the extent included, the
14 amount of a student first scholarship under section 257.11B
15 received by the taxpayer for payment of qualified educational
16 expenses.

17 Sec. 10. STUDENT FIRST SCHOLARSHIP PROGRAM APPLICATIONS FOR
18 THE SCHOOL YEAR BEGINNING JULY 1, 2022.

19 1. Notwithstanding the deadline in section 257.11B,
20 subsection 2, paragraph "a", as enacted in this division of
21 this Act, by May 1 preceding the school year beginning July
22 1, 2022, the parent or guardian of a pupil who is enrolled in
23 a school district or who is eligible to enroll in a school
24 district for kindergarten in the next school year, and who is
25 requesting a student first scholarship for the school year
26 beginning July 1, 2022, may request a student first scholarship
27 by submitting an application to the department of education,
28 on application forms developed by the department of education,
29 indicating that the parent or guardian intends to enroll the
30 pupil in a nonpublic school for the entirety of the school year
31 beginning July 1, 2022.

32 2. Notwithstanding the deadline in section 257.11B,
33 subsection 2, paragraph "b", as enacted in this division of
34 this Act, by June 1 preceding the school year beginning July
35 1, 2022, the department of education shall determine the

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1 number of pupils in each school district approved to receive
2 a scholarship for the following school year and shall notify
3 the parent or guardian of each pupil approved for the following
4 school year to receive a scholarship and the amount of the
5 scholarship for the pupil.

6 Sec. 11. EMERGENCY RULES. The department of education
7 may adopt emergency rules under section 17A.4, subsection 3,
8 and section 17A.5, subsection 2, paragraph "b", to implement
9 the provisions of the section of this division of this Act
10 enacting section 256.9, subsection 65, and section 257.11B, and
11 the rules shall be effective immediately upon filing unless
12 a later date is specified in the rules. Any rules adopted
13 in accordance with this section shall also be published as a
14 notice of intended action as provided in section 17A.4.

15 Sec. 12. EFFECTIVE DATE. The following, being deemed of
16 immediate importance, take effect upon enactment:

17 1. The section of this division of this Act enacting section
18 256.9, subsection 65.

19 2. The section of this division of this Act enacting section
20 257.11B.

21 3. The section of this division of this Act establishing
22 deadlines for the applications for the student first
23 scholarship program for the school year beginning July 1, 2022.

24 4. The section of this division of this Act authorizing the
25 department of education to engage in emergency rulemaking.

26 Sec. 13. APPLICABILITY. The following applies to school
27 budget years and fiscal years beginning on or after July 1,
28 2022:

29 The section of this division of this Act enacting section
30 257.11B.

31 Sec. 14. APPLICABILITY. The following applies to school
32 budget years and fiscal years beginning on or after July 1,
33 2023:

34 The section of this division of this Act enacting section
35 257.16E.

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1 Sec. 15. RETROACTIVE APPLICABILITY. The following applies
2 retroactively to tax years beginning on or after January 1,
3 2022:

4 The section of this division of this Act enacting section
5 422.7, subsection 51.

6 DIVISION III

7 SOCIAL STUDIES INSTRUCTION

8 Sec. 16. Section 256.11, subsection 5, paragraph b, Code
9 2022, is amended to read as follows:

10 b. (1) Five units of the social studies including
11 instruction in voting statutes and procedures, voter
12 registration requirements, the use of paper ballots and voting

13 systems in the election process, and the method of acquiring
14 and casting an absentee ballot. All students shall complete a
15 minimum of one-half unit of United States government and one
16 unit of United States history.

17 (2) The one-half unit of United States government shall
18 include the all of the following:

19 (a) The voting procedure as described in this lettered
20 paragraph and section 280.9A. The government instruction shall
21 also include a

22 (b) A study of the Constitution of the United States and the
23 Bill of Rights contained in the Constitution and an assessment
24 of a student's knowledge of the Constitution and the Bill of
25 Rights.

26 (c) (i) An assessment of the student's knowledge of
27 United States government and civics that includes the nature,
28 purpose, structure, function, and history of the United States
29 government, the rights and responsibilities of citizens of
30 the United States, and important United States government and
31 civic leaders. The most recent version of the civics test
32 developed by the United States citizenship and immigration
33 services shall be used as the assessment required by this
34 subparagraph division. On or before June 30 of each year, each
35 school district and nonpublic school shall submit the results

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1 of the assessment required by this subparagraph division to the
2 department.

3 (ii) A student shall answer at least seventy percent of the
4 questions on the civics test developed by the United States
5 citizenship and immigration services correctly as a condition
6 of graduation. A student who fails to answer at least seventy
7 percent of the questions on the civics test correctly may
8 retake the civics test as many times as necessary.

DIVISION IV

PRIVATE INSTRUCTION — SPECIAL EDUCATION

10 Sec. 17. Section 299A.9, subsection 1, Code 2022, is amended
11 to read as follows:

12 1. A child of compulsory attendance age who is identified
13 as requiring special education under chapter 256B is eligible
14 for placement under competent private instruction with prior
15 approval of the placement by the director of special education
16 of the area education agency of the child's district of
17 residence.

18 Sec. 18. Section 299A.9, Code 2022, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 3. The parent, guardian, or legal custodian
21 of a child who is identified as requiring special education
22 may request dual enrollment pursuant to section 299A.8. The
23 appropriate special education services for the child shall be
24 determined pursuant to chapter 256B and rules adopted pursuant
25 to chapter 256B.

27 **DIVISION V**
28 **OPEN ENROLLMENT**

29 Sec. 19. Section 282.18, subsection 5, Code 2022, is amended
30 to read as follows:
31 5. a. Open enrollment applications filed after March 1
32 of the preceding school year that do not qualify for good
33 cause as provided in subsection 4 shall be subject to the
34 approval of the board of the resident district and the board
35 of the receiving district. The parent or guardian shall send

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1 notification to the district of residence and the receiving
2 district that the parent or guardian seeks to enroll the
3 parent's or guardian's child in the receiving district.
4 b. A decision of either board to deny an application filed
5 under this subsection involving repeated acts of harassment
6 of the student that the resident district cannot adequately
7 address, a consistent failure of the resident district to
8 reasonably respond to a student's failure to meet basic
9 academic standards after notice provided by a parent or
10 guardian, or a serious health condition of the student that
11 the resident district cannot adequately address is subject to
12 appeal under section 290.1. A decision of either board to
13 deny an application filed under this subsection related to the
14 sibling or stepsibling of a student described in this paragraph
15 is also subject to appeal under section 290.1.
16 c. The state board shall adopt by rule the criteria
17 for determining a resident district's consistent failure
18 to reasonably respond to a student's failure to meet basic
19 academic standards and shall exercise broad discretion to
20 achieve just and equitable results that are in the best
21 interest of the affected child or children.

22 Sec. 20. Section 282.18, subsection 11, paragraph a, Code
23 2022, is amended by adding the following new subparagraph:
24 **NEW SUBPARAGRAPH.** (08) If the pupil participates in
25 open enrollment because the pupil's sibling or stepsibling
26 participates in open enrollment as a result of the sibling
27 or stepsibling's appeal under section 282.18, subsection 5,
28 paragraph "b".

29 **DIVISION VI**

30 **PRACTITIONER PREPARATION PROGRAMS**

31 Sec. 21. Section 256.7, subsection 3, paragraph b, Code
32 2022, is amended to read as follows:
33 b. Procedures provided for approval of programs shall
34 include procedures for enforcement of the prescribed standards
35 and, ~~except as provided in section 256.16, subsection 3,~~ shall

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- 1 not include a procedure for the waiving of any of the standards
2 prescribed.

3 Sec. 22. Section 256.16, subsection 1, paragraph a, Code
4 2022, is amended by striking the paragraph.
5 Sec. 23. Section 256.16, subsection 1, paragraph d, Code
6 2022, is amended to read as follows:
7 d. Require that each student admitted to an approved
8 practitioner preparation program participate in pre-student
9 teaching field experiences that include both observation and
10 participation in teaching activities in a variety of school
11 settings. These Pre-student teaching field experiences for
12 students participating in an initial teacher preparation
13 program shall comprise a total of at least fifty eighty
14 hours in duration, at least ten hours of which shall occur
15 prior to a student's acceptance in an approved practitioner
16 preparation program. Pre-student teaching field experiences
17 for students participating in a teacher intern preparation
18 program shall comprise a total of at least fifty hours in
19 duration. The student teaching experience shall be a minimum
20 of fourteen weeks in duration during the student's final year
21 of the practitioner preparation program. The program shall
22 make every reasonable effort to offer the student teaching
23 experience prior to a student's last semester, or equivalent,
24 in the program, and to expand the student's student teaching
25 opportunities beyond one semester or the equivalent.

26 Sec. 24. Section 256.16, subsection 2, Code 2022, is amended
27 to read as follows:

28 2. A person initially applying for a license shall
29 successfully complete a practitioner preparation program
30 approved under section 256.7, subsection 3, and containing the
31 subject matter specified in this section, before the initial
32 action by the board of educational examiners under chapter
33 272 takes place. However, this subsection shall not apply to
34 a person who meets the requirements for an initial one year
35 license in accordance with subsection 3.

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1 Sec. 25. Section 256.16, subsection 3, Code 2022, is amended
2 by striking the subsection.

3 Sec. 26. Section 272.2, subsection 14, paragraph b,
4 subparagraph (5), Code 2022, is amended to read as follows:
5 (5) The applicant fails to meet board standards for
6 application for an initial or renewed license. However, this
7 subparagraph shall not apply to a person who applies for an
8 initial one year license and submits to the board a waiver
9 issued by the director of the department of education in
10 accordance with section 256.16, subsection 3.

11 Sec. 27. Section 272.2, subsection 22, Code 2022, is amended
12 by striking the subsection.

13 Sec. 28. HIGHER EDUCATION INSTITUTIONS — NOTICE TO
14 FORMER STUDENTS. All higher education institutions providing
15 practitioner preparation shall notify students who failed to
16 achieve the minimum passing scores set by the department of

17 education on the assessments administered under section 256.16,
18 subsection 1, paragraph "a", subparagraph (2), Code 2022,
19 before the effective date of this division of this Act, of the
20 changes related to the completion of a practitioner preparation
21 program provided by this division of this Act, including the
22 student's ability to apply for an initial license from the
23 board of educational examiners if the student completed all
24 other requirements of a practitioner preparation program
25 approved under section 256.7, subsection 3.

26 Sec. 29. EFFECTIVE DATE. This division of this Act, being
27 deemed of immediate importance, takes effect upon enactment.

28 Sec. 30. APPLICABILITY. This division of this Act applies
29 to students who attended or are attending practitioner
30 preparation programs before, on, or after the effective date
31 of this division of this Act.

DIVISION VII

INCIDENTS RELATED TO LICENSED PRACTITIONERS

34 Sec. 31. Section 232.69, subsection 1, unnumbered paragraph
35 1, Code 2022, is amended to read as follows:

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1 The classes of persons enumerated in this subsection shall
2 make a report within twenty-four hours and as provided in
3 section 232.70, of cases of child abuse. In addition, the
4 classes of persons enumerated in this subsection shall make a
5 report of abuse of a child ~~who is under twelve years of age and~~
6 ~~may make a report of abuse of a child who is twelve years of age~~
7 ~~or older~~, which would be defined as child abuse under section
8 232.68, subsection 2, paragraph "a", subparagraph (3) or (5),
9 except that the abuse resulted from the acts or omissions of
10 a person other than a person responsible for the care of the
11 child.

12 Sec. 32. Section 232.69, subsection 1, paragraph b,
13 subparagraph (4), Code 2022, is amended to read as follows:

14 (4) A licensed school employee, certified para-educator,
15 holder of a coaching authorization issued under section 272.31,
16 ~~full-time school employee who is eighteen years of age or~~
17 ~~older~~, or an instructor employed by a community college.

18 Sec. 33. Section 232.70, subsection 6, Code 2022, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *Of*. If the person making the report is a
21 licensed school employee who reasonably believes the person
22 responsible for the injury is a licensed school employee, the
23 identity of the licensed school employee the person making the
24 report believes is responsible for the injury.

25 Sec. 34. Section 256.9, Code 2022, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 66. *a.* Develop and implement a process
28 for the reporting and investigation of any incident that arises
29 that may reasonably lead to the conclusion that an individual
30 with a license, endorsement, certification, authorization, or

31 statement of recognition issued by the board of educational
32 examiners who is employed by the board of directors of a
33 school district or the authorities in charge of an accredited
34 nonpublic school has committed a felony or has engaged in
35 conduct described in section 272.15, subsection 1, paragraph

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1 "a", subparagraph (1), subparagraph divisions (a) through (d).
2 **b.** The process shall prohibit the boards of directors of a
3 school district and the authorities in charge of an accredited
4 nonpublic school from entering into any of the following:
5 (1) A written or oral agreement that prohibits the board of
6 directors of the school district or the authorities in charge
7 of an accredited nonpublic school, an employee of the school
8 district or the accredited nonpublic school, or a contractor
9 of the school district or the accredited nonpublic school
10 from discussing an incident, past performance or actions,
11 past allegations leading to discipline or adverse employment
12 action, or employee resignation with any governmental agent,
13 governmental officer, or any potential employer.
14 (2) A written or oral agreement that waives the liability
15 of an individual with a license, endorsement, certification,
16 authorization, or statement of recognition issued by the
17 board of educational examiners related to or arising from an
18 incident, past performance or action, or past allegations of
19 wrongdoing.
20 c. The board of directors of a school district or the
21 authorities in charge of an accredited nonpublic school and
22 contractors of the school district or the accredited nonpublic
23 school shall be immune from any civil liability arising
24 from discussing an incident, past performance or actions,
25 past allegations leading to discipline or adverse employment
26 action, or employee resignation with any governmental agent,
27 governmental officer, or any potential employer.
28 d. If the board of educational examiners finds that
29 the board of directors of a school district or the
30 authorities in charge of an accredited nonpublic school
31 has intentionally failed to follow the process established
32 by this subsection regarding an incident, or the reporting
33 requirements established pursuant to section 272.15, the
34 board of educational examiners shall assess a fine against
35 an administrator of the school district or the accredited

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1 nonpublic school who failed to ensure compliance with the
2 process of not less than five hundred dollars and not more than
3 five thousand dollars. Payments of the fine provided in this
4 paragraph shall be remitted to the treasurer of the state for
5 deposit in the general fund of the state.
6 e. If the board of educational examiners finds that the

7 board of directors of a school district or the authorities in
8 charge of an accredited nonpublic school has intentionally
9 concealed, or attempted to conceal from any governmental
10 agent, governmental officer, or potential employer a founded
11 incident, or any conduct required to be reported pursuant to
12 section 272.15, the board of educational examiners shall assess
13 a fine against an administrator of the school district or the
14 accredited nonpublic school who assisted in the concealment, or
15 attempted concealment, of an incident, or any conduct required
16 to be reported pursuant to section 272.15, of not more than
17 ten thousand dollars. Payments of the fine provided in this
18 paragraph shall be remitted to the treasurer of the state for
19 deposit in the general fund of the state.

20 Sec. 35. Section 256E.7, subsection 2, Code 2022, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. 0i. Be subject to and comply with the
23 requirements of section 280.32 in the same manner as a school
24 district.

25 Sec. 36. Section 272.2, subsection 14, paragraph b,
26 subparagraph (1), unnumbered paragraph 1, Code 2022, is amended
27 to read as follows:

28 The person entered a plea of guilty to, ~~or~~ has been found
29 guilty of, or the board has found by a preponderance of the
30 evidence that the person committed, any of the following
31 offenses, whether or not a sentence is imposed:

32 Sec. 37. Section 272.2, subsection 15, Code 2022, is amended
33 to read as follows:

34 15. a. Adopt rules that require specificity in written
35 complaints that are filed by individuals who have personal

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1 knowledge of an alleged violation and which are accepted by
2 the board, provide that the jurisdictional requirements as set
3 by the board in administrative rule are met on the face of the
4 complaint before initiating an investigation of allegations,
5 provide that any investigation be limited to the allegations
6 contained on the face of the complaint, provide for an adequate
7 interval between the receipt of a complaint and public notice
8 of the complaint, permit parties to a complaint to mutually
9 agree to a resolution of the complaint filed with the board,
10 allow the respondent the right to review any investigative
11 report upon a finding of probable cause for further action by
12 the board, require that the conduct providing the basis for
13 the complaint occurred within three years of discovery of the
14 event by the complainant unless good cause can be shown for
15 an extension of this limitation, and require complaints to be
16 resolved within one hundred eighty days unless good cause can
17 be shown for an extension of this limitation.

18 b. Adopt rules that require the collection and retention of
19 written complaints that are filed. If the board determines a
20 written complaint is not founded, the complaint and all records

21 related to the complaint shall be kept confidential and are not
22 subject to chapter 22.
23 c. Adopt rules that require the board to notify the public
24 when a licensed practitioner who is the subject of an ongoing
25 investigation initiated under paragraph "a" has a case pending
26 with a finding of probable cause. This paragraph shall not be
27 construed to require the board to disclose unfounded, closed
28 investigations initiated under paragraph "a".
29 d. Adopt rules that require the evaluation of complaints
30 that did not result in any discipline or sanction if similar
31 complaints are filed against the same licensed practitioner.
32 e. Adopt rules that require the board to investigate an
33 administrator who is employed by the school that employs a
34 licensed practitioner who is the subject of an investigation
35 initiated under paragraph "a". The rules shall require

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1 the board to investigate whether the administrator filed a
2 written complaint pursuant to this subsection and whether the
3 administrator was required to report to the board pursuant to
4 section 272.15.

5 Sec. 38. Section 279.69, Code 2022, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 1A. Prior to hiring an individual who
8 has been issued a license, endorsement, certification,
9 authorization, or statement of recognition by the board
10 of educational examiners, a school district shall view the
11 board of educational examiner's public license information to
12 determine if the individual has a case pending with a finding
13 of probable cause or any licensure sanction. This subsection
14 shall not be construed to require the board of educational
15 examiners to disclose unfounded, closed investigations.

16 Sec. 39. NEW SECTION. **280.32 Incidents related to licensed**
practitioners — reporting and investigation.

17 The board of directors of a school district and the
18 authorities in charge of each accredited nonpublic school shall
19 follow the process created by the department of education
20 pursuant to section 256.9, subsection 66, related to the
21 reporting and investigation of an incident involving the
22 possible commission of a felony by any person who has been
23 issued a license, endorsement, certification, authorization, or
24 statement of recognition by the board of educational examiners.

DIVISION VIII

25 **BOARD OF EDUCATIONAL EXAMINERS — RENEWAL CREDITS**

26 Sec. 40. Section 272.2, subsection 1, paragraph c, Code
27 2022, is amended to read as follows:

28 c. Rules adopted pursuant to this subsection establishing
29 licensure renewal requirements shall provide that up to half
30 of the units needed for licensure renewal may be earned upon

33 the successful completion of an individualized professional
34 development plan as verified by the supervising licensed
35 evaluator, or by successful completion of professional

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1 development courses or programs offered by a professional
2 development program licensed by the board, or by a practitioner
3 preparation institution or area education agency approved by
4 the state board of education. The rules shall require that
5 holders of a master educator teaching license, professional
6 service license, or professional administrator license who are
7 employed by a school district described in chapter 274, charter
8 school, or accredited nonpublic school may earn all renewal
9 credits, except for the evaluator training required by section
10 284.10 and the mandatory reporter training required by section
11 232.69, through professional development activities as verified
12 by the supervising licensed evaluator.>
13 2. Title page, by striking lines 1 through 10 and inserting
14 <An Act relating to education, including establishing a
15 student first scholarship program, a student first operational
16 sharing fund, and a process for investigating complaints
17 against licensed practitioners, modifying provisions related
18 to supplementary weighting, the rights of students enrolled in
19 school districts or charter schools, the rights of parents and
20 guardians of those students, social studies instruction, open
21 enrollment, competent private instruction, special education,
22 practitioner preparation programs, mandatory reporters, and
23 the responsibilities of the department of education, school
24 districts, charter schools, accredited nonpublic schools, and
25 the board of educational examiners, and including notice,
26 effective date, applicability, and retroactive applicability
27 provisions.>

AMY SINCLAIR

S-5107

1 Amend the amendment, S-5106, to Senate File 2369, as
2 follows:
3 1. Page 2, by striking lines 14 through 17 and inserting:
4 <(2) The school district determines that a credible threat
5 to the health, safety, or welfare of a minor child may result
6 from providing access to or disclosing the school records.>

HERMAN C. QUIRMBACH

S-5108

1 Amend the amendment, S-5106, to Senate File 2369, as
2 follows:
3 <1. By striking page 1, line 4, through page 31, line 27,

4 and inserting:

5 <DIVISION I

6 PARENT OR GUARDIAN BILL OF RIGHTS

7 Section 1. Section 256.11, subsection 10, paragraph a,
8 subparagraph (1), Code 2022, is amended by adding the following
9 new subparagraph division:

10 **NEW SUBPARAGRAPH DIVISION.** (0e) The requirements of
11 section 279.76.

12 Sec. 2. Section 256E.7, subsection 2, Code 2022, is amended
13 by adding the following new paragraph:

14 **NEW PARAGRAPH.** *0i.* Be subject to and comply with the
15 requirements of section 279.76 in the same manner as a school
16 district.

17 Sec. 3. **NEW SECTION. 279.76 Parent or guardian bill of**
18 **rights.**

19 1. Unless otherwise prohibited by state or federal law, the
20 board of directors of a school district shall adopt policies to
21 ensure that all of the following parental rights are reserved
22 to the parent or guardian of a minor child without obstruction
23 or interference from the school district in which the minor
24 child is enrolled:

25 a. The right to know what the school district in which
26 the minor child is enrolled is teaching the minor child,
27 including the textbooks, books, articles, outlines, handouts,
28 presentations, videos, and any other similar materials the
29 school district uses for student instruction. By July 1, 2025,
30 the school district shall grant access through the internet to
31 the curriculum used for student instruction of a minor child
32 enrolled in the school district to the parent or guardian of
33 the minor child.

34 b. The right to access and review information related to
35 who is teaching the minor child, including guest lecturers and

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1 outside presenters.

2 c. The right to access and review information related to
3 persons who contract with or otherwise receive moneys from the
4 school district.

5 d. The right to access the minor child while the minor child
6 is in school that a reasonable person would deem necessary
7 to ensure the health and safety of the minor child, unless
8 otherwise prohibited by a court order.

9 e. The right to access and review all school records
10 relating to the minor child; provided, however, that the school
11 district may prohibit access to and disclosure of school
12 records if any of the following apply:

13 (1) The school records are related to the minor child's
14 reporting of the parent's or guardian's violation of any law.

15 (2) The school district determines that a credible threat to
16 the health, safety, or welfare of a minor child may result from
17 providing access to or disclosing the school records.

18 (3) Chapter 232, subchapter III, part 2, prohibits the
19 school record from being disclosed.

20 f. The right to access and review information related to the
21 collection and transmission of information related to the minor
22 child, including assessment information, documents created by
23 the minor child, and teacher evaluations of the minor child.

24 g. Subject to section 22.7, the right to access and
25 review information necessary to ensure the accountability and
26 transparency of the board of directors of the school district
27 in which the minor child is enrolled.

28 h. The right to access and review information related to the
29 minor child's safety while at school.

30 2. a. The school district shall not require any student
31 to engage in any activity, including instruction, or any
32 test, assessment, or other means of evaluation, that involves
33 obscene material without the express prior written consent of
34 the student's parent or guardian, which may be obtained by
35 electronic means.

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1 b. The school district shall make every effort to prohibit
2 a minor child from accessing obscene material in the classroom
3 on a device or through a computer network that is owned or
4 otherwise provided by the school district.

5 c. (1) A school district that maintains in electronic form
6 a catalog of library materials shall grant access through the
7 internet or other suitable means to the catalog of library
8 materials to the parent or guardian of any student enrolled in
9 the school district. School districts that maintain a catalog
10 of library materials in other than electronic form shall
11 grant physical access to the catalog of library materials to
12 the parent or guardian of any student enrolled in the school
13 district at the school where the student attends class and at
14 times that are convenient for the parent or guardian.

15 (2) The parent or guardian of a minor child enrolled in
16 the school district may provide notice to the school district
17 indicating the materials that the minor child shall not be
18 allowed to check out from a library operated by the school
19 district, and the school district shall not allow the minor
20 child to check out the materials described in the notice.

21 (3) The school district shall not allow a minor child to
22 check out obscene material from a library operated by the
23 school district without the express prior written consent of
24 the minor child's parent or guardian, which may be obtained by
25 electronic means.

26 3. The school district must receive the prior written
27 consent of a student's parent or guardian before requiring a
28 student to take part in any of the following activities:

29 a. An activity that involves the collection, disclosure,
30 or use of personal information collected from students for the
31 purpose of marketing or selling the information or providing

32 the information to any other person for its marketing or sale.
33 b. A survey, analysis, or evaluation that reveals
34 information concerning any of the following:
35 (1) The political affiliations or beliefs of the student or

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1 the student's parent or guardian.
2 (2) Mental or psychological problems of the student or the
3 student's family.
4 (3) Sex behavior or attitudes.
5 (4) Illegal, antisocial, self-incriminating, or demeaning
6 behavior.
7 (5) Critical appraisals of other individuals with whom the
8 student has close familial relationships.
9 (6) Legally recognized privileged or analogous
10 relationships, such as those of attorneys, physicians, or
11 ministers.
12 (7) Religious practices, affiliations, or beliefs of the
13 student or the student's parent or guardian.
14 (8) Income, except when required by law to determine
15 eligibility for participation in a program or for receiving
16 financial assistance under such a program.
17 c. Any nonemergency, invasive physical examination or
18 screening that is required as a condition of attendance,
19 administered by the school and is scheduled in advance, and
20 that is not necessary to protect the immediate health and
21 safety of the student or other students.
22 4. The rights guaranteed to parents and guardians by this
23 section are not a comprehensive list of the rights reserved
24 to parents or guardians of a minor child. The enumeration of
25 the rights contained in this section shall not be construed to
26 limit the rights reserved to parents or guardians of a minor
27 child.
28 5. The school district shall publish a copy of this section
29 in the student handbook and on the school district's internet
30 site.
31 6. For purposes of this section, unless the context
32 otherwise requires, "*obscene material*" means the same as defined
33 in section 728.1.

DIVISION II

34 INCIDENTS RELATED TO LICENSED PRACTITIONERS

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1 Sec. 4. Section 232.69, subsection 1, unnumbered paragraph
2 1, Code 2022, is amended to read as follows:
3 The classes of persons enumerated in this subsection shall
4 make a report within twenty-four hours and as provided in
5 section 232.70, of cases of child abuse. In addition, the
6 classes of persons enumerated in this subsection shall make a
7 report of abuse of a child ~~who is under twelve years of age and~~

8 ~~may make a report of abuse of a child who is twelve years of age~~
9 ~~or older~~, which would be defined as child abuse under section
10 232.68, subsection 2, paragraph "a", subparagraph (3) or (5),
11 except that the abuse resulted from the acts or omissions of
12 a person other than a person responsible for the care of the
13 child.

14 Sec. 5. Section 232.69, subsection 1, paragraph b,
15 subparagraph (4), Code 2022, is amended to read as follows:

16 (4) A licensed school employee, certified para-educator,
17 holder of a coaching authorization issued under section 272.31,
18 full-time school employee who is eighteen years of age or
19 older, or an instructor employed by a community college.

20 Sec. 6. Section 232.70, subsection 6, Code 2022, is amended
21 by adding the following new paragraph:

22 NEW PARAGRAPH. *Of.* If the person making the report is a
23 licensed school employee who reasonably believes the person
24 responsible for the injury is a licensed school employee, the
25 identity of the licensed school employee the person making the
26 report believes is responsible for the injury.

27 Sec. 7. Section 256.9, Code 2022, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 65. *a.* Develop and implement a process
30 for the reporting and investigation of any incident that arises
31 that may reasonably lead to the conclusion that an individual
32 with a license, endorsement, certification, authorization, or
33 statement of recognition issued by the board of educational
34 examiners who is employed by the board of directors of a
35 school district or the authorities in charge of an accredited

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1 nonpublic school has committed a felony or has engaged in
2 conduct described in section 272.15, subsection 1, paragraph
3 "a", subparagraph (1), subparagraph divisions (a) through (d).

4 *b.* The process shall prohibit the boards of directors of a
5 school district and the authorities in charge of an accredited
6 nonpublic school from entering into any of the following:

7 (1) A written or oral agreement that prohibits the board of
8 directors of the school district or the authorities in charge
9 of an accredited nonpublic school, an employee of the school
10 district or the accredited nonpublic school, or a contractor
11 of the school district or the accredited nonpublic school
12 from discussing an incident, past performance or actions,
13 past allegations leading to discipline or adverse employment
14 action, or employee resignation with any governmental agent,
15 governmental officer, or any potential employer.

16 (2) A written or oral agreement that waives the liability
17 of an individual with a license, endorsement, certification,
18 authorization, or statement of recognition issued by the
19 board of educational examiners related to or arising from an
20 incident, past performance or action, or past allegations of
21 wrongdoing.

22 c. The board of directors of a school district or the
23 authorities in charge of an accredited nonpublic school and
24 contractors of the school district or the accredited nonpublic
25 school shall be immune from any civil liability arising
26 from discussing an incident, past performance or actions,
27 past allegations leading to discipline or adverse employment
28 action, or employee resignation with any governmental agent,
29 governmental officer, or any potential employer.

30 d. If the board of educational examiners finds that
31 the board of directors of a school district or the
32 authorities in charge of an accredited nonpublic school
33 has intentionally failed to follow the process established
34 by this subsection regarding an incident, or the reporting
35 requirements established pursuant to section 272.15, the

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1 board of educational examiners shall assess a fine against
2 an administrator of the school district or the accredited
3 nonpublic school who failed to ensure compliance with the
4 process of not less than five hundred dollars and not more than
5 five thousand dollars. Payments of the fine provided in this
6 paragraph shall be remitted to the treasurer of the state for
7 deposit in the general fund of the state.

8 e. If the board of educational examiners finds that the
9 board of directors of a school district or the authorities in
10 charge of an accredited nonpublic school has intentionally
11 concealed, or attempted to conceal from any governmental
12 agent, governmental officer, or potential employer a founded
13 incident, or any conduct required to be reported pursuant to
14 section 272.15, the board of educational examiners shall assess
15 a fine against an administrator of the school district or the
16 accredited nonpublic school who assisted in the concealment, or
17 attempted concealment, of an incident, or any conduct required
18 to be reported pursuant to section 272.15, of not more than
19 ten thousand dollars. Payments of the fine provided in this
20 paragraph shall be remitted to the treasurer of the state for
21 deposit in the general fund of the state.

22 Sec. 8. Section 256E.7, subsection 2, Code 2022, is amended
23 by adding the following new paragraph:

24 **NEW PARAGRAPH. 0i.** Be subject to and comply with the
25 requirements of section 280.32 in the same manner as a school
26 district.

27 Sec. 9. Section 272.2, subsection 14, paragraph b,
28 subparagraph (1), unnumbered paragraph 1, Code 2022, is amended
29 to read as follows:

30 The person entered a plea of guilty to, ~~or~~ has been found
31 guilty of, or the board has found by a preponderance of the
32 evidence that the person committed, any of the following
33 offenses, whether or not a sentence is imposed:

34 Sec. 10. Section 272.2, subsection 15, Code 2022, is amended
35 to read as follows:

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1 15. a. Adopt rules that require specificity in written
2 complaints that are filed by individuals who have personal
3 knowledge of an alleged violation and which are accepted by
4 the board, provide that the jurisdictional requirements as set
5 by the board in administrative rule are met on the face of the
6 complaint before initiating an investigation of allegations,
7 provide that any investigation be limited to the allegations
8 contained on the face of the complaint, provide for an adequate
9 interval between the receipt of a complaint and public notice
10 of the complaint, permit parties to a complaint to mutually
11 agree to a resolution of the complaint filed with the board,
12 allow the respondent the right to review any investigative
13 report upon a finding of probable cause for further action by
14 the board, require that the conduct providing the basis for
15 the complaint occurred within three years of discovery of the
16 event by the complainant unless good cause can be shown for
17 an extension of this limitation, and require complaints to be
18 resolved within one hundred eighty days unless good cause can
19 be shown for an extension of this limitation.

20 b. Adopt rules that require the collection and retention of
21 written complaints that are filed. If the board determines a
22 written complaint is not founded, the complaint and all records
23 related to the complaint shall be kept confidential and are not
24 subject to chapter 22.

25 c. Adopt rules that require the board to notify the public
26 when a licensed practitioner who is the subject of an ongoing
27 investigation initiated under paragraph "a" has a case pending
28 with a finding of probable cause. This paragraph shall not be
29 construed to require the board to disclose unfounded, closed
30 investigations initiated under paragraph "a".

31 d. Adopt rules that require the evaluation of complaints
32 that did not result in any discipline or sanction if similar
33 complaints are filed against the same licensed practitioner.

34 e. Adopt rules that require the board to investigate an
35 administrator who is employed by the school that employs a

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1 licensed practitioner who is the subject of an investigation
2 initiated under paragraph "a". The rules shall require
3 the board to investigate whether the administrator filed a
4 written complaint pursuant to this subsection and whether the
5 administrator was required to report to the board pursuant to
6 section 272.15.

7 Sec. 11. Section 279.69, Code 2022, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 1A. Prior to hiring an individual who
10 has been issued a license, endorsement, certification,
11 authorization, or statement of recognition by the board
12 of educational examiners, a school district shall view the

13 board of educational examiner's public license information to
14 determine if the individual has a case pending with a finding
15 of probable cause or any licensure sanction. This subsection
16 shall not be construed to require the board of educational
17 examiners to disclose unfounded, closed investigations.

18 Sec. 12. **NEW SECTION. 280.32 Incidents related to licensed**
practitioners — reporting and investigation.

20 The board of directors of a school district and the
21 authorities in charge of each accredited nonpublic school shall
22 follow the process created by the department of education
23 pursuant to section 256.9, subsection 65, related to the
24 reporting and investigation of an incident involving the
25 possible commission of a felony by any person who has been
26 issued a license, endorsement, certification, authorization, or
27 statement of recognition by the board of educational examiners.

28 DIVISION III

29 BOARD OF EDUCATIONAL EXAMINERS — RENEWAL CREDITS

30 Sec. 13. Section 272.2, subsection 1, paragraph c, Code
31 2022, is amended to read as follows:

32 c. Rules adopted pursuant to this subsection establishing
33 licensure renewal requirements shall provide that up to half
34 of the units needed for licensure renewal may be earned upon
35 the successful completion of an individualized professional

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1 development plan as verified by the supervising licensed
2 evaluator, or by successful completion of professional
3 development courses or programs offered by a professional
4 development program licensed by the board, or by a practitioner
5 preparation institution or area education agency approved by
6 the state board of education. The rules shall require that
7 holders of a master educator teaching license, professional
8 service license, or professional administrator license who are
9 employed by a school district described in chapter 274, charter
10 school, or accredited nonpublic school may earn all renewal
11 credits, except for the evaluator training required by section
12 284.10 and the mandatory reporter training required by section
13 232.69, through professional development activities as verified
14 by the supervising licensed evaluator.>

15 2. Title page, by striking lines 1 through 10 and inserting
16 <An Act relating to education, including establishing a process
17 for investigating complaints against licensed practitioners,
18 modifying provisions related to the rights of students enrolled
19 in school districts or charter schools, the rights of parents
20 and guardians of those students, mandatory reporters, and
21 the responsibilities of the department of education, school
22 districts, charter schools, accredited nonpublic schools, and
23 the board of educational examiners.>>

HERMAN C. QUIRMBACH

S-5109

1 Amend the amendment, S-5106, to Senate File 2369, as
2 follows:
3 1. Page 1, line 19, after <district> by inserting <and the
4 authorities in charge of an accredited nonpublic school>
5 2. Page 1, line 22, after <district> by inserting <or
6 accredited nonpublic school>
7 3. Page 1, line 24, after <district> by inserting <or
8 accredited nonpublic school>
9 4. Page 1, line 28, after <district> by inserting <or
10 accredited nonpublic school>
11 5. Page 1, line 29, after <district> by inserting <or
12 accredited nonpublic school>
13 6. Page 1, line 31, after <district> by inserting <or
14 accredited nonpublic school>
15 7. Page 2, line 3, after <district> by inserting <or
16 accredited nonpublic school>
17 8. Page 2, line 10, after <district> by inserting <or
18 accredited nonpublic school>
19 9. Page 2, line 14, after <district> by inserting <or
20 accredited nonpublic school>
21 10. Page 2, line 30, after <district> by inserting <or
22 accredited nonpublic school>
23 11. Page 3, line 1, after <district> by inserting <or
24 accredited nonpublic school>
25 12. Page 3, line 4, after <district> by inserting <or
26 accredited nonpublic school>
27 13. Page 3, line 5, after <district> by inserting <or
28 accredited nonpublic school>
29 14. Page 3, by striking line 9 and inserting <the school
30 district or accredited nonpublic school. School districts or
31 accredited nonpublic schools that maintain a catalog>
32 15. Page 3, line 13, after <district> by inserting <or
33 accredited nonpublic school>
34 16. Page 3, by striking line 16 and inserting <the school
35 district or accredited nonpublic school may provide notice to

Page 2

1 the school district or accredited nonpublic school>
2 17. Page 3, by striking line 19 and inserting <district
3 or accredited nonpublic school, and the school district or
4 accredited nonpublic school>
5 18. Page 3, line 21, after <district> by inserting <or
6 accredited nonpublic school>
7 19. Page 3, line 22, after <district> by inserting <or
8 accredited nonpublic school>
9 20. Page 3, line 24, after <district> by inserting <or
10 accredited nonpublic school>
11 21. Page 3, line 27, after <district> by inserting <or
12 accredited nonpublic school>

13 22. Page 4, line 29, after <district> by inserting <or
14 accredited nonpublic school>
15 23. Page 4, line 30, after <district's> by inserting <or
16 accredited nonpublic school's>

ERIC GIDDENS

S-5110

HOUSE AMENDMENT TO
SENATE FILE 577

1 Amend Senate File 577 as follows:
2 1. Page 2, line 22, by striking <July 1, 2021> and inserting
3 <January 1, 2000>

S-5111

HOUSE AMENDMENT TO
SENATE FILE 348

1 Amend Senate File 348, 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 MINOR GUARDIANSHIPS

7 Section 1. Section 232.3, subsection 1, Code 2022, is
8 amended to read as follows:

9 1. During the pendency of an action under this chapter, a
10 party to the action is estopped from litigating concurrently
11 the custody, guardianship, or placement of a child who is the
12 subject of the action, in a court other than the juvenile court
13 with jurisdiction of the pending action under this chapter. A
14 district judge, district associate judge, juvenile court judge,
15 magistrate, or judicial hospitalization referee, upon notice
16 of the pendency of an action under this chapter, shall not
17 issue an order, finding, or decision relating to the custody,
18 guardianship, or placement of the child who is the subject of
19 the action, under any law, including but not limited to chapter
20 232D, 598, or 633.

21 Sec. 2. Section 232.3, Code 2022, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 3. An action which is pending under chapter
24 232D prior to an action being brought under this chapter shall
25 be stayed by the court in the chapter 232D action unless the
26 court follows the procedures in subsection 2 and authorizes a
27 party to the action to litigate a specific issue under this
28 chapter.

29 Sec. 3. Section 232D.103, Code 2022, is amended to read as
30 follows:

31 **232D.103 Jurisdiction.**

32 The juvenile court has exclusive jurisdiction in a
33 guardianship proceeding concerning a minor who is alleged to be
34 in need of a guardianship and guardianships of minors.
35 Sec. 4. NEW SECTION. 232D.107 Confidentiality.

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1 Official juvenile court records in guardianship proceedings
2 shall be confidential and are not public records. Confidential
3 records may be inspected and their contents shall be disclosed
4 to the following without court order, provided that a person
5 or entity who inspects or receives a confidential record under
6 this section shall not disclose the confidential record or its
7 contents unless required by law:
8 1. The judge and professional court staff.
9 2. The minor and the minor's counsel.
10 3. The minor's parent, guardian or custodian, court
11 visitor, and any counsel representing such person.
12 Sec. 5. Section 232D.301, subsection 2, paragraph d,
13 subparagraph (3), Code 2022, is amended to read as follows:
14 (3) Any adult who has had the primary care of the minor or
15 with whom the minor has lived for at least any time during the
16 six months prior to immediately preceding the filing of the
17 petition.
18 Sec. 6. Section 232D.301, subsection 4, Code 2022, is
19 amended to read as follows:
20 4. The petition shall state whether a limited guardianship
21 is appropriate, and whether a conservatorship for the minor is
22 already in existence.
23 Sec. 7. Section 232D.302, subsection 2, Code 2022, is
24 amended to read as follows:
25 2. Notice shall be served upon the minor's known parents
26 listed in the petition in accordance with the rules of civil
27 procedure. If the parent has not filed a consent to the
28 appointment of a guardian, the notice shall inform any parent
29 named in the petition that the parent may be entitled to
30 representation under the conditions described in section
31 232D.304.
32 Sec. 8. Section 232D.305, subsection 1, Code 2022, is
33 amended to read as follows:
34 1. The court may appoint a court visitor for the minor. A
35 person is qualified to serve as a court visitor if the court

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1 determines the person has demonstrated sufficient knowledge of
2 guardianships to adequately perform the duties in subsection 3.
3 Sec. 9. Section 232D.305, subsection 3, paragraph b, Code
4 2022, is amended to read as follows:
5 b. Explaining to the minor, if the minor's age is
6 appropriate, the substance of the petition, the purpose and
7 effect of the guardianship proceeding, the rights of the

8 ~~minor at the hearing~~, and the general powers and duties of a
9 guardian.

10 Sec. 10. Section 232D.305, Code 2022, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 6. The court may order a court visitor to
13 continue to serve if the court determines continued service
14 would be in the best interest of the minor. If the court
15 continues the services of the court visitor, the court may
16 limit the direct duties of the court visitor as the court deems
17 necessary in which case the court visitor shall thereafter
18 continue to serve until discharged by the court. If the
19 court does not order the court visitor to continue, the order
20 appointing the guardian shall discharge the court visitor.

21 Sec. 11. Section 232D.306, Code 2022, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 4. A hearing on the petition may be
24 recorded if a court reporter is not used.

25 Sec. 12. Section 232D.307, subsection 1, Code 2022, is
26 amended to read as follows:

27 1. The court shall request criminal record checks and checks
28 of the child abuse, dependent adult abuse, and sex offender
29 registries in this state for all proposed guardians other than
30 financial institutions with Iowa trust powers unless a proposed
31 guardian has undergone the required background checks in this
32 section within the ~~twelve~~ six months prior to the filing of
33 a petition and the background check has been provided to the
34 court.

35 Sec. 13. Section 232D.401, subsection 1, Code 2022, is

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1 amended to read as follows:

2 1. The order by the court appointing a guardian for a minor
3 shall state the basis for the order and the date on which the
4 first reporting period for the guardianship will end.

5 Sec. 14. Section 232D.401, subsection 3, unnumbered
6 paragraph 1, Code 2022, is amended to read as follows:
7 An order by the court appointing a guardian for a minor shall
8 state the powers granted to the guardian until such time as the
9 guardian files an initial care plan and such plan is approved
10 by the court as required by section 232D.501, subsection 4.

11 Except as otherwise limited by ~~court~~ an order appointing a
12 guardian for a minor, the court may grant the guardian the
13 following powers, which may be exercised without prior court
14 approval:

15 Sec. 15. Section 232D.501, subsection 1, paragraph a, Code
16 2022, is amended by adding the following new subparagraph:
17 NEW SUBPARAGRAPH. (2A) The guardian's plan, if any, for
18 applying for and receiving funds and benefits payable for the
19 support of the minor.

20 Sec. 16. Section 232D.501, subsection 1, paragraph b, Code
21 2022, is amended by adding the following new subparagraphs:

22 NEW SUBPARAGRAPH. (11) The results of the guardian's
23 efforts to apply for funds or benefits for the minor, and
24 an accounting for the use of such funds or benefits by the
25 guardian.
26 NEW SUBPARAGRAPH. (12) Any other information the guardian
27 deems necessary for the court to consider.
28 Sec. 17. Section 232D.501, Code 2022, is amended by adding
29 the following new subsections:
30 NEW SUBSECTION. 5. The guardian shall provide a copy of the
31 verified initial care plan and verified annual report required
32 by this section to the protected person, the protected person's
33 attorney, if any, and court visitor, if any.
34 NEW SUBSECTION. 6. The court, for good cause, may extend
35 the deadline for filing required reports. Required reports of

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1 a guardian which are not timely filed and which are delinquent,
2 and for which no extension for filing has been granted by the
3 court, shall be administered in the same manner as provided in
4 section 633.32.

DIVISION II

6 ADULT GUARDIANSHIPS AND MINOR AND ADULT CONSERVATORSHIPS

7 Sec. 18. Section 235B.6, subsection 2, paragraph d, Code
8 2022, is amended by adding the following new subparagraph:
9 NEW SUBPARAGRAPH. (7) To a district court conducting
10 checks of the dependent adult abuse registry for all proposed
11 guardians and conservators pursuant to section 633.564.

12 Sec. 19. Section 633.556, subsections 4, 5, and 8, Code
13 2022, are amended to read as follows:

14 4. The petition shall list the name and address of the
15 ~~petitioner and the petitioner's relationship to the respondent~~
16 ~~following:~~

17 *a. The respondent.*

18 *b. The petitioner and the petitioner's relationship to the*
19 ~~respondent.~~

20 *c. The proposed guardian or conservator and the reason the*
21 ~~proposed guardian or conservator should be selected.~~

22 5. The petition shall list the name and address, to the
23 extent known, of the following:

24 *a. The name and address of the proposed guardian and the*
25 ~~reason the proposed guardian should be selected.~~

26 *b. Any spouse of the respondent.*

27 *c. Any adult children of the respondent.*

28 *d. Any parents of the respondent.*

29 *e. Any adult, who has had the primary care of the*
30 ~~respondent or with whom the respondent has lived for at least~~
31 ~~any time during the six months prior to immediately preceding~~
32 the filing of the petition, or any institution or facility
33 where the respondent has resided ~~for at least six months prior~~
34 ~~to any time during the six months immediately preceding~~ the
35 filing of the petition.

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1 ~~f. e.~~ Any legal representative or representative payee of
2 the respondent.
3 ~~g. f.~~ Any person designated as an attorney in fact in a
4 durable power of attorney for health care which is valid under
5 chapter 144B, or any person designated as an agent in a durable
6 power of attorney which is valid under chapter 633B.

7 8. The petition shall provide a brief description of
8 the respondent's alleged functional limitations that make
9 the respondent unable to communicate or carry out important
10 decisions concerning the respondent's financial affairs if
11 the petition is for appointment of a conservator for an adult
12 respondent, or unable to care for the respondent's safety or
13 provide for necessities such as food, shelter, clothing, or
14 medical care without which physical injury or illness may occur
15 if the petition requests the appointment of a guardian.

16 Sec. 20. Section 633.560, subsection 3, Code 2022, is
17 amended to read as follows:

18 3. The court shall require the proposed guardian or
19 conservator to attend the hearing on the petition but the court
20 may excuse the proposed guardian's or conservator's attendance
21 for good cause shown.

22 Sec. 21. Section 633.561, subsection 6, Code 2022, is
23 amended to read as follows:

24 6. If the court determines that it would be in the
25 respondent's best interest to have legal representation
26 with respect to any further proceedings in a guardianship
27 or conservatorship, the court may appoint an attorney to
28 represent the respondent at the expense of the respondent or
29 the respondent's estate, or if the respondent is indigent the
30 cost of the court appointed attorney shall be assessed against
31 the county in which the proceedings are pending.

32 Sec. 22. Section 633.562, subsection 1, Code 2022, is
33 amended to read as follows:

34 1. If the court determines that the appointment of a court
35 visitor would be in the best interest of the respondent, the

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1 court shall appoint a court visitor at the expense of the
2 respondent or the respondent's estate, or, if the respondent
3 is indigent, the cost of the court visitor shall be assessed
4 against the county in which the proceedings are pending. The
5 court may appoint any qualified person as a court visitor in
6 a guardianship or conservatorship proceeding. A person is
7 qualified to serve in this capacity if the court determines the
8 person has demonstrated sufficient knowledge of guardianships
9 or conservatorships to adequately perform the duties in
10 subsection 3.

11 Sec. 23. Section 633.562, subsection 3, paragraph b, Code
12 2022, is amended to read as follows:

13 b. Explaining to the respondent the substance of the
14 petition, the purpose and effect of the guardianship or
15 conservatorship proceeding, ~~the rights of the respondent at~~
16 ~~the hearing~~, and the general powers and duties of a guardian
17 or conservator.

18 Sec. 24. Section 633.562, Code 2022, is amended by adding
19 the following new subsection:

20 **NEW SUBSECTION.** 7. A court visitor shall be discharged
21 from all further duties upon appointment of a guardian or
22 conservator, unless otherwise ordered by the court. The court
23 may order a court visitor to continue to serve if the court
24 determines continued service would be in the best interest of
25 the protected person. If the court continues the service of
26 the court visitor, the court may limit the direct duties of the
27 court visitor as the court deems necessary. The court visitor
28 shall thereafter continue to serve until discharged by the
29 court.

30 Sec. 25. Section 633.563, subsection 1, Code 2022, is
31 amended by adding the following new paragraph:

32 **NEW PARAGRAPH.** c. The petition is for opening a
33 conservatorship for a minor.

34 Sec. 26. Section 633.564, subsection 1, Code 2022, is
35 amended to read as follows:

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1 1. The court shall request criminal record checks and
2 checks of the child abuse, dependent adult abuse, and sexual
3 offender registries in this state for all proposed guardians
4 and conservators, other than financial institutions with Iowa
5 trust powers, unless a proposed guardian or conservator has
6 undergone the required background checks required by this
7 section within the six months prior to the filing of a petition
8 and the background check has been provided to the court.

9 Sec. 27. Section 633.569, Code 2022, is amended to read as
10 follows:

11 **633.569 Emergency appointment of temporary guardian or**
conservator.

13 1. A person authorized to file a petition under section
14 ~~633.552, 633.553, or 633.554~~ 633.556 or 633.557 may file an
15 application for the emergency appointment of a temporary
16 guardian or conservator.

17 2. Such application shall state all of the following:

18 a. The name and address of the respondent.

19 Ob. The name and address of the petitioner and the
petitioner's relationship to the respondent.

21 b. The name and address of the proposed guardian or
22 conservator and the reason the proposed guardian or conservator
23 should be selected.

24 OC. The names and addresses, to the extent known, of any
other persons who must be named in the petition for appointment
of a guardian or conservator under section 633.556 or 633.557.

27 c. The reason the emergency appointment of a temporary
28 guardian or conservator is sought.
29 3. The court may enter an ex parte order appointing a
30 temporary guardian or conservator on an emergency basis under
31 this section if the court finds that all of the following
32 conditions are met:
33 a. There is not sufficient time to file a petition
34 and hold a hearing pursuant to section ~~633.552, 633.553,~~
35 ~~or 633.554~~ 633.556, 633.557, or 633.560.

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1 b. The appointment of a temporary guardian or conservator
2 is necessary to avoid immediate or irreparable harm to the
3 respondent before a hearing with notice to the respondent can
4 be held.
5 c. There is reason to believe that the basis for appointment
6 of guardian or conservator exists under section ~~633.552,~~
7 ~~633.553, or 633.554~~ 633.556 or 633.557.
8 4. Notice of a petition for the appointment of a temporary
9 guardian or conservator and the issuance of an ex parte
10 order appointing a temporary guardian or conservator shall be
11 provided to the respondent, the respondent's attorney, and any
12 other person the court determines should receive notice.
13 5. Upon the issuance of an ex parte order, if the respondent
14 is an adult, the respondent may file a request for a hearing.
15 If the respondent is a minor, the respondent, a parent having
16 legal custody of the respondent, or any other person having
17 legal custody of the respondent may file a written request for
18 a hearing. Such hearing shall be held no later than seven days
19 after the filing of a written request.
20 6. The powers of the temporary guardian or conservator
21 set forth in the order of the court shall be limited to those
22 necessary to address the emergency situation requiring the
23 appointment of a temporary guardian or conservator.
24 7. The temporary guardianship or conservatorship shall
25 terminate within thirty days after the order is issued.
26 8. The court may order an extension of the temporary
27 guardianship or conservatorship for good cause shown. Prior
28 to or contemporaneously with the filing for an application for
29 the extension of time, the guardian or conservator shall file a
30 report with the court setting forth all of the following:
31 a. All actions conducted by the guardian or conservator on
32 behalf of the protected person from the time of the initial
33 appointment of the guardian up to the time of the report.
34 b. All actions that the guardian or conservator plans to
35 conduct on behalf of the protected person during the extension

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1 period.
2 9. The temporary guardian or conservator shall submit any

3 other report the court requires.

4 Sec. 28. Section 633.570, subsections 1 and 2, Code 2022,
5 are amended to read as follows:

6 1. In a proceeding for the appointment of a guardian, the
7 respondent shall be given written notice which advises the
8 respondent ~~of the powers that the court may grant~~ a guardian
9 ~~may exercise without court approval pursuant to the powers set~~
10 ~~out in~~ section 633.635, subsection 2, and the powers ~~that the~~
11 ~~guardian may exercise only with court approval pursuant to set~~
12 ~~out in~~ section 633.635, subsection 3.

13 2. In a proceeding for the appointment of a conservator,
14 the respondent shall be given written notice which advises the
15 respondent ~~of the powers that the court may grant~~ a conservator
16 ~~may exercise without court approval pursuant to section 633.646~~
17 ~~and the powers that the guardian may exercise only with court~~
18 ~~approval pursuant to section 633.647 the powers set out in~~
19 ~~sections 633.641 and 633.642.~~

20 Sec. 29. Section 633.635, subsection 1, Code 2022, is
21 amended to read as follows:

22 1. The order by the court appointing a guardian shall state
23 the factual basis for the guardianship pursuant to section
24 633.552 and the date on which the first reporting period for
25 the guardianship shall end.

26 Sec. 30. Section 633.635, subsection 2, unnumbered
27 paragraph 1, Code 2022, is amended to read as follows:

28 ~~Based upon the evidence produced at the hearing An order by~~
29 ~~the court appointing a guardian for an adult shall state the~~
30 ~~powers granted to the guardian until such time as the guardian~~
31 ~~files an initial care plan and such plan is approved by the~~
32 ~~court as required by section 633.669. Except as otherwise~~
33 ~~limited by an order appointing a guardian for an adult, the~~
34 ~~court may grant a guardian the following powers and duties with~~
35 ~~respect to a protected person which may be exercised without~~

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1 prior court approval.

2 Sec. 31. Section 633.635, subsection 3, unnumbered
3 paragraph 1, Code 2022, is amended to read as follows:

4 A Notwithstanding subsection 2, a guardian may be granted
5 the following powers which may only be exercised upon court
6 approval:

7 Sec. 32. Section 633.641, subsection 3, Code 2022, is
8 amended to read as follows:

9 3. If the court appoints a conservator for a protected
10 person who has previously executed a valid power of attorney
11 under chapter 633B, the conservator shall act in accordance
12 with the applicable provisions of chapter 633B the power of
13 attorney is suspended unless the power of attorney provides
14 otherwise or unless the court determines the power of attorney
15 should continue. If the power of attorney continues, the agent
16 is accountable to the conservator as well as to the protected

17 person. The power of attorney shall be reinstated upon
18 termination of the conservatorship as a result of the protected
19 person regaining capacity.

20 Sec. 33. Section 633.642, Code 2022, is amended by striking
21 the section and inserting in lieu thereof the following:

22 **633.642 Powers of conservator.**

23 1. An order by the court appointing a conservator shall
24 state the basis for the conservatorship pursuant to section
25 633.553 or section 633.554.

26 2. Upon appointment by the court, and until such time as the
27 conservator files an initial financial management plan and such
28 plan is approved by the court as required by section 633.670,
29 subsection 1, a conservator has the authority to exercise all
30 powers applicable to fiduciaries pursuant to sections 633.63
31 through 633.162, unless expressly modified by the court.

32 3. In the order approving an initial financial management
33 plan or an annual report, the court shall approve and set forth
34 the specific powers of a conservator, which may be thereafter
35 exercised by the conservator until further court order. Except

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1 as otherwise ordered by the court, a conservator must give
2 notice to persons entitled to notice and receive specific prior
3 authorization by the court before the conservator may take any
4 other action on behalf of the protected person.

5 4. Upon the filing of an appropriate oath by the
6 conservator, the clerk of court shall issue letters of
7 appointment. A copy of the initial order of the court shall be
8 attached to the letters of appointment.

9 Sec. 34. Section 633.669, Code 2022, is amended to read as
10 follows:

11 **633.669 Reporting requirements — assistance Reports by clerk**
12 **guardians.**

13 1. The court shall assign a guardianship created under
14 this chapter, and may reassign as necessary in the court's
15 discretion, to one of following reporting tiers:

16 a. Tier I: A guardian assigned a tier I guardianship shall
17 file with the court a verified annual report which shall not
18 be waived by the court. The annual report shall include all of
19 the following:

20 (1) The current mental and physical condition of the
21 protected person.

22 (2) The present living arrangement of the protected person,
23 including a description of each residence where the protected
24 person has resided during the reporting period.

25 (3) A summary of the medical, educational, vocational and
26 technical, and other professional services provided for the
27 protected person.

28 (4) A description of the guardian's visits with and
29 activities on behalf of the protected person.

30 (5) A recommendation as to the need for continued

31 guardianship.
32 (6) Other information requested by the court or useful in
33 the opinion of the guardian.
34 b. A guardian appointed by the court under this chapter
35 assigned a tier II guardianship shall file with the court the

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1 following ~~written~~ verified reports which shall not be waived
2 by the court:
3 a. (1) An initial care plan filed within sixty days of
4 appointment. The information in the initial care plan shall
5 include but not be limited to the following information:
6 (a) The current residence of the protected person
7 and the guardian's plan for the protected person's living
8 arrangements.
9 (b) The guardian's plan for payment of the protected
10 person's living expenses and other expenses.
11 (c) The protected person's health status and health
12 care needs, and the guardian's plan for meeting the protected
13 person's needs for medical, dental, and other health care
14 needs.
15 (d) Whether the protected person has a living will or
16 health care power of attorney.
17 (e) If applicable, the protected person's need
18 for other professional services for mental, behavioral,
19 or emotional health, and the guardian's plan for other
20 professional services needed by the protected person.
21 (f) If applicable, the protected person's employment
22 status, the protected person's need for educational, training,
23 or vocational services, and the guardian's plan for meeting the
24 educational, training, and vocational needs of the protected
25 person.
26 (g) If applicable, the guardian's plan for facilitating
27 the participation of the protected person in social activities.
28 (h) The guardian's plan for facilitating contacts
29 between the protected person and the protected person's family
30 members and other significant persons significant in the life
31 of the protected person.
32 (i) The guardian's plan for contact with, and
33 activities on behalf of, the protected person.
34 (j) The powers that the guardian requests to carry out the
35 initial care plan.

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1 (k) The guardian shall file an amended plan when there
2 has been a significant change in the circumstances or the
3 guardian seeks to deviate significantly from the plan. The
4 guardian must obtain court approval of the amended plan before
5 implementing any of its provisions.
6 b. (2) An annual report, filed within sixty days of the

7 close of the reporting period, unless the court otherwise
8 orders on good cause shown. The information in the annual
9 report shall include but not be limited to the following
10 information:

11 ~~(A)~~ (a) The current living arrangements of the protected
12 person.

13 ~~(B)~~ (b) The sources of payment for the protected person's
14 living expenses and other expenses.

15 ~~(C)~~ (c) A description, if applicable, of the following:

16 ~~(i)~~ (i) The protected person's physical and mental health
17 status and the medical, dental, and other professional health
18 services provided to the protected person.

19 ~~(ii)~~ (ii) If applicable, the protected person's employment
20 status and the educational, training, and vocational services
21 provided to the protected person.

22 ~~(iii)~~ (iii) The guardian's facilitation of the participation of
23 the protected person in social activities.

24 ~~(iv)~~ (iv) The contact of the protected person with family
25 members and other significant persons.

26 ~~(v)~~ (v) The nature and extent of the guardian's visits
27 with, and activities on behalf of, the protected person.

28 ~~(vi)~~ (d) The guardian's recommendation as to the need for
29 continuation of the guardianship.

30 ~~(vii)~~ (e) The ability of the guardian to continue as
31 guardian.

32 ~~(viii)~~ (f) The need of the guardian for assistance in
33 providing or arranging for the provision of the care and
34 protection of the protected person.

35 (g) Any other information the guardian deems necessary for

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1 the court to consider.

2 ~~or 1A. A~~ The guardian under a tier I or II guardianship

3 shall file a final report within thirty days of the termination

4 of the guardianship under section 633.675 unless that time is

5 extended by the court.

6 2. The court shall develop a simplified uniform reporting

7 form for use in filing the required reports.

8 3. The clerk of the court shall notify the guardian in

9 writing of the reporting requirements and shall provide

10 information and assistance to the guardian in filing the

11 reports.

12 4. Reports of guardians shall be reviewed and approved by a

13 district court judge or referee.

14 5. The court, for good cause, may extend the deadline for

15 filing required reports. Required reports of a guardian which

16 are not timely filed and which are delinquent, and for which no

17 extension for filing has been granted by the court, shall be

18 administered as provided in section 633.32.

19 6. The guardian shall provide a copy of the reports required

20 by this section to the protected person, the protected person's

21 attorney, if any, and the court visitor, if any.

22 Sec. 35. Section 633.670, Code 2022, is amended to read as
23 follows:

24 **633.670 Reports by conservators.**

25 1. The court shall assign a conservatorship created under
26 this chapter, and may reassign as necessary in the court's
27 discretion, to one of following reporting tiers:

28 a. Tier I: A conservator assigned a tier I conservatorship
29 shall file with the court a verified annual report which shall
30 not be waived by the court. The annual report shall include
31 all of the following:

32 (1) The balance of funds on hand at the close of the last
33 previous accounting, and all amounts received from any source
34 during the period covered by the accounting.

35 (2) All disbursements made during the period covered by the

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1 accounting.

2 (3) Any changes in investments since the last previous
3 report, including a list of all assets, and recommendations
4 of the conservator for the retention or disposition of any
5 property held by the conservator.

6 (4) The amount of the bond and the name of the surety on the
7 bond.

8 (5) The residence or physical location of the protected
9 person.

10 (6) The general physical and mental condition of the
11 protected person.

12 (7) Such other information as shall be necessary to show the
13 condition of the affairs of the conservatorship.

14 b. Tier II: A conservator assigned a tier II
15 conservatorship shall file an with the court a verified initial
16 financial management plan for protecting, managing, investing,
17 expending, and distributing the assets of the conservatorship
18 estate within ninety days after appointment which shall not be
19 waived by the court. The plan must be based on the needs of
20 the protected person and take into account the best interest
21 of the protected person as well as the protected person's
22 preference, values, and prior directions to the extent known
23 to, or reasonably ascertainable by, the conservator.

24 c. The initial plan shall include all of the following:

25 The initial financial management plan required pursuant
26 to paragraph "b" shall state the protected person's age,
27 residence, living arrangements, and sources of payment for
28 living expenses.

29 (1) A budget containing projected expenses and resources,
30 including an estimate of the total amount of fees the
31 conservator anticipates charging per year and a statement or
32 list of the amount the conservator proposes to charge for each

33 ~~service the conservator anticipates providing to the protected~~
34 ~~person.~~
35 ~~(2) A statement as to how the conservator will involve~~

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1 ~~the protected person in decisions about management of the~~
2 ~~conservatorship estate.~~
3 ~~(3) If ordered by the court, any step the conservator plans~~
4 ~~to take to develop or restore the ability of the protected~~
5 ~~person to manage the conservatorship estate.~~
6 ~~(4) An estimate of the duration of the conservatorship.~~
7 ~~d. If applicable, the protected person's will shall be filed~~
8 ~~with the court clerk and the protected person's prepaid burial~~
9 ~~trust and powers of attorney shall be described.~~
10 b. e. Within two days after filing the initial plan,

11 the ~~The~~ conservator shall give provide notice of the filing
12 of the initial plan with required pursuant to paragraph "b"
13 and a copy of the initial plan to the protected person, the
14 protected person's attorney, if any, and court visitor, if any,
15 and others as directed by the court. The notice must state
16 that any person entitled to a copy of the plan must file any
17 objections to the plan not later than ~~fifteen days after it is~~
18 filed twenty days from the date of mailing notice of filing the
19 initial plan.
20 e. f. At least twenty days after the initial plan required
21 pursuant to paragraph "b" has been filed, the court shall review
22 and determine whether the plan should be approved or revised,
23 after considering objections filed and whether the plan is
24 consistent with the conservator's powers and duties.
25 d. g. After approval of the initial plan required pursuant
26 to paragraph "b" by the court, the conservator shall provide a
27 copy of the approved plan and order approving the plan to the
28 protected person, the protected person's attorney, if any, and
29 court visitor, if any, and others as directed by the court.
30 e. h. The conservator assigned to a tier II conservatorship
31 shall file an amended plan when there has been a significant
32 change in circumstances or the conservator seeks to deviate
33 significantly from the plan. Before the amended plan is
34 implemented, the provisions for court approval of the plan
35 shall be followed as provided in paragraphs "b", "c", and "d"

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1 the initial financial management plan.
2 2. A conservator shall file an inventory of the protected
3 person's assets within ninety days after appointment which
4 includes an oath or affirmation that the inventory is believed
5 to be complete and accurate as far as information permits.
6 Copies of the inventory shall be provided to the protected
7 person, the protected person's attorney and court visitor, if
8 any, and others as directed by the court. When the conservator

9 receives additional property of the protected person, or
10 becomes aware of its existence, a description of the property
11 shall be included in the conservator's next annual report. A
12 conservator assigned to a tier II conservatorship shall attach
13 to the initial financial management plan an inventory of the
14 protected person's assets and debts, which includes an oath or
15 affirmation that the inventory is believed to be complete and
16 accurate as far as information permits. The conservator shall
17 provide copies of the inventory to the protected person, the
18 protected person's attorney, if any, and the court visitor, if
19 any, and others as directed by the court. Any objections to
20 the inventory shall be filed in the same manner and according
21 to the same schedule as objections to the initial financial
22 management plan. The court shall review the inventory and
23 determine whether the inventory should be approved at the same
24 time as the court reviews the initial financial management
25 plan. When the conservator receives an additional asset of the
26 protected person or becomes aware of its existence, or becomes
27 aware of additional debt of the protected person, a description
28 of the asset or debt shall be included in the conservator's
29 next annual report.

30 3. *a.* A conservator assigned to a tier II conservatorship
31 shall file a written and verified report on an annual basis
32 for the period since the end of the preceding report period.
33 The court which shall not waive these reports be waived by the
34 court.

35 *a. b.* These reports shall include all of the following:

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1 1 The annual report required by this paragraph shall state
2 2 the age, the residence, and the living arrangements of the
3 3 protected person, and sources of payment for the protected
4 4 person's living expenses during the reporting period.
5 (1) Balance of funds on hand at the beginning and end of the
6 period.
7 (2) Disbursements made.
8 (3) Changes in the conservator's plan.
9 (4) List of assets as of the end of the period.
10 (5) Bond amount and surety's name.
11 (6) Residence and physical location of the protected
12 person.
13 (7) General physical and mental condition of the protected
14 person.
15 (8) Other information reflecting the condition of the
16 conservatorship estate.
17 *b. c.* These reports shall be filed: The conservator shall
18 submit with the annual report required by this paragraph an
19 inventory of the assets of the protected person as of the last
20 day of the reporting period the total value of assets at the
21 beginning and end of the reporting period.
22 (1) On an annual basis within sixty days of the end of the

23 ~~reporting period unless the court orders an extension for good cause shown in accordance with the rules of probate procedure.~~

24 ~~4. The conservator assigned a tier I or II conservatorship shall file a verified final report with the court as follows:~~

25 ~~(2) a. Within thirty days following removal of the conservator.~~

26 ~~(3) b. Upon the conservator's filing of a resignation and before the resignation is accepted by the court.~~

27 ~~(4) c. Within sixty days following the termination of the conservatorship.~~

28 ~~(5) d. At other times as ordered by the court.~~

29 ~~e. 5. Reports required by this section shall be served on The conservator shall provide a copy of the initial financial~~

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1 management plan, if applicable, the inventory of the protected person's assets, if applicable, and the annual report to the protected person, the protected person's attorney, if any, and court visitor, if any, and the veterans administration if the protected person is receiving veterans' benefits.

2 6. The court, for good cause, may extend the deadline for filing required reports. Required reports of a conservator which are not timely filed and which are delinquent, and for which no extension for filing has been granted by the court, shall be administered as provided in section 633.32.

3 7. Reports of conservators shall be reviewed and approved by a district court judge or referee.

4 Sec. 36. Section 633.675, subsections 2, 3, and 5, Code 2022, are amended to read as follows:

5 2. The court shall terminate a guardianship for an adult if ~~if the court finds by clear and convincing evidence~~ that the basis for appointing a guardian pursuant to section 633.552 has not been established.

6 3. The court shall terminate a conservatorship if the court finds ~~by clear and convincing evidence~~ that the basis for appointing a conservator pursuant to section 633.553 or 633.554 is not satisfied.

7 5. The standard of proof and the burden of proof to be applied in a termination proceeding to terminate a guardianship or conservatorship for an adult shall be the same as set forth in section 633.551, subsection 2.

DIVISION III

CONFORMING CHANGES

8 Sec. 37. Section 633.3, subsections 9, 17, 22, and 23, Code 2022, are amended to read as follows:

9 9. *Conservator* — means a person appointed by the court to have the custody and control of the property of a ~~ward~~ protected person under the provisions of this probate code.

10 17. *Estate* — the real and personal property of either a decedent or a ~~ward~~ protected person, and may also refer to the

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1 real and personal property of a trust described in section
2 633.10.
3 22. *Guardian* — means the person appointed by the court to
4 have the custody of the person of the ~~ward~~ protected person
5 under the provisions of this probate code.

6 23. *Guardian of the property* — at the election of the
7 person appointed by the court to have the custody and care of
8 the property of a ~~ward~~ protected person, the term “*guardian of*
9 *the property*” may be used, which term shall be synonymous with
10 the term “*conservator*”.

11 Sec. 38. Section 633.78, subsection 1, unnumbered paragraph
12 1, Code 2022, is amended to read as follows:

13 A fiduciary under this chapter may present a written request
14 to any person for the purpose of obtaining property owned by
15 a decedent or by a ~~ward~~ protected person of a conservatorship
16 for which the fiduciary has been appointed, or property to
17 which a decedent or ~~ward~~ protected person is entitled, or
18 for information about such property needed to perform the
19 fiduciary’s duties. The request must contain statements
20 confirming all of the following:

21 Sec. 39. Section 633.78, subsection 1, paragraph b, Code
22 2022, is amended to read as follows:

23 b. The request has been signed by all fiduciaries acting on
24 behalf of the decedent or ~~ward~~ protected person.

25 Sec. 40. Section 633.78, subsection 4, paragraph a, Code
26 2022, is amended to read as follows:

27 a. Damages sustained by the decedent’s or ~~ward’s~~ protected
28 person’s estate.

29 Sec. 41. Section 633.80, Code 2022, is amended to read as
30 follows:

31 **633.80 Fiduciary of a fiduciary.**

32 A fiduciary has no authority to act in a matter wherein the
33 fiduciary’s decedent or ~~ward~~ protected person was merely a
34 fiduciary, except that the fiduciary shall file a report and
35 accounting on behalf of the decedent or ~~ward~~ protected person

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1 in said matter.
2 Sec. 42. Section 633.93, Code 2022, is amended to read as
3 follows:

4 **633.93 Limitation on actions affecting deeds.**

5 No action for recovery of any real estate sold by any
6 fiduciary can be maintained by any person claiming under the
7 deceased, the ~~ward~~ protected person, or a beneficiary, unless
8 brought within five years after the date of the recording of
9 the conveyance.

10 Sec. 43. Section 633.112, Code 2022, is amended to read as
11 follows:

12 **633.112 Discovery of property.**

13 The court may require any person suspected of having
14 possession of any property, including records and documents,
15 of the decedent, ~~ward protected person~~, or the estate, or of
16 having had such property under the person's control, to appear
17 and submit to an examination under oath touching such matters,
18 and if on such examination it appears that the person has the
19 wrongful possession of any such property, the court may order
20 the delivery thereof to the fiduciary. Such a person shall be
21 liable to the estate for all damages caused by the person's
22 acts.

23 Sec. 44. Section 633.123, subsection 1, paragraph b,
24 subparagraph (3), Code 2022, is amended to read as follows:

25 (3) The needs and rights of the beneficiaries or the ~~ward~~
26 ~~protected person~~.

27 Sec. 45. Section 633.580, subsections 1 and 4, Code 2022,
28 are amended to read as follows:

29 1. The name, age, and last known post office address of the
30 proposed ~~ward protected person~~.

31 4. A general description of the property of the proposed
32 ~~ward protected person~~ within this state and of the proposed
33 ~~ward's protected person's~~ right to receive property; also, the
34 estimated present value of the real estate, the estimated value
35 of the personal property, and the estimated gross annual income

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1 of the estate. If any money is payable, or to become payable,
2 to the proposed ~~ward protected person~~ by the United States
3 through the United States department of veterans affairs, the
4 petition shall so state.

5 Sec. 46. Section 633.591A, Code 2022, is amended to read as
6 follows:

7 **633.591A Voluntary petition for appointment of conservator
8 for a minor — standby basis.**

9 A person having physical and legal custody of a minor
10 may execute a verified petition for the appointment of a
11 standby conservator of the proposed ~~ward's protected person's~~
12 property, upon the express condition that the petition shall
13 be acted upon by the court only upon the occurrence of an event
14 specified or the existence of a described condition of the
15 mental or physical health of the petitioner, the occurrence
16 of which event, or the existence of which condition, shall be
17 established in the manner directed in the petition.

18 Sec. 47. Section 633.603, Code 2022, is amended to read as
19 follows:

20 **633.603 Appointment of foreign conservators.**

21 When there is no conservatorship, nor any application
22 therefor pending, in this state, the duly qualified foreign
23 conservator or guardian of a nonresident ~~ward protected~~
24 ~~person~~ may, upon application, be appointed conservator of the
25 property of such person in this state; provided that a resident
26 conservator is appointed to serve with the foreign conservator;

27 and provided further, that for good cause shown, the court
28 may appoint the foreign conservator to act alone without the
29 appointment of a resident conservator.

30 Sec. 48. Section 633.604, Code 2022, is amended to read as
31 follows:

32 633.604 Application.

33 The application for appointment of a foreign conservator
34 or guardian as conservator in this state shall include the
35 name and address of the nonresident ~~ward~~ protected person, and

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1 of the nonresident conservator or guardian, and the name and
2 address of the resident conservator to be appointed. It shall
3 be accompanied by a certified copy of the original letters
4 or other authority conferring the power upon the foreign
5 conservator or guardian to act as such. The application
6 shall also state the cause for the appointment of the foreign
7 conservator to act as sole conservator, if such be the case.

8 Sec. 49. Section 633.605, Code 2022, is amended to read as
9 follows:

10 633.605 Personal property.

11 A foreign conservator or guardian of a nonresident may
12 be authorized by the court of the county wherein such ~~ward~~
13 protected person has personal property to receive the same upon
14 compliance with the provisions of sections 633.606, 633.607 and
15 633.608.

16 Sec. 50. Section 633.607, Code 2022, is amended to read as
17 follows:

18 633.607 Order for delivery.

19 Upon the filing of the bond as above provided, and the court
20 being satisfied with the amount thereof, it shall order the
21 personal property of the ~~ward~~ protected person delivered to
22 such conservator or guardian.

23 Sec. 51. Section 633.633, Code 2022, is amended to read as
24 follows:

**25 633.633 Provisions applicable to all fiduciaries shall
26 govern.**

27 The provisions of this probate code applicable to all
28 fiduciaries shall govern the appointment, qualification, oath
29 and bond of guardians and conservators, except that a guardian
30 shall not be required to give bond unless the court, for good
31 cause, finds that the best interests of the ~~ward~~ protected
32 person require a bond. The court shall then fix the terms and
33 conditions of such bond.

34 Sec. 52. Section 633.633B, Code 2022, is amended to read as
35 follows:

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1 **633.633B Tort liability of guardians and conservators.**
2 The fact that a person is a guardian or conservator shall not

3 in itself make the person personally liable for damages for the
4 acts of the ~~ward~~ protected person.

5 Sec. 53. Section 633.636, Code 2022, is amended to read as
6 follows:

7 **633.636 Effect of appointment of guardian or conservator.**

8 The appointment of a guardian or conservator shall not
9 constitute an adjudication that the ~~ward~~ protected person is of
10 unsound mind.

11 Sec. 54. Section 633.637, Code 2022, is amended to read as
12 follows:

13 **633.637 Powers of ~~ward~~ protected person.**

14 1. A ~~ward~~ protected person for whom a conservator has been
15 appointed shall not have the power to convey, encumber, or
16 dispose of property in any manner, other than by will if the
17 ~~ward~~ protected person possesses the requisite testamentary
18 capacity, unless the court determines that the ~~ward~~ protected
19 person has a limited ability to handle the ~~ward's~~ protected
20 person's own funds. If the court makes such a finding, the
21 court shall specify to what extent the ~~ward~~ protected person
22 may possess and use the ~~ward's~~ protected person's own funds.

23 2. Any modification of the powers of the ~~ward~~ protected
24 person that would be more restrictive of the ~~ward's~~ protected
25 person's control over the ~~ward's~~ protected person's financial
26 affairs shall be based upon clear and convincing evidence
27 and the burden of persuasion is on the conservator. Any
28 modification that would be less restrictive of the ~~ward's~~
29 protected person's control over the ~~ward's~~ protected person's
30 financial affairs shall be based upon proof in accordance with
31 the requirements of section 633.675.

32 Sec. 55. Section 633.637A, Code 2022, is amended to read as
33 follows:

34 **633.637A Rights of ~~ward~~ protected person under guardianship.**

35 An adult ~~ward~~ protected person under a guardianship has the

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1 right of communication, visitation, or interaction with other
2 persons upon the consent of the adult ~~ward~~ protected person,
3 subject to section 633.635, subsection 2, paragraph "i", and
4 section 633.635, subsection 3, paragraph "c". If an adult ~~ward~~
5 protected person is unable to give express consent to such
6 communication, visitation, or interaction with a person due
7 to a physical or mental condition, consent of an adult ~~ward~~
8 protected person may be presumed by a guardian or a court based
9 on an adult ~~ward's~~ protected person's prior relationship with
10 such person.

11 Sec. 56. Section 633.638, Code 2022, is amended to read as
12 follows:

13 **633.638 Presumption of fraud.**

14 If a conservator be appointed, all contracts, transfers and
15 gifts made by the ~~ward~~ protected person after the filing of the
16 petition shall be presumed to be a fraud against the rights

17 and interest of the ~~ward~~ protected person except as otherwise
18 directed by the court pursuant to section 633.637.

19 Sec. 57. Section 633.639, Code 2022, is amended to read as
20 follows:

21 **633.639 Title to ~~ward's~~ protected person's property.**

22 The title to all property of the ~~ward~~ protected person is
23 in the ~~ward~~ protected person and not the conservator subject,
24 however, to the possession of the conservator and to the
25 control of the court for the purposes of administration,
26 sale or other disposition, under the provisions of the
27 law. Any real property titled at any time in the name of a
28 conservatorship shall be deemed to be titled in the ~~ward's~~
29 protected person's name subject to the conservator's right of
30 possession.

31 Sec. 58. Section 633.640, Code 2022, is amended to read as
32 follows:

33 **633.640 Conservator's right to possession.**

34 Every conservator shall have a right to, and shall take,
35 possession of all of the real and personal property of the

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1 ~~ward~~ protected person. The conservator shall pay the taxes
2 and collect the income therefrom until the conservatorship is
3 terminated. The conservator may maintain an action for the
4 possession of the property, and to determine the title to the
5 same.

6 Sec. 59. Section 633.643, Code 2022, is amended to read as
7 follows:

8 **633.643 Disposal of will by conservator.**

9 When an instrument purporting to be the will of the ~~ward~~
10 protected person comes into the hands of a conservator, the
11 conservator shall immediately deliver it to the court.

12 Sec. 60. Section 633.644, Code 2022, is amended to read as
13 follows:

14 **633.644 Court order to preserve testamentary intent of ~~ward~~
15 protected person.**

16 Upon receiving an instrument purporting to be the will of a
17 living ~~ward~~ protected person under the provisions of section
18 633.643, the court may open said will and read it. The court
19 with or without notice, as it may determine, may enter such
20 orders in the conservatorship as it deems advisable for the
21 proper administration of the conservatorship in light of the
22 expressed testamentary intent of the ~~ward~~ protected person.

23 Sec. 61. Section 633.645, Code 2022, is amended to read as
24 follows:

25 **633.645 Court to deliver will to clerk.**

26 An instrument purporting to be the will of a ~~ward~~ protected
27 person coming into the hands of the court under the provisions
28 of section 633.643, shall thereafter be resealed by the court
29 and be deposited with the clerk to be held by said clerk as
30 provided in sections 633.286 through 633.289.

31 Sec. 62. Section 633.653A, Code 2022, is amended to read as
32 follows:

33 **633.653A Claims for cost of medical care or services.**
34 The provision of medical care or services to a ~~ward~~ protected
35 person who is a recipient of medical assistance under chapter

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1 249A creates a claim against the conservatorship for the amount
2 owed to the provider under the medical assistance program for
3 the care or services. The amount of the claim, after being
4 allowed or established as provided in this part, shall be paid
5 by the conservator from the assets of the conservatorship.

6 Sec. 63. Section 633.654, Code 2022, is amended to read as
7 follows:

8 **633.654 Form and verification of claims — general
9 requirements.**

10 No claim shall be allowed against the estate of a ~~ward~~
11 protected person upon application of the claimant unless
12 it shall be in writing, filed in duplicate with the clerk,
13 stating the claimant's name and address, and describing the
14 nature and the amount thereof, if ascertainable. It shall be
15 accompanied by the affidavit of the claimant, or of someone for
16 the claimant, that the amount is justly due, or if not due,
17 when it will or may become due, that no payments have been
18 made thereon which are not credited, and that there are no
19 offsets to the same, to the knowledge of the affiant, except as
20 therein stated. The duplicate of said claim shall be mailed
21 by the clerk to the conservator or the conservator's attorney
22 of record; however, valid contract claims arising in the
23 ordinary course of the conduct of the business or affairs of
24 the ~~ward~~ protected person by the conservator may be paid by the
25 conservator without requiring affidavit or filing.

26 Sec. 64. Section 633.656, Code 2022, is amended to read as
27 follows:

28 **633.656 How claim entitled.**

29 All claims filed against the estate of the ~~ward~~ protected
30 person shall be entitled in the name of the claimant against
31 the conservator as such, naming the conservator, and in all
32 further proceedings thereon, this title shall be preserved.

33 Sec. 65. Section 633.660, Code 2022, is amended to read as
34 follows:

35 **633.660 Execution and levy prohibited.**

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1 No execution shall issue upon, nor shall any levy be made
2 against, any property of the estate of a ~~ward~~ protected person
3 under any judgment against the ~~ward~~ protected person or a
4 conservator, but the provisions of this section shall not be so
5 construed as to prevent the enforcement of a mortgage, pledge,
6 or other lien upon property in an appropriate proceeding.

7 Sec. 66. Section 633.661, Code 2022, is amended to read as
8 follows:

9 **633.661 Claims of conservators.**

10 If the conservator is a creditor of the ward, the conservator
11 shall file the claim as other creditors, and the court shall
12 appoint some competent person as temporary conservator to
13 represent the ward protected person at the hearing on the
14 conservator's claim. The same procedure shall be followed in
15 the case of coconservators where all such conservators are
16 creditors of the ward protected person; but if one of the
17 coconservators is not a creditor of the ward protected person,
18 such disinterested conservator shall represent the ward at the
19 hearing on any claim against the ward protected person by a
20 coconservator.

21 Sec. 67. Section 633.662, Code 2022, is amended to read as
22 follows:

23 **633.662 Claims not filed.**

24 The conservator may pay any valid claim against the estate of
25 the ward protected person even though such claim has not been
26 filed, but all such payments made by the conservator shall be
27 at the conservator's own peril.

28 Sec. 68. Section 633.664, Code 2022, is amended to read as
29 follows:

30 **633.664 Liens not affected by failure to file claim.**

31 Nothing in sections 633.654 and 633.658 shall affect or
32 prevent an action or proceeding to enforce any mortgage,
33 pledge, or other lien upon the property of the ward protected
34 person.

35 Sec. 69. Section 633.665, Code 2022, is amended to read as

Page 30

1 follows:

2 **633.665 Separate actions and claims.**

3 1. Any action pending against the ward protected person at
4 the time the conservator is appointed shall also be considered
5 a claim filed in the conservatorship if notice of substitution
6 is served on the conservator as defendant and a duplicate of
7 the proof of service of notice of such proceeding is filed in
8 the conservatorship proceeding.

9 2. A separate action based on a debt or other liability
10 of the ward protected person may be commenced against the
11 conservator in lieu of filing a claim in the conservatorship.

12 Such an action shall be commenced by serving an original notice
13 on the conservator and filing a duplicate of the proof of
14 service of notice of such proceeding in the conservatorship
15 proceeding. Such an action shall also be considered a claim
16 filed in the conservatorship. Such an action may be commenced
17 only in a county where the venue would have been proper if
18 there were no conservatorship and the action had been commenced
19 against the ward protected person.

20 Sec. 70. Section 633.667, Code 2022, is amended to read as

21 follows:

22 **633.667 Payment of claims in insolvent conservatorships.**

23 When it appears that the assets in a conservatorship are
24 insufficient to pay in full all the claims against such
25 conservatorship, the conservator shall report such matter to
26 the court, and the court shall, upon hearing, with notice to
27 all persons who have filed claims in the conservatorship, make
28 an order for the pro rata payment of claims giving claimants
29 the same priority, if any, as they would have if the ~~ward~~
30 protected person were not under conservatorship.

31 Sec. 71. Section 633.668, Code 2022, is amended to read as
32 follows:

33 **633.668 Conservator may make gifts.**

34 For good cause shown and under order of court, a conservator
35 may make gifts on behalf of the ~~ward~~ protected person out of

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1 the assets under a conservatorship to persons or religious,
2 educational, scientific, charitable, or other nonprofit
3 organizations to whom or to which such gifts were regularly
4 made prior to the commencement of the conservatorship, or on
5 a showing to the court that such gifts would benefit the ~~ward~~
6 protected person or the ~~ward's~~ protected person's estate from
7 the standpoint of income, gift, estate or inheritance taxes.
8 The making of gifts out of the assets must not foreseeably
9 impair the ability to provide adequately for the best interests
10 of the ~~ward~~ protected person.

11 Sec. 72. Section 633.673, Code 2022, is amended to read as
12 follows:

13 **633.673 Court costs in guardianships.**

14 The ~~ward~~ protected person or the ~~ward's~~ protected person's
15 estate shall be charged with the court costs of a ward's
16 guardianship, including the guardian's fees and the fees of the
17 attorney for the guardian. The court may, upon application,
18 enter an order waiving payment of the court costs in indigent
19 cases. However, if the ~~ward~~ protected person or ~~ward's~~
20 protected person's estate becomes financially capable of paying
21 any waived costs, the costs shall be paid immediately.

22 Sec. 73. Section 633.676, Code 2022, is amended to read as
23 follows:

24 **633.676 Assets exhausted.**

25 At any time that the assets of the ~~ward's~~ protected person's
26 estate do not exceed the amount of the charges and claims
27 against it, the court may direct the conservator to proceed to
28 terminate the conservatorship.

29 Sec. 74. Section 633.677, Code 2022, is amended to read as
30 follows:

31 **633.677 Accounting to ~~ward~~ protected person — notice.**

32 Upon the termination of a conservatorship, the conservator

33 shall pay the costs of administration and shall render a full
34 and complete accounting to the ~~ward protected person~~ or the
35 ~~ward's protected person's~~ personal representative and to the

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1 court. Notice of the final report of a conservator shall be
2 served on the ~~ward protected person~~ or the ~~ward's protected~~
3 ~~person's~~ personal representative, in accordance with section
4 633.40, unless notice is waived. An order prescribing notice
5 may be made before or after the filing of the final report.
6 Sec. 75. Section 633.682, Code 2022, is amended to read as
7 follows:

8 **633.682 Discharge of conservator and release of bond.**
9 Upon settlement of the final accounting of a conservator,
10 and upon determining that the property of the ~~ward protected~~
11 ~~person~~ has been delivered to the person or persons lawfully
12 entitled thereto, the court shall discharge the conservator and
13 exonerate the surety on the conservator's bond.>

S-5112

HOUSE AMENDMENT TO
SENATE FILE 2290

1 Amend Senate File 2290, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, line 1, by striking <15E.371> and inserting
4 <**159.31**>
5 2. Page 1, by striking lines 5 and 6 and inserting:
6 . "Authority" means the economic development authority.>
7 3. Page 1, line 8, by striking <authority> and inserting
8 <department>
9 4. Page 1, line 21, by striking <authority> and inserting
10 <department>
11 5. Page 1, line 24, by striking <authority> and inserting
12 <department>
13 6. Page 1, line 25, by striking <authority> and inserting
14 <department>
15 7. Page 1, line 26, by striking <authority> and inserting
16 <department>
17 8. Page 1, line 34, by striking <The authority,> and
18 inserting <The department,>
19 9. Page 1, line 34, by striking <with the department,> and
20 inserting <with the authority,>
21 10. Page 2, line 16, by striking <The authority,> and
22 inserting <The department,>
23 11. Page 2, line 16, by striking <with the department,> and
24 inserting <with the authority,>
25 12. Page 2, line 29, by striking <authority> and inserting
26 <department>
27 13. Page 2, line 30, by striking <authority> and inserting

28 <department>
29 14. Page 2, line 32, by striking <authority> and inserting
30 <department>
31 15. Page 2, line 35, by striking <authority> and inserting
32 <department>
33 16. Page 2, line 35, by striking <with the department,> and
34 inserting <with the authority,>
35 17. Page 3, line 16, by striking <authority.> and inserting

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1 <department.>
2 18. Page 3, line 17, by striking <authority> and inserting
3 <department>
4 19. Page 3, line 21, by striking <authority> and inserting
5 <department>
6 20. Page 3, line 22, by striking <department,> and inserting
7 <authority,>
8 21. Title page, by striking lines 3 through 5 and inserting
9 <administered by the department of agriculture and land
10 stewardship, in consultation with the economic development
11 authority, and requiring the department to study the>

S-5113

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 2160

1 Amend the Senate amendment, H-8123, to House to File 2160, as
2 passed by the House, as follows:
3 1. By striking page 1, line 1, through page 5, line 22, and
4 inserting:
5 <Amend House File 2160, as passed by the House, as follows:
6 1. By striking everything after the enacting clause and
7 inserting:
8 <Section 1. **NEW SECTION. 714I.1 Short title.**
9 This chapter shall be known and may be cited as the “*Fraud*
10 *in Assisted Reproduction Act*”.
11 Sec. 2. **NEW SECTION. 714I.2 Definitions.**
12 For purposes of this chapter, unless the context otherwise
13 requires:
14 1. “*Assisted reproduction*” means a method of causing
15 pregnancy other than sexual intercourse involving medical or
16 scientific intervention.
17 2. “*Donor*” means an individual who provides gametes
18 intended for use in assisted reproduction, whether or not for
19 consideration.
20 3. “*Gamete*” means a sperm, an egg, or any part of a sperm
21 or an egg.
22 4. “*Health care professional*” means a person who is
23 licensed, certified, or otherwise authorized or permitted by

24 the law of this state to administer health care in the ordinary
25 course of business or in the practice of a profession.
26 5. "*Health facility*" means a hospital, clinic, sperm bank,
27 laboratory, or other health care institution involved in the
28 assisted reproduction process.
29 6. "*Human reproductive material*" means a human gamete or a
30 human organism at any stage of development from fertilized ovum
31 to embryo.
32 7. "*Patient*" means a person who has received or is receiving
33 health services from a health care professional.
34 8. "*Physician*" means an individual licensed under chapter
35 148.

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1 Sec. 3. **NEW SECTION. 714I.3 Prohibited practices and acts.**
2 1. A person shall not engage in a practice or act the
3 person knows or reasonably should have known provides false
4 information to a patient related to an assisted reproduction
5 procedure or treatment including false information relating to
6 any of the following:
7 a. The human reproductive material used or provided for
8 assisted reproduction.
9 b. The identity of a donor of human reproductive material
10 used or provided for assisted reproduction including but not
11 limited to the donor's name, birthdate, or address at the time
12 of donation.
13 c. A donor's medical history including but not limited to an
14 illness of the donor at the time of donation, any past illness
15 of the donor, or the social, genetic, or family history of the
16 donor.
17 2. A physician or a health facility shall not knowingly or
18 intentionally do any of the following:
19 a. Use or provide a patient with human reproductive material
20 for assisted reproduction other than that to which the patient
21 expressly consented in writing.
22 b. Use or provide a patient with human reproductive material
23 for assisted reproduction that is not provided with the donor's
24 consent or in a manner or to an extent other than that to which
25 the donor consented.
26 3. a. A person that violates subsection 1 is guilty of a
27 class "D" felony.
28 b. A physician or health facility that violates subsection 2
29 is guilty of a class "C" felony.
30 4. It is not a defense to a violation of this section that
31 a patient expressly consented in writing to the use of human
32 reproductive material from an anonymous donor.
33 5. A violation of this section by a physician, health care
34 professional, or health facility is grounds for denial of an
35 application for, denial of renewal of, or revocation of any

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1 license, permit, certification, or any other form of permission
2 required to practice a profession or establish, conduct, or
3 maintain a facility regulated by the state. A violation
4 of this section by a physician or health care professional
5 constitutes unprofessional conduct.

6 6. A person may pursue any remedy provided by law against
7 a person that engaged in a prohibited practice or act in
8 violation of this section.

9 7. Notwithstanding any provision of law to the contrary,
10 an action brought pursuant to this section is not subject to
11 a statute of limitations and may be commenced at any time
12 after the date the procedure resulting in the conception
13 through assisted reproduction in violation of this section was
14 performed.

15 Sec. 4. Section 147.55, Code 2022, is amended by adding the
16 following new subsection:

17 **NEW SUBSECTION.** 7A. Sexual abuse in the fourth degree in
18 violation of section 709.4A.

19 Sec. 5. Section 692A.102, subsection 1, paragraph c, Code
20 2022, is amended by adding the following new subparagraph:

21 **NEW SUBPARAGRAPH.** (012) Sexual abuse in the fourth degree
22 in violation of section 709.4A.

23 Sec. 6. **NEW SECTION. 709.4A Sexual abuse in the fourth**
degree — health care professionals — civil remedies.

24 1. A health care professional commits sexual abuse in the
25 fourth degree when the health care professional implants the
26 health care professional's own human reproductive material
27 through assisted reproduction without the patient's prior
28 knowledge and written consent.

29 2. Sexual abuse in the fourth degree is an aggravated
30 misdemeanor.

31 3. A parent-child relationship between a child and a health
32 care professional is not created for any legal purpose upon the
33 birth of a child born as the result of being conceived through
34 the commission of sexual abuse in the fourth degree by a health

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1 care professional pursuant to this section.

2 4. Notwithstanding any provision of law to the contrary,
3 in addition to any other civil remedy provided by law, a
4 patient is entitled to damages in an amount that is the basic
5 support obligation prescribed by the child support guidelines
6 established pursuant to section 598.21B based on the health
7 care professional's monthly adjusted net income.

8 5. For the purposes of this section, "*assisted*
9 *reproduction*", "*gamete*", "*health care professional*", "*human*
10 *reproductive material*", and "*patient*" mean the same as defined
11 in section 714I.2.

12 Sec. 7. Section 802.2, Code 2022, is amended to read as

13 follows:

14 **802.2 Sexual abuse — first, second, or third, or fourth
15 degree.**

- 16 1. An information or indictment for sexual abuse in the
17 first, second, or third, or fourth degree committed on or
18 with a person who is under the age of eighteen years may be
19 commenced at any time after the commission of the offense.
20 2. An information or indictment for any other sexual abuse
21 in the first, second, or third, or fourth degree shall be
22 commenced within ten years after its commission, or if the
23 person against whom the information or indictment is sought is
24 identified through the use of a DNA profile, an information or
25 indictment shall be commenced within three years from the date
26 the person is identified by the person's DNA profile, whichever
27 is later.
28 3. As used in this section, "*identified*" means a person's
29 legal name is known and the person has been determined to be
30 the source of the DNA.>

- 31 2. Title page, line 1, after <reproduction> by inserting
32 <fraud>>

S-5114

- 1 Amend House File 604, as passed by the House, as follows:
2 1. Page 1, line 2, by striking <— language developmental
3 milestones>
4 2. Page 1, by striking lines 3 through 5 and inserting:
5 <1. The department of education shall work with the>
6 3. Page 1, by striking lines 8 through 17 and inserting
7 <program in the department of public health for purposes
8 of coordinating, developing, and disseminating resources
9 for use by parents or guardians, early hearing detection
10 and intervention programs, the state school for the deaf,
11 area education agencies, school districts, and accredited
12 nonpublic schools to inform deaf and hard-of-hearing children's
13 expressive and receptive language acquisition or development.>
14 4. Page 1, lines 18 and 19, by striking <early language
15 development consultant appointed by the director pursuant to
16 paragraph "a"> and inserting <department of education>
17 5. By striking page 1, line 21, through page 2, line 15, and
18 inserting:
19 <(1) Coordinating the development and collection of
20 language milestones for each age, from birth through age eight,
21 in American sign language, English, and other languages as
22 needed pursuant to subsection 3, which may include milestone
23 assessments for deaf and hard-of-hearing children.
24 (2) Coordinating the development and distribution of
25 resources for parents pertaining to language development
26 pursuant to subsection 4.
27 (3) Coordinating the development and distribution of
28 resources for early interventionists, educators, hospitals, and
29 health care providers pertaining to language development.

- 30 (4) Monitoring the need for valid and reliable language
31 assessments and distribution of resources toward language
32 development in American sign language and English.
33 (5) Coordinating a parent-friendly procedure for outreach
34 and follow-up.
35 (6) Coordinating the collection of regular language

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- 1 milestone assessment data for deaf and hard—of-hearing
2 children.
3 (7) Summarizing data outcomes for parents, guardians, and
4 partner agencies to use, including the annual report published
5 pursuant to subsection 7.
6 (8) Working with stakeholders to maintain a valid and
7 reliable two-fold language assessment approach, utilizing both
8 American sign language and English, in selecting milestones,
9 compiling data, employing qualified personnel, and distributing
10 resources.>
11 6. Page 2, line 16, by striking *<Parent resource.>*
12 7. Page 3, by striking lines 10 and 11 and inserting:
13 <3. The department of education, in consultation with the
14 state school>
15 8. Page 3, by striking line 15 and inserting <assessments
16 that may be used by qualified educators to assess American>
17 9. Page 3, line 24, by striking <acquisition and> and
18 inserting <acquisition or>
19 10. By striking page 3, line 28, through page 4, line 3, and
20 inserting:
21 <b. Educator tools or assessments selected under this
22 subsection may be used, in addition to any assessment required
23 by federal law, by the child's individualized family service
24 plan or individualized education program team, as applicable,
25 to track deaf and hard-of-hearing children's progress in
26 improving expressive and receptive language skills, and to
27 establish or modify individualized family service plans or
28 individualized education programs.>
29 11. Page 4, by striking lines 4 and 5 and inserting:
30 <4. The department of education shall disseminate the
31 parent resource developed>
32 12. Page 4, line 10, by striking <invention> and inserting
33 <intervention>
34 13. By striking page 4, line 18, through page 6, line 17,
35 and inserting:

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- 1 <5. a. If moneys are appropriated by the general assembly
2 for a fiscal year for the purpose provided in this subsection,
3 the department of education shall develop guidelines for a
4 comprehensive family support mentoring program that meets the
5 language and communication needs of families.

6 *b.* The department of education shall work with the early
7 hearing detection and intervention program in the Iowa
8 department of public health, the state school for the deaf, and
9 the area education agencies when developing the guidelines.

10 The department of education, in consultation with the Iowa
11 school for the deaf, shall administer the family support
12 mentoring program for deaf or hard-of-hearing children.

13 *c.* With the consent of the parent of the deaf or
14 hard-of-hearing child, the family support mentoring program
15 shall pair families based on the specific need, experience, or
16 want of the parent of the deaf or hard-of-hearing child with
17 another family mentor or deaf or hard-of-hearing adult mentor
18 to provide support.

19 *d.* In establishing the family support mentoring program, the
20 department of education may do all of the following:

21 (1) Hire a family support mentoring coordinator.
22 (2) Utilize the parent resource created in subsection 2 as
23 well as other resources to provide families with information
24 and guidance on language, communication, social, and emotional
25 development of their child.

26 (3) Recruit family support mentors to serve the needs of the
27 family support mentoring program. A family support mentor may
28 be any of the following:

29 (a) A parent who has experience raising a child who is
30 deaf or hard-of-hearing and who has experience supporting the
31 child's communication and language development.

32 (b) A deaf or hard-of-hearing adult who serves as a deaf
33 or hard-of-hearing role model for the children and their
34 families. Deaf or hard-of-hearing family support mentors may
35 provide parents with an understanding of American sign language

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1 and English, including instructional philosophies for both,
2 such as bilingual bimodal, listening and spoken language,
3 total communication, and other philosophies, as well as other
4 forms of communication, deaf culture, deaf community, and
5 self-identity.

6 (4) Train parents of a deaf or hard-of-hearing child to
7 become family support mentors and train deaf or hard-of-hearing
8 adults to become deaf or hard-of-hearing adult family support
9 mentors.

10 (5) Reach out to parents of children identified through the
11 early hearing detection and intervention program in the Iowa
12 department of public health and share information about the
13 family support mentoring program services available to such
14 parents.

15 (6) Reach out to families referred by primary care
16 providers, the area education agencies, and from other agencies
17 who provide services to deaf or hard-of-hearing children.

18 (7) Provide follow-up contact, as necessary, to establish
19 services after initial referral.

20 e. The department of education shall coordinate family
21 support mentoring activities with the early hearing detection
22 and intervention program in the Iowa department of public
23 health, the state school for the deaf, the area education
24 agencies, and nonprofit organizations that provide family
25 support mentoring to parents with deaf or hard-of-hearing
26 children.
27 f. The department of education shall adopt rules pursuant to
28 chapter 17A to administer this subsection.>
29 14. Page 6, line 18, by striking *<Activities — consistent*
30 *with federal law.>*
31 15. Page 6, line 22, by striking *<Annual report.>*
32 16. Page 6, line 31, by striking *<Definitions.>*
33 17. By renumbering, redesignating, and correcting internal
34 references as necessary.

KEN ROZENBOOM

S-5115

1 Amend Senate File 2171 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 STATE CHILD CARE ASSISTANCE PROGRAM ELIGIBILITY
6 Section 1. Section 237A.13, subsection 1, paragraph d, Code
7 2022, is amended to read as follows:
8 d. The child's parent, guardian, or custodian is absent
9 ~~for a limited period of time~~ due to hospitalization, physical
10 illness, or mental illness, or is present but is unable to care
11 for the child ~~for a limited period~~ as verified by a physician.
12 DIVISION II
13 CHILD AND FAMILY SERVICES — FOSTER CARE SERVICE PAYMENTS
14 Sec. 2. Section 234.1, subsection 2, Code 2022, is amended
15 by striking the subsection and inserting in lieu thereof the
16 following:
17 2. "Child" means either a person less than eighteen years of
18 age or a person eighteen, nineteen, or twenty years of age who
19 meets all of the following conditions:
20 a. The person was placed by court order issued pursuant
21 to chapter 232 in foster care or in an institution listed in
22 section 218.1 and either of the following situations apply to
23 the person:
24 (1) After reaching eighteen years of age, the person
25 has remained continuously and voluntarily under the care
26 of an individual, as defined in section 237.1, licensed to
27 provide foster care pursuant to chapter 237 or in a supervised
28 apartment living arrangement, in this state.
29 (2) The person aged out of foster care after reaching
30 eighteen years of age and subsequently voluntarily applied for
31 placement with an individual, as defined in section 237.1,
32 licensed to provide foster care pursuant to chapter 237 or for

33 placement in a supervised apartment living arrangement, in this
34 state.
35 b. The person has demonstrated a willingness to participate

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1 in case planning and to complete the responsibilities
2 prescribed in the person's case permanency plan.
3 c. The department has made an application for the person
4 for adult services upon a determination that it is likely the
5 person will need or be eligible for services or other support
6 from the adult services system.
7 Sec. 3. Section 234.35, subsection 3, Code 2022, is amended
8 to read as follows:
9 3. Payment for foster care services provided to a child
10 who is eighteen years of age or older shall be limited to the
11 following:
12 a. ~~For a child who is eighteen years of age, family~~
13 Family foster care or ~~independent~~ supervised apartment living
14 arrangements.
15 b. ~~For a child who is nineteen years of age, independent~~
16 living arrangements.
17 e. For a child who is at imminent risk of becoming
18 homeless or failing to graduate from high school or to obtain
19 a general education development diploma, if the services are
20 in the child's best ~~interests~~ interest, funding is available
21 for the services, and an appropriate alternative service is
22 unavailable.
23 Sec. 4. Section 234.35, subsection 4, Code 2022, is amended
24 by striking the subsection.
25 Sec. 5. Section 237.15, subsection 2, unnumbered paragraph
26 1, Code 2022, is amended to read as follows:
27 "Child receiving foster care" means a child ~~defined in~~
28 ~~section 234.1~~ who is described by any of the following
29 circumstances:
30 DIVISION III
31 ADOPTION
32 Sec. 6. Section 600.5, Code 2022, is amended by adding the
33 following new subsection:
34 NEW SUBSECTION. 9A. If the parents of the person to be
35 adopted had their parental rights terminated pursuant to

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1 chapter 232, the petition shall include the names of any known
2 siblings placed separately from the person to be adopted and
3 either the plan for ongoing contact between the siblings if
4 a court found that continued contact is in the best interest
5 of each sibling or a statement that the court found continued
6 contact between the siblings is not in the best interest of
7 each sibling.
8 Sec. 7. Section 600.6, Code 2022, is amended by adding the

9 following new subsection:

10 NEW SUBSECTION. 2A. If parental rights were terminated
11 pursuant to chapter 232, a copy of any court orders concerning
12 whether ongoing contact between siblings not placed with the
13 person to be adopted is in the best interest of each sibling.

14 Sec. 8. Section 600.8, subsection 1, paragraph a, Code 2022,
15 is amended by adding the following new subparagraph:

16 NEW SUBPARAGRAPH. (4) Whether the minor person to be
17 adopted was the subject of a termination of parental rights
18 proceeding pursuant to chapter 232, whether there are siblings
19 not placed with the minor person to be adopted, and whether, if
20 there are siblings, there is an ongoing relationship between
21 the siblings and the minor child to be adopted or a court order
22 finding contact between the siblings is in the best interest of
23 each sibling.

24 Sec. 9. Section 600.11, subsection 2, paragraph a, Code
25 2022, is amended by adding the following new subparagraph:

26 NEW SUBPARAGRAPH. (7) Any siblings of the person to be
27 adopted due to either an ongoing relationship or a court
28 finding that ongoing contact with the person to be adopted
29 is in the best interest of each sibling if the person to be
30 adopted was a minor child when the minor child's parents had
31 their parental rights terminated pursuant to chapter 232 and
32 the person to be adopted and the person's siblings were not
33 placed together.

34 Sec. 10. Section 600.16A, subsection 2, Code 2022, is
35 amended by adding the following new paragraph:

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1 NEW PARAGRAPH. e. Subject to section 235A.15, the juvenile
2 court or court shall order the opening of the permanent
3 adoption record of the juvenile court or court, the permanent
4 termination of parental rights record under chapter 232, or
5 both, pertaining to an adopted person who is an adult, upon
6 request of the adopted person if the parents of the adopted
7 person had their parental rights terminated pursuant to chapter
8 232.

DIVISION IV

10 DEPENDENT ADULT ABUSE INFORMATION REGISTRY — DISCLOSURE OF 11 INFORMATION

12 Sec. 11. Section 235B.3, Code 2022, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 8A. If, in the course of assessment,
15 evaluation, or investigation of a report of dependent adult
16 abuse, the department determines that disclosure is necessary
17 for the protection of a dependent adult's resources, the
18 department may disclose the initiation and status of the
19 dependent adult abuse evaluation to the dependent adult's bank,
20 savings association, credit union, broker-dealer as defined in
21 section 502.102, subsection 4, investment advisor as defined
22 in section 502.102, subsection 15, financial advisor, or other

23 financial institution, or the administrator as defined in
24 section 502.102, subsection 1.
25 Sec. 12. Section 235B.6, subsection 2, paragraph e, Code
26 2022, is amended by adding the following new subparagraphs:
27 NEW SUBPARAGRAPH. (20) To a bank, savings association,
28 credit union, broker-dealer as defined in section 502.102,
29 subsection 4, investment advisor as defined in section
30 502.102, subsection 15, financial advisor, or other financial
31 institution as deemed necessary by the department to protect
32 the dependent adult's resources.
33 NEW SUBPARAGRAPH. (21) To the social security
34 administration.
35 NEW SUBPARAGRAPH. (22) To the administrator as defined in

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1 section 502.102, subsection 1.
2 Sec. 13. Section 235B.6, subsection 3, Code 2022, is amended
3 to read as follows:
4 3. Access to unfounded dependent adult abuse information is
5 authorized only to those persons identified in subsection 2,
6 paragraph "a", paragraph "b", subparagraphs (2), (5), and (6),
7 and paragraph "e", subparagraphs (2), (5), ~~and~~ (10), (20), (21),
8 and (22).>

JEFF EDLER

S-5116

1 Amend Senate File 2381 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 MEDICAID — MATERNITY CARE — DOULA CARE

6 Section 1. MEDICAID REIMBURSEMENT FOR MATERNITY CARE
7 INCLUDING DOULA CARE. Under both fee-for-service and managed
8 care administration of Medicaid, the department of human
9 services shall adopt rules pursuant to chapter 17A, amend any
10 contract with a managed care organization, and apply for any
11 Medicaid state plan amendment or waiver as may be necessary
12 to provide for maternity care including doula care. For the
13 purposes of this section, "doula" means a trained professional
14 who provides continuous physical, emotional, and informational
15 support to a pregnant person before, during, and after
16 childbirth to improve birth outcomes, prevent stillbirths and
17 infant deaths, and reduce maternal morbidity and mortality.

18 DIVISION II

19 MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION — APPROPRIATION
20 Sec. 2. MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION. The
21 department of human services shall submit a Medicaid state plan
22 amendment to the centers for Medicare and Medicaid services of
23 the United States department of health and human services for

24 approval of the option to provide twelve months of continuous
 25 postpartum coverage under the Medicaid program to pregnant
 26 women enrolled in the Medicaid program in accordance with
 27 section 1902(e)(16) of the Social Security Act.

28 Sec. 3. MEDICAID EXTENDED POSTPARTUM COVERAGE OPTION —

29 APPROPRIATION. There is appropriated from the general fund of
 30 the state to the department of human services for the following
 31 fiscal years, the following amounts or so much thereof as is
 32 necessary to fund extended postpartum coverage to pregnant
 33 women enrolled in the Medicaid program in accordance with this
 34 division of this Act:

35 FY 2022–2023

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1	\$	5,588,660
2 FY 2023–2024		
3	\$	8,878,785>
4 2. Title page, lines 1 and 2, by striking <by creating the		
5 more options for maternal support program and>		
6 3. Title page, line 3, after <Medicaid> by inserting		
7 <maternity and>		

JANET PETERSEN

S-5117

1 Amend House File 2147, as passed by the House, as follows:

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

3 <Section 1. ECONOMIC DEVELOPMENT AUTHORITY — U.S.S. IOWA
 4 — APPROPRIATIONS.

5 1. There is appropriated from the general fund of the state
 6 to the economic development authority for the fiscal year
 7 beginning July 1, 2021, and ending June 30, 2022, the following
 8 amount, or so much thereof as is necessary, to be used for the
 9 purposes designated:

10 For providing a grant to an entity in support of the
 11 christening and commissioning of the U.S.S. Iowa (SSN 797):

12 \$ 75,000

13 2. There is appropriated from the veterans license fee fund
 14 created in section 35A.11 to the economic development authority
 15 for the fiscal year beginning July 1, 2021, and ending June 30,
 16 2022, the following amount, or so much thereof as is necessary,
 17 to be used for the purposes designated:

18 For providing a grant to an entity in support of the
 19 christening and commissioning of the U.S.S. Iowa (SSN 797)
 20 notwithstanding section 35A.11, subsection 1:

21 \$ 75,000

22 3. The economic development authority may use not more
 23 than five percent of the moneys appropriated in this section
 24 for purposes of administrative costs, marketing, technical
 25 assistance, and other program support.

26 Sec. ____ REVERSION. For purposes of section 8.33,
27 unencumbered or unobligated moneys from an appropriation made
28 in this Act shall not revert but shall remain available for
29 expenditure for the purpose designated until the close of the
30 fiscal year beginning July 1, 2023.>
31 2. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5118

1 Amend House File 2390, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, line 10, by striking <carry out the duties
4 required by> and inserting <carry out duties pursuant to>

JEFF EDLER
MARK COSTELLO

S-5119

1 Amend Senate File 2174 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 232.2, subsection 9, Code 2022, is
5 amended to read as follows:
6 9. “*Court appointed special advocate*” means a person duly
7 certified by the child advocacy board created in section
8 237.16 for participation in the court appointed special
9 advocate program and appointed by the court to ~~represent the~~
10 ~~interests of a child in any judicial proceeding to which the~~
11 ~~child is a party or is called as a witness or relating to any~~
12 ~~dispositional order involving the child resulting from such~~
13 ~~proceeding carry out the duties required by section 237.24.~~
14 Sec. 2. Section 237.15, Code 2022, is amended by adding the
15 following new subsection:
16 NEW SUBSECTION. 4A. “*Fictive kin*” means an adult person
17 who is not a relative of a child but who has an emotionally
18 positive significant relationship with the child or the child’s
19 family.
20 Sec. 3. Section 237.16, Code 2022, is amended by adding the
21 following new subsection:
22 NEW SUBSECTION. 4. The department and the department
23 of inspections and appeals shall jointly develop written
24 protocols detailing the responsibilities of each department
25 with regard to children under the purview of the state board.
26 The protocols shall be reviewed by the departments on an annual
27 basis.
28 Sec. 4. Section 237.17, Code 2022, is amended to read as
29 follows:
30 **237.17 Foster care registry.**

31 1. The state board shall establish a registry of the
32 placements of all children receiving foster care. The
33 ~~department agency responsible for the placement~~ shall notify
34 the state board of each placement ~~within five working days of~~
35 ~~the department's notification of the placement in accordance~~

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1 with written protocols adopted pursuant to section 237.16,
2 subsection 4. The notification ~~to the state board~~ shall
3 include information identifying the child receiving foster care
4 and placement information for that child.
5 2. Within thirty days of the placement or two days after
6 the dispositional hearing ~~the~~ The agency responsible for the
7 placement shall submit the case permanency plan and all case
8 permanency plan revisions to the state board a local board in
9 accordance with written protocols adopted pursuant to section
10 237.16, subsection 4. All subsequent revisions of the case
11 permanency plan shall be submitted when the revisions are
12 developed.

13 Sec. 5. Section 237.18, Code 2022, is amended to read as
14 follows:

15 **237.18 Duties of state board.**

16 The state board shall:

17 1. Review the activities and actions of local boards and the
18 court appointed special advocate program.

19 2. Adopt rules pursuant to chapter 17A to:

20 a. Establish a recordkeeping system for the files of local
21 review boards including individual case reviews.

22 b. Accumulate data and develop an annual report regarding
23 children in foster care served by the state board. The report
24 shall include:

25 (1) Personal data Data regarding the total number of days of
26 foster care provided and the characteristics of the children
27 receiving foster care.

28 (2) The number of placements of children in foster care.

29 (3) The frequency and results of court reviews.

30 c. Evaluate the judicial and administrative data collected
31 on foster care by local boards and court appointed special
32 advocates, and disseminate the data to the governor, the
33 supreme court, the chief judge of each judicial district, the
34 department, and child-placing agencies, and the state court
35 administrator for dissemination to the supreme court and the

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1 chief judge of each judicial district.
2 d. Establish mandatory training programs for members of the
3 state and local review boards including an initial training
4 program and periodic in-service training programs board.
5 Training shall focus on, but not be limited to, the following:
6 (1) The history, philosophy and role of the juvenile court

7 ~~in the child protection system~~ The duties of the state board.

8 (2) Juvenile court procedures under the juvenile justice

9 ~~act~~ The duties of local boards.

10 (3) The foster care administrative review process of the

11 department of human services The duties of court appointed

12 special advocates.

13 (4) The role and procedures of the citizen's foster care

14 ~~review system~~ Applicable child welfare laws and practices that

15 influence the work of local boards and court appointed special

16 advocates.

17 (5) The Adoption Assistance and Child Welfare Act of 1980,

18 Pub. L. No. 96-272.

19 (6) The purpose of case permanency plans, and the type of

20 information that will be available in those plans.

21 (7) The situations where the goals of either reuniting the

22 child with the child's family or adoption would be appropriate.

23 (8) The legal processes that may lead to foster care

24 placement.

25 (9) The types and number of children involved in those legal

26 processes.

27 (10) The types of foster care placement available, with

28 emphasis on the types and number of facilities available on a

29 regional basis.

30 (11) The impact of specific physical or mental conditions of

31 a child on the type of placement most appropriate and the kind

32 of progress that should be expected in those situations.

33 e. Establish a mandatory training program and procedures for

34 the local ~~review board~~ boards consistent with the provisions

35 of section 237.20.

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1 f. Establish grounds and procedures for removal of a local

2 ~~review board member.~~

3 g. Establish procedures and protocols for administering

4 the court appointed special advocate program in accordance with

5 subsection 7.6.

6 3. Assign the cases of children receiving foster care to the

7 appropriate local boards.

8 4. Assist local boards in reviewing cases of children

9 receiving foster care, as provided in section 237.20.

10 5. Employ appropriate staff in accordance with available

11 funding. ~~The board shall coordinate with the department of~~

12 ~~inspections and appeals regarding administrative functions of~~

13 ~~the board.~~

14 6. ~~5. In conjunction with the legislative services agency,~~

15 ~~and in consultation with the department of human services,~~

16 ~~supreme court, and private foster care providers, develop and~~

17 ~~maintain~~ Maintain an evaluation program regarding citizen

18 foster care review programming. The evaluation program shall

19 be designed to evaluate the effectiveness of citizen reviews in

20 improving case permanency planning and meeting case permanency

21 planning goals, identify the amount of time children spend in
22 foster care placements, and identify problem issues in the
23 foster care system. The state board shall submit an annual
24 evaluation report to the governor and the general assembly.
25 ~~7.~~ 6. Administer the court appointed special advocate
26 program, including but not limited to performance of all of the
27 following:
28 a. Establish standards for the program, including but
29 not limited to standards for selection and screening of
30 volunteers, preservice training, ~~ongoing continuing~~ education,
31 and assignment and supervision of volunteers. Identifying
32 information concerning a court appointed special advocate,
33 other than the advocate's name, shall not be considered to be a
34 public record under chapter 22.
35 b. Implement the court appointed special advocate program ~~is~~

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1 ~~additional areas of the state as deemed necessary to effectuate~~
2 ~~its purpose including but not limited to employing court~~
3 ~~appointed special advocate program staff as available funding~~
4 ~~provides.~~
5 c. Promote adherence to the national guidelines for state
6 and local court appointed special advocate programs.
7 d. Issue an annual report of the court appointed special
8 advocate program for submission to the general assembly, the
9 governor, and the supreme court.
10 e. ~~Employ appropriate court appointed special advocate~~
11 ~~program staff in accordance with available funding. The state~~
12 ~~board shall coordinate with the department of inspections and~~
13 ~~appeals the performance of the administrative functions of the~~
14 ~~state board.~~
15 f. ~~7.~~ Receive gifts, grants, or donations made for any of
16 the purposes of the state board's programs and disburse and
17 administer the funds received in accordance with the terms of
18 the donor and under the direction of program staff. The funds
19 received shall be used according to any restrictions attached
20 to the funds and any unrestricted funds shall be retained
21 and applied to the applicable program budget for the next
22 succeeding fiscal year.
23 g. ~~8.~~ Make recommendations to the general assembly, the
24 department, ~~to~~ child-placing agencies, the governor, ~~and the~~
25 ~~state court administrator for dissemination to~~ the supreme
26 court, ~~and~~ the chief judge of each judicial district, ~~and to~~
27 ~~the judicial branch.~~ The recommendations shall include but
28 are not limited to identification of systemic problems in
29 the foster care and the juvenile justice systems, specific
30 proposals for improvements that assist the systems in being
31 more cost-effective and better able to protect the best
32 interests of children, and necessary changes relating to the

33 data collected and the annual report made under subsection 2,
34 paragraph "b".
35 Sec. 6. Section 237.19, Code 2022, is amended to read as

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1 follows:
2 **237.19 Local citizen foster care review boards.**
3 1. The state board shall establish local citizen foster
4 care review boards to review cases of children receiving foster
5 care. The department shall discontinue its foster care review
6 process for those children reviewed by local boards as local
7 boards are established and operating. The state board shall
8 select a minimum of five members and two alternate a maximum of
9 seven members to serve on each local board ~~in consultation with~~
10 ~~the chief judge of each judicial district~~. The actual number
11 of local boards needed and established shall be determined
12 by the state board. The members of each local board shall
13 ~~consist of persons of~~ to the extent possible, reflect the
14 various ~~social, economic,~~ racial, and ethnic groups and various
15 occupations of their district. A person employed by the state
16 board, ~~or~~ the department, ~~the department of inspections and~~
17 ~~appeals, or~~ the district court, ~~or~~ an employee of an agency
18 with which the department contracts for services for children
19 under foster care, a foster parent providing foster care, or
20 a child-placing agency shall not serve on a local board. ~~The~~
21 ~~state board shall provide the names of the members of the local~~
22 ~~boards to the department.~~
23 2. Vacancies on a local board shall be filled in the
24 same manner as original appointments. ~~The members shall not~~
25 ~~receive per diem but shall receive reimbursement for actual and~~
26 ~~necessary expenses incurred in their duties as members.~~
27 3. A local board member shall be required to pass a
28 background check and complete requirements as established by
29 the state board prior to taking an oath of confidentiality to
30 serve on a local board.
31 4. A local board member shall be required to receive
32 periodic continuing education during each term of service as
33 established by the state board.
34 Sec. 7. Section 237.20, subsection 1, unnumbered paragraph
35 1, Code 2022, is amended to read as follows:

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1 Review the case of each child receiving foster care
2 assigned to ~~the a~~ local board ~~by the state board in accordance~~
3 with written protocols adopted pursuant to section 237.16,
4 subsection 4, to determine whether satisfactory progress
5 is being made toward the goals of the case permanency plan
6 pursuant to section 237.22. The timing and frequency of
7 a review of each case by a local board shall take into
8 consideration the permanency goals, placement setting, and

9 frequency of any court reviews of the case.

10 Sec. 8. Section 237.20, subsection 1, paragraph a,
11 subparagraph (2), Code 2022, is amended to read as follows:

12 (2) The efforts of the agency responsible for the placement
13 of the child to locate and provide services to the child's
14 biological or adoptive parents of the child, legal guardians,
15 or fictive kin providing the majority of a child's daily food,
16 lodging, and support.

17 Sec. 9. Section 237.20, subsection 1, paragraphs b, c, and
18 d, Code 2022, are amended to read as follows:

19 b. The review shall include issues pertaining to the
20 case permanency plan and shall not include issues that do
21 not pertain to the case permanency plan. A person notified
22 pursuant to subsection 4 shall either attend the review or
23 submit testimony a statement as requested by the local board
24 or in accordance with a written protocol jointly developed by
25 the state board and the department. Oral testimony Statements
26 may, upon the request of the testifier an interested party or
27 upon motion of the local board, be given in a private setting
28 when to do so would facilitate the presentation of evidence.
29 Statements may be made in written, oral, or electronic form.
30 Local board questions reviews shall pertain to the permanency
31 plan and shall not include issues that do not pertain to the
32 permanency plan.

33 c. A person who gives an oral testimony statement has the
34 right to representation by counsel at the review.

35 d. An agency or individual providing services to the child

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1 shall submit testimony statements as requested by the local
2 board. The testimony may be written or oral, or may be a
3 tape recorded telephone call. Written testimony or recorded
4 statements from other interested parties may also be considered
5 by the board in its review.

6 Sec. 10. Section 237.20, subsection 2, paragraph a, Code
7 2022, is amended to read as follows:

8 a. Submit to the appropriate court and the department within
9 fifteen days after the review under subsection 1, the findings
10 and recommendations of the review. The local board shall
11 ensure that the most recent report is available for a court
12 hearing. The report to the court shall include information
13 regarding the case permanency plan and the progress in
14 attaining the permanency goals. The report shall not include
15 issues that do not pertain to the case permanency plan. The
16 findings and recommendations shall include the proposed date
17 of the next review by the local board. The local board shall
18 notify the persons specified in subsection 4 of the findings
19 and recommendations.

20 Sec. 11. Section 237.20, subsection 4, paragraph a, Code
21 2022, is amended by adding the following new subparagraph:
22 NEW SUBPARAGRAPH. (9) An intervenor.

23 Sec. 12. Section 237.21, subsection 2, Code 2022, is amended
24 to read as follows:

25 2. Information and records relating to a child receiving
26 foster care and to the child's family shall be provided to
27 a court appointed special advocate, a local board, or the
28 state board by the department, the department's agent, or a
29 child care child placement agency receiving purchase of service
30 funds from the department contracted by the department upon
31 request by the court appointed special advocate or either
32 board. A court having jurisdiction of a child receiving
33 foster care shall release the information and records the
34 court deems necessary to determine the needs of the child,
35 if the information and records are not obtainable elsewhere,

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1 to a local board or the state board court appointed special
2 advocate upon request by either the local board or court
3 appointed special advocate. If confidential information and
4 records are distributed to individual members in advance of a
5 meeting of the state board or a local board, the information
6 and records shall be clearly identified as confidential and the
7 members shall take appropriate steps to prevent unauthorized
8 disclosure. If confidential information and records are
9 distributed to a court appointed special advocate or court
10 appointed special advocate program staff, the information shall
11 be confidential and the court appointed special advocate and
12 court appointed special advocate program staff shall take
13 appropriate steps to prevent unauthorized disclosure.

14 Sec. 13. Section 237.21, subsection 4, Code 2022, is amended
15 to read as follows:

16 4. A court appointed special advocate may disclose
17 case-related observations and recommendations to the agency
18 assigned by the court to supervise the case, to the county
19 attorney, or to the child's legal representative or guardian ad
20 litem, or at a local board meeting. Case-related observations
21 and recommendations about a child and the child's parent or
22 about a child and the child's legal guardian may also be
23 disclosed to the parent or guardian to which the observations
24 and recommendations pertain or to such parent or guardian's
25 legal representative.

26 Sec. 14. Section 237.22, Code 2022, is amended to read as
27 follows:

28 **237.22 Case permanency plan.**

29 The agency responsible for the placement of the child shall
30 create a case permanency plan. The plan shall In addition to
31 requirements stated in section 232.2, subsection 4, the plan
32 shall also include, but not be limited to:

33 1. Plans for carrying out the voluntary placement agreement
34 or judicial determination pursuant to which the child entered
35 care.

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1 2. 1. Time frames to meet the stated permanency goal and
2 short-term objectives.
3 3. The type and appropriateness of the placement and
4 services to be provided to the child.
5 4. 2. The care and services that will be provided to the
6 child, biological parents, the child's fictive kin, and foster
7 parents.
8 5. How the care and services will meet the needs of the
9 child while in care and will facilitate the child's return home
10 or other permanent placement.
11 6. 3. The efforts to place the child with a relative or
12 fictive kin.
13 7. 4. The rationale for an out-of-state placement, and the
14 efforts to prevent such placement, if the child has been placed
15 out of state.
16 Sec. 15. **NEW SECTION. 237.24 Court appointed special**
17 **advocates.**
18 1. A court appointed special advocate shall receive notice
19 of all depositions, hearings, and trial proceedings in a matter
20 to which the court appointed special advocate is appointed.
21 2. The duties of a court appointed special advocate with
22 respect to a child, unless otherwise enlarged or circumscribed
23 by a court or juvenile court with jurisdiction over the
24 child after a finding of good cause, shall include all of the
25 following:
26 a. Conducting in-person interviews with the child every
27 thirty days, if the child's age is appropriate for the
28 interview, and interviewing each parent, guardian, or other
29 person having custody of the child as needed, if authorized by
30 counsel.
31 b. Visiting the home, residence, or both home and residence
32 of the child and any prospective home or residence of the
33 child, including each time placement is changed.
34 c. Interviewing any person providing medical, mental health,
35 social, educational, or other services to the child.

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1 d. Obtaining firsthand knowledge, if possible, of the facts,
2 circumstances, and parties involved in the matter in which the
3 court appointed special advocate is appointed.
4 e. Attending any depositions, hearings, and trial
5 proceedings in a matter to which the court appointed special
6 advocate is appointed for the purpose of supporting the child
7 and advocating for the child's protection.
8 f. Assisting the transition committee in the development of
9 a transition plan if the child's case permanency plan calls for
10 the development of a transition plan.
11 g. (1) Submitting a written report to the juvenile court
12 and to each of the parties identified in section 237.21,

13 subsection 4, prior to each court hearing unless otherwise
14 ordered by the court.
15 (2) The report shall include but not be limited to the
16 identified strengths of the child and the child's family,
17 concerns identified by the court appointed special advocate,
18 the court appointed special advocate's recommendations
19 regarding the child's placement, and other recommendations the
20 court appointed special advocate believes are in the child's
21 best interests.
22 h. Submitting periodic reports to the court or juvenile
23 court with jurisdiction over a child and interested parties
24 detailing the child's situation as long as the child remains
25 under the jurisdiction of the court or juvenile court.
26 i. Filing other reports as ordered by a court or juvenile
27 court.>

JEFF EDLER
MARK COSTELLO

S-5120

1 Amend Senate File 2282 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 388.3, Code 2022, is amended by adding
5 the following new subsections:
6 NEW SUBSECTION. 4. Any person appointed as a board member
7 of a utility board pursuant to this section may be removed from
8 office by the mayor with the unanimous approval of the city
9 council for any of the following reasons:
10 a. For any reason enumerated in section 66.1A.
11 b. For habitual nonattendance of board meetings.
12 NEW SUBSECTION. 5. A removal pursuant to this section
13 shall begin with a written notice, sent by certified mail to
14 the board member stating the grounds for removal, with a copy
15 of the notice filed with the city clerk. The board member
16 shall be entitled to a public hearing within thirty days
17 of the mailing of the notice, on all issues connected with
18 the removal, unless the board member requests a later date.
19 After the passage of thirty days or after the public hearing
20 described provided by this subsection, the city council shall
21 vote on whether to approve the removal of the board member.
22 NEW SUBSECTION. 6. The provisions of this section do not
23 apply to a city with a population of more than two hundred
24 thousand according to the 2020 federal decennial census.
25 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
26 importance, takes effect upon enactment.>

JULIAN B. GARRETT

S-5121**HOUSE AMENDMENT TO
SENATE FILE 581**

1 Amend Senate File 581, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 1, line 1, by striking <2021> and inserting <2022>
4 2. Page 1, line 3, by striking <five hundred> and inserting
5 <seven hundred fifty>
6 3. Page 1, line 6, by striking <2021> and inserting <2022>
7 4. Page 1, line 9, by striking <2021> and inserting <2022>
8 5. Page 1, line 17, by striking <two> and inserting <five>
9 6. Page 1, after line 22 by inserting:
10 <Sec. ___. Section 483A.8, subsection 3, paragraph c, Code
11 2022, is amended to read as follows:
12 c. (1) The commission shall annually limit to six thousand
13 the number of nonresidents allowed to have antlered or any
14 sex deer hunting licenses. Of the six thousand nonresident
15 antlered or any sex deer hunting licenses issued, fifty of the
16 licenses shall be reserved for nonresidents who have made a
17 reservation with a nonprofit organization that hosts guided
18 hunting services for veterans of the armed forces of the
19 United States. A nonresident may only receive one antlered
20 or any sex deer hunting license under this subparagraph. If
21 fewer than fifty nonresidents apply for a reserved license by
22 the application deadline set by the commission by rule, any
23 license not issued shall be made available for purchase at the
24 same time and in the same manner as other excess nonresident
25 antlered or any sex deer hunting licenses. Not more than
26 thirty-five percent of the issued reserved licenses shall be
27 bow season licenses. The nonresident applying for a reserved
28 license shall provide with the license application evidence
29 that the nonresident has a reservation with an eligible hunting
30 guide service that is scheduled during a period in which the
31 license is valid. Of the six thousand remaining nonresident
32 antlered or any sex deer hunting licenses issued, not more
33 than thirty-five percent of the licenses shall be bow season
34 licenses.
35 (2) After the six thousand antlered or any sex nonresident

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1 deer hunting licenses have been issued, all additional licenses
2 shall be issued for antlerless deer only. The commission
3 shall annually determine the number of nonresident antlerless
4 deer only deer hunting licenses that will be available for
5 issuance.>
6 7. Page 1, line 23, by striking <2021> and inserting <2022>
7 8. By striking page 1, line 34, through page 2, line 6,
8 and inserting <valid only in the county identified on the
9 license. Bows, shotguns, muzzleloaders, handguns, and, in

10 counties authorized by the commission, centerfire rifles of
11 a caliber no smaller than .24 may be used during the January
12 antlerless-deer-only season.>

13 9. Page 2, after line 6 by inserting:

14 <Sec. ___. Section 483A.24, subsection 19, Code 2022, is
15 amended to read as follows:

16 19. Upon payment of a fee established by rules adopted
17 pursuant to section 483A.1 for a lifetime trout fishing
18 license, the department shall issue a lifetime trout fishing
19 license to a person who is at least sixty-five years of age or
20 to a person who qualifies for the disabled veteran homestead
21 credit under section 425.15. The department shall prepare an
22 application to be used by a person requesting a lifetime trout
23 fishing license under this subsection.>

24 10. Page 2, after line 6 by inserting:

25 <Sec. ___. Section 483A.8C, subsection 1, Code 2022, is
26 amended to read as follows:

27 1. A nonambulatory person who is a resident may be issued
28 one any sex deer hunting license to hunt deer with a shotgun,
29 muzzleloading rifle, or straight wall cartridge rifle during
30 any established deer hunting season using the method of take
31 authorized by rule for each season being hunted. If the tag is
32 filled during one of the seasons, the license will not be valid
33 in subsequent seasons. A person who applies for a license
34 pursuant to this section shall complete a form, as required
35 by rule, that is signed by a physician who verifies that the

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1 person is nonambulatory.>

2 11. Page 2, by striking lines 7 through 28 and inserting:

3 <Sec. ___. DEER POPULATION STUDY. The department of
4 natural resources shall conduct a study to determine the
5 estimated deer population in each county in this state, which
6 shall include historical population numbers and population
7 trends and be supported by historical records dating back to
8 1970 if such data is available, and prepare a report. The
9 department shall review and provide scientific data relating
10 to the environmental impact of deer populations, including the
11 impact to crops and nut, fruit, Christmas, and lumber trees.

12 The department shall also review the spread of disease in
13 deer and other cervidae wildlife populations. Additionally,
14 the report shall include information on property loss,
15 medical costs, and fatalities due to deer-vehicle accidents
16 and incidents of airport runway incursions by deer. In
17 conducting the study, the department shall work with relevant
18 representatives from the Iowa state university of science and
19 technology agricultural extension service, the department of
20 transportation, and the insurance division of the department of
21 commerce. Expenses for conducting the study shall be paid from
22 the fish and wildlife protection fund established in section
23 456A.17 and such payments are considered a proper use of the

24 funds for purposes of section 456A.27 and Article VII, section
25 9, of the Constitution of the State of Iowa. The department
26 shall submit the report summarizing the results of the study to
27 the general assembly by October 1, 2024, and every three years
28 thereafter.>
29 12. Title page, line 1, by striking <deer population
30 management> and inserting <fishing and hunting licenses and
31 permits>
32 13. By renumbering as necessary.

S-5122

HOUSE AMENDMENT TO
SENATE FILE 2287

1 Amend Senate File 2287, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 4, line 3, by striking <be made by check> and
4 inserting <make use of a traceable payment method including but
5 not limited to payment made by check, voucher, issuance of a
6 prepaid bank, credit, or debit card,>

S-5123

HOUSE AMENDMENT TO
SENATE FILE 333

1 Amend Senate File 333, as passed by the Senate, as follows:
2 1. Page 1, line 1, by striking <2021> and inserting <2022>
3 2. Page 1, line 9, by striking <2021> and inserting <2022>
4 3. Page 1, line 17, by striking <2021> and inserting <2022>
5 4. Page 2, line 26, by striking <2021> and inserting <2022>
6 5. Page 5, line 20, by striking <2021> and inserting <2022>
7 6. Page 5, line 34, by striking <2021> and inserting <2022>
8 7. Page 6, line 2, by striking <1> and inserting <1>
9 8. Page 6, lines 20 and 21, by striking <to a municipality
10 pursuant to a written contract>
11 9. Page 6, line 23, by striking <2021> and inserting <2022>
12 10. Page 6, line 24, by striking <a two-hundred-watt> and
13 inserting <an>
14 11. Page 6, by striking lines 29 through 31 and inserting
15 <is operated in response to an emergency call, an incident
16 dangerous to the public, an official training exercise, in a
17 parade or designated public service event, for maintenance or
18 demonstration purposes, or in>
19 12. Page 7, after line 1 by inserting:
20 L A towing or recovery vehicle, unless owned by the
21 state or a municipality, as defined in section 670.1, shall not
22 be equipped with a siren.>
23 13. Page 7, line 2, by striking <7> and inserting <8>
24 14. Page 7, line 12, by striking <2021> and inserting <2022>
25 15. Page 8, line 3, by striking <2021> and inserting <2022>

S-5124

HOUSE AMENDMENT TO
SENATE FILE 2374

1 Amend Senate File 2374, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 67, by striking line 20 and inserting <special class
4 "C", or class "D" ~~liquor control, or~~>
5 2. Page 68, by striking line 14 and inserting <"C", special
6 class "C", or class "D" ~~liquor control,~~>
7 3. Page 68, line 31, by striking <~~special class "C",~~> and
8 inserting <special class "C">
9 4. Page 68, line 32, by striking <class "E",>
10 5. Page 70, line 7, by striking <~~special class "C",~~> and
11 inserting <special class "C",>
12 6. Page 70, line 8, by striking <class "E",>
13 7. Page 70, line 21, by striking <~~special class "C",~~> and
14 inserting <special class "C",>
15 8. Page 70, line 22, by striking <class "E",>
16 9. Page 71, after line 18 by inserting:
17 <DIVISION __
18 RESTAURANT FOOD DELIVERY
19 Sec. __. NEW SECTION. 137G.1 Definitions.
20 As used in this chapter, unless the context otherwise
21 requires:
22 1. "Consent" means a mutual acknowledgment by a restaurant
23 and a food delivery platform, which may be obtained
24 electronically.
25 2. "Food delivery platform" or "platform" means a business
26 that acts as a third-party intermediary by taking and arranging
27 for the delivery or pickup of orders from multiple restaurants
28 for consumers, not including delivery or pickup orders placed
29 directly with, and fulfilled by, a restaurant. "Food delivery
30 platform" does not include websites, mobile applications, or
31 other electronic services that do not post restaurant menus,
32 logos, or pricing information on the platform.
33 3. "Likeness" means a mark or trade name.
34 4. "Mark" means a trademark or service mark, regardless of
35 whether the trademark or service mark is actually registered

Page 2

1 with the state or other entity.
2 5. "Restaurant" means a business in the state that operates
3 its own permanent food service facilities with commercial
4 cooking equipment on its premises and prepares and offers to
5 sell multiple entrees for consumption on or off the premises.
6 6. "Trade name" means a name used by a person or entity to
7 identify a person or entity's vocation.
8 Sec. __. NEW SECTION. 137G.2 Restaurant and food delivery
9 **platform — requirements — penalties.**

10 1. A food delivery platform shall be prohibited from all of
11 the following:
12 a. Using a restaurant's likeness without the consent of the
13 restaurant owner or the owner's designee in a manner that could
14 be reasonably interpreted to falsely suggest sponsorship or
15 endorsement by the restaurant.
16 b. Taking and arranging for the delivery or pickup of an
17 order from a restaurant without the consent of the restaurant
18 owner or the owner's designee.
19 c. Intentionally inflating or altering a restaurant's
20 pricing without the consent of the restaurant owner or the
21 owner's designee, except that a food delivery platform may
22 charge additional fees to the consumer if the fees are noted
23 separately to the consumer.
24 d. Attempting to charge a restaurant, or expecting the
25 restaurant to pay or absorb any fee, commission, or charge
26 without the consent of the restaurant owner or the owner's
27 designee.
28 2. A food delivery platform shall do all of the following:
29 a. Clearly provide to the consumer a mechanism to express
30 concerns regarding an order directly to the food delivery
31 platform.
32 b. Remove a restaurant from the food delivery platform's
33 services within ten days of receiving the restaurant's request
34 for removal unless an agreement between the food delivery
35 platform and the restaurant states otherwise.

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1 3. An agreement between a food delivery platform and a
2 restaurant to take and arrange for the delivery or pickup of
3 orders shall include all of the following:
4 a. Authorization for the food delivery platform to take
5 and arrange for the delivery and pickup of orders from the
6 restaurant.
7 b. Clear identification of any fee, commission, or charge
8 that the restaurant will be required to pay or absorb.
9 4. An agreement between a food delivery platform and a
10 restaurant to take and arrange for the delivery or pickup of
11 orders shall not include provisions, clauses, or covenants that
12 require a restaurant to indemnify a food delivery platform,
13 or any employee, independent contractor, or agent of the food
14 delivery platform, for any damages or harm caused by the
15 actions or omissions of the food delivery platform or any
16 employee, independent contractor, or agent of the food delivery
17 platform.
18 5. a. A provision of an agreement between a food delivery
19 platform and a restaurant, or the obtaining of consent, that is
20 contrary to this chapter is void and unenforceable.
21 b. An aggrieved restaurant or the attorney general may seek
22 judicial enforcement of the requirements of this chapter in an
23 action brought against a food delivery platform in the county

24 in which the violation occurred. The following civil penalties
25 shall be imposed for a violation of this chapter:
26 (1) A one thousand dollar penalty for a first violation.
27 (2) A two thousand five hundred dollar penalty for a second
28 violation.
29 (3) A ten thousand dollar penalty for a third and subsequent
30 violation.
31 6. *a.* The attorney general or a restaurant may, in addition
32 to penalties imposed pursuant to subsection 5, bring an action
33 to enjoin a violation of this chapter. If the court finds a
34 violation of this chapter, the court shall issue an injunction
35 against a food delivery platform and may require the platform

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1 to pay to the injured restaurant all profits derived from, or
2 damages resulting from, the wrongful acts and order that the
3 wrongful acts be terminated.
4 *b.* If the court finds that the food delivery platform
5 committed a wrongful act in bad faith in violation of this
6 chapter by not entering into an agreement or obtaining consent,
7 the court, in the court's discretion, shall:
8 (1) Enter a judgment in an amount not to exceed three times
9 the amount of profits and damages.
10 (2) Award reasonable attorney's fees to the restaurant.
11 Sec. ___. **NEW SECTION. 137G.3 Food safety — liability.**
12 1. Orders delivered through a food delivery platform shall
13 be transported in a manner that meets all of the following
14 requirements:
15 *a.* The order shall be maintained at a holding temperature
16 necessary to prevent spoilage.
17 *b.* All bags or containers in which orders are being
18 transported or delivered from a restaurant to a customer shall
19 be closed or sealed by the restaurant with a tamper-resistant
20 method.
21 *c.* The individual delivering orders shall not have any
22 passengers, including animals or children when orders for
23 delivery are being transported in the vehicle, except for
24 one adult passenger not engaging in payment for ride-share
25 services.
26 *d.* Smoking or vaping in the vehicle while orders are in the
27 vehicle shall be prohibited.
28 2. A food delivery platform transporting orders shall be
29 liable for any harm or injury caused by a failure by the food
30 delivery platform to meet the requirements of this chapter.
31 Sec. ___. **APPLICABILITY.** This division of this Act applies
32 to agreements entered into between a restaurant and a food
33 delivery platform on or after the effective date of this Act.>
34 10. Title page, line 1, after <Act> by inserting <concerning
35 the regulation of food and beverages,>

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- 1 11. Title page, line 1, by striking <licensing,> and
- 2 inserting <delivery of restaurant food,>
- 3 12. Title page, line 2, after <fees> by inserting <and civil
- 4 penalties>
- 5 13. Title page, line 2, after <date> by inserting <and
- 6 applicability>
- 7 14. By renumbering as necessary.

S-5125

HOUSE AMENDMENT TO
SENATE FILE 2376

- 1 Amend Senate File 2376, as amended, passed, and reprinted by
- 2 the Senate, as follows:
 - 3 1. Page 3, after line 6 by inserting:
~~4 <Sec. _____. PERMITS — COUNTY AUTHORIZATION AND INDICATION~~
~~5 TO DEPARTMENT OF TRANSPORTATION. On or before July 1,~~
~~6 2025, every county shall authorize vehicles issued a permit~~
~~7 under section 321E.8, subsection 1A, as enacted in this Act,~~
~~8 to operate on certain secondary roads and indicate to the~~
~~9 department of transportation in writing, including by means of~~
~~10 electronic communication, those secondary roads for which a~~
~~11 permit under section 321E.8, subsection 1A, as enacted in this~~
~~12 Act, is not valid, as described in section 321E.3, as amended~~
~~13 in this Act.>~~
 - 14 2. By renumbering as necessary.

S-5126

HOUSE AMENDMENT TO
SENATE FILE 2297

- 1 Amend Senate File 2297, as passed by the Senate, as follows:
 - 2 1. Page 1, after line 6 by inserting:
~~3 <Sec. _____. Section 602.2103, Code 2022, is amended to read~~
~~4 as follows:~~
5 602.2103 Operation of commission.
~~6 A quorum of the commission is four members. Only those~~
~~7 commission members that are present at commission meetings~~
~~8 or hearings may vote. An application by the commission to~~
~~9 the supreme court to retire, discipline, or remove a judicial~~
~~10 officer, or discipline or remove an employee of the judicial~~
~~11 branch, or an action by the commission which affects the final~~
~~12 disposition of a complaint, requires the affirmative vote of~~
~~13 at least four commission members. Notwithstanding chapter 21~~
~~14 and chapter 22, all records, papers, proceedings, meetings,~~
~~15 and hearings of the commission are confidential, but if the~~
~~16 commission applies to the supreme court to retire, discipline,~~
~~17 or remove a judicial officer, or to discipline or remove an~~

18 employee of the judicial branch, the application and all of the
19 records and papers in that proceeding are public documents.
20 If an investigation by any standing committee of the general
21 assembly is undertaken pursuant to section 2.15, subsection
22 1, paragraph "b", related to a charge that was brought before
23 the commission, the standing committee shall have access to
24 confidential information held by the commission, including
25 all documents and actions taken regarding the issue under
26 investigation by the standing committee. >
27 2. Title page, line 1, before <jury> by inserting
28 <confidential records of the commission on judicial
29 qualifications by standing committees of the general assembly,
30 and>
31 3. By renumbering as necessary.

S-5127

HOUSE AMENDMENT TO
SENATE FILE 2378

1 Amend Senate File 2378, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:
5 <Section 1. Section 22.7, Code 2022, is amended by adding
6 the following new subsection:
7 NEW SUBSECTION. 75. Identifying information submitted
8 to the department of revenue from a distributor pursuant to
9 section 455C.2, subsection 2, paragraph "b". However, this
10 subsection shall not be construed to prohibit the dissemination
11 of aggregated information that does not identify a specific
12 distributor.
13 Sec. 2. Section 455C.1, subsections 1 and 6, Code 2022, are
14 amended to read as follows:
15 1. "*Beverage*" means wine as defined in section 123.3,
16 subsection 54, alcoholic liquor as defined in section 123.3,
17 subsection 5, beer as defined in section 123.3, subsection
18 7, high alcoholic content beer as defined in section 123.3,
19 subsection 22, canned cocktail as defined in section 123.3,
20 subsection 11, mineral water, soda water, and similar
21 carbonated soft drinks in liquid form and intended for human
22 consumption.
23 6. "*Dealer agent*" means a person who solicits or picks up
24 empty beverage containers ~~from a dealer~~ for the purpose of
25 returning the empty beverage containers to a distributor or
26 manufacturer.
27 Sec. 3. Section 455C.1, Code 2022, is amended by adding the
28 following new subsections:
29 NEW SUBSECTION. 11A. "*Mobile redemption system*" means a
30 redemption center location at which a consumer may return empty
31 beverage containers on which a refund value has been paid that
32 uses innovative technology to process empty beverage containers

33 and return the amount of the refund value to consumers.

34 **NEW SUBSECTION.** 12A. "Participating dealer" means a dealer
35 who accepts the return of empty beverage containers from a

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1 consumer.

2 Sec. 4. Section 455C.2, Code 2022, is amended to read as
3 follows:

4 **455C.2 Refund values.**

5 1. A refund value of ~~not less than~~ five cents shall be paid
6 by the consumer on each beverage container sold in this state
7 by a dealer for consumption off the premises. Upon return of
8 the empty beverage container upon which a refund value has
9 been paid to ~~the a participating dealer or person operating~~
10 ~~a~~ redemption center and acceptance of the empty beverage
11 container by the participating dealer or ~~person operating a~~
12 redemption center, the participating dealer or ~~person operating~~
13 ~~a~~ redemption center shall return the amount of the refund value
14 to the consumer within a reasonable time not to exceed ten
15 days.

16 2. a. In addition to the refund value provided in
17 subsection 1of this section, a dealer, or person operating a
18 ~~redemption center who redeems empty beverage containers or a~~
19 ~~dealer agent shall be reimbursed by~~ the distributor required
20 to accept the empty beverage containers under section 455C.3
21 ~~shall provide reimbursement in~~ an amount ~~which that~~ is one
22 cent per container ~~for containers accepted from a dealer agent~~
23 ~~and three cents per container for containers accepted from a~~
24 ~~participating dealer or redemption center.~~ A dealer, dealer
25 agent, or ~~person operating a~~ redemption center may compact
26 empty metal beverage containers with the approval of the
27 distributor required to accept the containers.

28 b. ~~A distributor who pays a handling fee for beverage~~
29 ~~containers that used to contain beer, including high-alcoholic~~
30 ~~content beer, may claim a refund of the barrel tax established~~
31 ~~in section 123.136 paid by the distributor in the amount of one~~
32 ~~cent for each such beverage container accepted. The department~~
33 ~~of revenue shall prescribe forms for a distributor to use to~~
34 ~~claim a refund under this paragraph. Identifying information~~
35 collected by the department of revenue pursuant to this

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1 paragraph that can be used to identify a specific distributor
2 shall be considered confidential information pursuant to
3 section 22.7, subsection 75.

4 Sec. 5. Section 455C.3, subsections 1, 2, and 4, Code 2022,
5 are amended to read as follows:

6 1. A participating dealer shall not refuse to accept from a
7 consumer any empty beverage container of the kind, size, and
8 brand sold by the participating dealer, or refuse to pay to the

9 consumer the refund value of a beverage container as provided
10 under section 455C.2.

11 2. A distributor shall accept and pick up from a
12 ~~participating~~ dealer served by the distributor or a redemption
13 center for a dealer served by the distributor at least weekly,
14 or when the distributor delivers the beverage product if
15 deliveries are less frequent than weekly, any empty beverage
16 container of the kind, size, and brand sold by the distributor,
17 and shall pay to the ~~participating~~ dealer or ~~person operating~~
18 a redemption center the refund value of a beverage container
19 and the reimbursement as provided under section 455C.2 within
20 one week following pickup of the containers or when the
21 ~~participating~~ dealer or ~~redemption center~~ normally pays the
22 distributor for the deposit on beverage products purchased from
23 the distributor if less frequent than weekly. A distributor
24 or employee or agent of a distributor is not in violation
25 of this subsection if a redemption center is closed when the
26 distributor attempts to make a ~~regular delivery~~ or a regular
27 pickup of empty beverage containers. This subsection does
28 not apply to a distributor selling alcoholic liquor to the
29 alcoholic beverages division of the department of commerce.

30 4. A distributor shall accept from a dealer agent any
31 empty beverage container of the kind, size, and brand sold by
32 the distributor and ~~which that~~ was picked up by the dealer
33 agent ~~from a dealer~~ within the geographic territory served
34 by the distributor and the distributor shall pay the dealer
35 agent the refund value of the empty beverage container and the

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1 reimbursement as provided in section 455C.2.

2 Sec. 6. Section 455C.4, Code 2022, is amended to read as
3 follows:

4 **455C.4 Refusal to accept containers.**

5 1. Except as provided in section 455C.5, subsection 3, a
6 dealer, ~~a person operating~~ a redemption center, a distributor,
7 or a manufacturer may refuse to accept any empty beverage
8 container ~~which that~~ does not have stated on it a refund value
9 as provided under section 455C.2.

10 2. a. A dealer may refuse to accept and to pay the
11 refund value of any empty beverage container if ~~the place of~~
12 ~~business of the dealer and the kind and brand of empty beverage~~
13 ~~containers are included in an order of the department approving~~
14 ~~a redemption center under section 455C.6 any of the following~~
15 apply:

16 (1) The dealer holds a food establishment license under
17 chapter 137F to prepare or serve food, has a certified food
18 protection manager as required by the 2017 United States food
19 and drug administration food code and supplement, and sells
20 time/temperature control for safety food as defined in section
21 137F.2.

22 (2) The dealer has entered an agreement with an approved

23 redemption center for the operation of a mobile redemption
24 system and all of the following apply:
25 (a) The dealer provides adequate space, utilities, and
26 internet connection to operate the mobile redemption system.
27 (b) The agreement does not require additional payment to the
28 dealer or the mobile redemption system.
29 (3) The dealer's place of business is in a county with a
30 population of more than thirty thousand and within ten miles
31 of an approved redemption center or if the dealer's place of
32 business is in a county with a population of thirty thousand
33 or fewer and within fifteen miles of an approved redemption
34 center.
35 b. A dealer who refuses to accept and to pay the refund

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1 value on any empty beverage container pursuant to this
2 subsection shall conspicuously display on the front door of
3 the dealer's place of business a notice that the dealer does
4 not accept empty beverage containers. The notice shall also
5 provide the location of the nearest approved redemption center
6 to the dealer's place of business. After the department has
7 made available an electronic method for locating approved
8 redemption centers pursuant to paragraph "c", a dealer may
9 direct consumers to such electronic method instead of providing
10 the location of the nearest approved redemption center on the
11 notice.
12 c. The department shall make available to the public an
13 electronic method of locating approved redemption centers.
14 d. A dealer who provides space for a mobile redemption
15 system pursuant to paragraph "a", subparagraph (2), shall not be
16 considered to be in violation of any county or city ordinance
17 that would otherwise limit the ability of the dealer to provide
18 such space as long as the mobile redemption system operates
19 in a location that is not zoned primarily for residential
20 purposes.
21 3. A dealer or a distributor may refuse to accept and to pay
22 the refund value of an empty wine or alcoholic liquor container
23 which is marked to indicate that it was sold by a state liquor
24 store. The alcoholic beverages division shall not reimburse
25 a dealer or a distributor the refund value on an empty wine or
26 alcoholic liquor container which is marked to indicate that the
27 container was sold by a state liquor store.
28 4. A class "E" liquor control licensee may refuse to
29 accept and to pay the refund value on an empty alcoholic liquor
30 container from a participating dealer or a redemption center
31 or from a person acting on behalf of or who has received empty
32 alcoholic liquor containers from a participating dealer or a
33 redemption center.
34 5. A manufacturer or distributor may refuse to accept
35 and to pay the refund value and reimbursement as provided in

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1 section 455C.2 on any empty beverage container that was picked
2 up by a dealer agent ~~from a dealer~~ outside the geographic
3 territory served by the manufacturer or distributor.

4 Sec. 7. Section 455C.5, subsection 1, Code 2022, is amended
5 to read as follows:

6 1. a. Each beverage container sold or offered for sale in
7 this state by a dealer shall clearly indicate the refund value
8 of the container by embossing or by a stamp, label, or other
9 method securely affixed to the container, the refund value of
10 the container. The department shall specify, by rule, the
11 minimum size of the refund value indication on the beverage
12 containers.

13 b. The department of revenue shall require the registration
14 of the universal product code for each beverage container
15 using a method of registration determined by the department of
16 revenue.

17 Sec. 8. Section 455C.6, subsection 1, Code 2022, is amended
18 to read as follows:

19 1. To facilitate the return of empty beverage containers
20 and to serve dealers of beverages, any person may establish a
21 redemption center, subject to the approval of the department,
22 at which consumers may return empty beverage containers
23 and receive payment of the refund value of such beverage
24 containers. A participating dealer may act as a redemption
center for purposes of this chapter.

25 Sec. 9. Section 455C.12, subsections 2 and 3, Code 2022, are
26 amended to read as follows:

27 2. A distributor who collects or attempts to collect
28 a refund value on an empty beverage container when the
29 distributor has paid the refund value on the container to a
30 participating dealer, redemption center, or consumer is guilty
31 of a fraudulent practice.

32 3. Any person who does any of the following acts is guilty
33 of a fraudulent practice:

34 a. Collects or attempts to collect the refund value on the

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1 container a second time, with the knowledge that the refund
2 value has once been paid by the distributor to a participating
3 dealer, redemption center, or consumer.

4 b. Manufactures, sells, possesses, or applies a false or
5 counterfeit label or indication which that shows or purports to
6 show a refund value for a beverage container, with intent to
7 use the false or counterfeit label or indication.

8 c. Collects or attempts to collect a refund value on
9 a container with the use of a false or counterfeit label
10 or indication showing a refund value, knowing the label or
11 indication to be false or counterfeit.

12 Sec. 10. Section 455C.12, Code 2022, is amended by adding

13 the following new subsections:

14 **NEW SUBSECTION.** 6. A person who knowingly attempts to
15 redeem a beverage container that is not properly marked as
16 required by section 455C.5, subsection 1, shall be subject to a
17 civil penalty not to exceed ten dollars per improperly marked
18 beverage container, but not to exceed five thousand dollars
19 total per attempted transaction.

20 **NEW SUBSECTION.** 7. Except as provided in subsection 6,
21 a person who violates any provision of this chapter shall
22 be subject to a civil penalty of two thousand dollars per
23 violation, which shall be assessed and collected in the same
24 manner as provided in section 455B.109. Any civil penalty
25 collected under this chapter shall be deposited in the bottle
bill fund established in section 455C.12D.

27 Sec. 11. **NEW SECTION.** **455C.12A Administrative enforcement**
28 — **compliance orders.**

29 The director may issue any order necessary to secure
30 compliance with or prevent a violation of the provisions of
31 this chapter or any rule adopted or permit or order issued
32 pursuant to this chapter. The person to whom such compliance
33 order is issued may cause to be commenced a contested case
34 within the meaning of chapter 17A by filing within thirty
35 days a notice of appeal to the commission. On appeal, the

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1 commission may affirm, modify, or vacate the order of the
2 director.

3 Sec. 12. **NEW SECTION.** **455C.12B Judicial review.**

4 Judicial review of any order or other action of the
5 commission or director may be sought in accordance with the
6 terms of chapter 17A. Notwithstanding the terms of chapter
7 17A, petitions for judicial review may be filed in the district
8 court of the county in which the alleged offense was committed.

9 Sec. 13. **NEW SECTION.** **455C.12C Civil actions for compliance**
10 — **penalties.**

11 1. The attorney general, on request of the department, shall
12 institute any legal proceedings necessary to obtain compliance
13 with an order of the commission or the director, including
14 proceedings for a temporary injunction, or prosecuting any
15 person for a violation of an order of the commission or the
16 director, the provisions of this chapter, or any rules adopted
17 or permit or order issued pursuant to this chapter.

18 2. Any person who violates any order issued pursuant to
19 section 455C.12A shall be subject to a civil penalty not to
20 exceed two thousand dollars for each day of such violation.

21 Sec. 14. **NEW SECTION.** **455C.12D Bottle bill fund.**

22 A bottle bill fund is established in the state treasury
23 under the control of the department. The fund shall consist
24 of moneys deposited in the fund pursuant to section 455C.12,
25 subsection 7, and any other moneys appropriated to or deposited
26 in the fund. Moneys in the fund are appropriated to the

27 department for purposes of administering and enforcing this
28 chapter, including reimbursing the attorney general for costs
29 incurred by the attorney general in enforcing this chapter.
30 Notwithstanding section 8.33, moneys in the fund that remain
31 unencumbered or unobligated at the close of a fiscal year shall
32 not revert but shall remain available for expenditure for the
33 purposes designated. Notwithstanding section 12C.7, subsection
34 2, interest or earnings on moneys in the fund shall be credited
35 to the fund.

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1 Sec. 15. Section 455C.13, Code 2022, is amended to read as
2 follows:

3 **455C.13 Distributors' Collection and disposal agreements**
4 **authorized.**

5 1. A distributor, dealer, or redemption center may enter
6 into a contract or agreement with any other distributor,
7 manufacturer, or person for the purpose of collecting or paying
8 the refund value on, or disposing of, beverage containers as
9 provided in this chapter.

10 2. For purposes of this chapter, any contracts entered into
11 pursuant to this section for the collection or disposal of
12 empty beverage containers shall not be deemed to interfere with
13 the refund value pursuant to section 455C.2.

14 Sec. 16. Section 455C.16, Code 2022, is amended to read as
15 follows:

16 **455C.16 Beverage containers — disposal at sanitary landfill**
17 **prohibited.**

18 Beginning July 1, 1990, the The final disposal of beverage
19 containers by a dealer, distributor, or manufacturer, or
20 person operating a redemption center, in a sanitary landfill,
21 is prohibited. Beginning September 1, 1992, including the
22 final disposal of beverage containers that used to contain
23 alcoholic liquor as defined in section 123.3, subsection 5,
24 by a participating dealer, distributor, or manufacturer, or
25 person operating a redemption center in a sanitary landfill,
26 is prohibited.

27 Sec. 17. **NEW SECTION. 455C.18 Unclaimed refund value and**
28 **handling fees.**

29 Any amount of refund value or handling fees possessed by a
30 distributor after the distributor has made payments required
31 pursuant to this chapter shall be considered the property of
32 the distributor.

33 Sec. 18. LEGISLATIVE FISCAL COMMITTEE REVIEW.

34 1. The legislative fiscal committee established in section

35 2.45 shall hold a meeting during the legislative interim

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- 1 immediately preceding the 2026 regular legislative session.
- 2 During the meeting, the committee shall review the enforcement

3 of chapter 455C by the department of natural resources,
4 including the collection of civil penalties, the report
5 submitted by the attorney general pursuant to subsection 2,
6 whether and how many redemption centers have been approved
7 by the department, the adequacy of the reimbursement amount
8 under section 455C.2, and any other information the committee
9 deems important. The committee shall submit a report of its
10 findings and recommendations to the general assembly no later
11 than January 31, 2026.

12 2. The attorney general shall submit a report to the
13 general assembly prior to the legislative fiscal committee's
14 meeting under subsection 1. The report shall detail any legal
15 proceedings arising under chapter 455C since January 1, 2023.

16 Sec. 19. REFUSAL TO ACCEPT BEVERAGE CONTAINERS.

17 1. A dealer may refuse to accept beverage containers before
18 January 1, 2023, if any of the following apply:

19 a. The dealer has entered an agreement with an approved
20 redemption center for the operation of a mobile redemption
21 system and all of the following apply:

22 (1) The dealer provides adequate space, utilities, and
23 internet connection to operate the mobile redemption system.

24 (2) The agreement does not require additional payment to the
25 dealer or the mobile redemption system.

26 b. The dealer's place of business is in a county with a
27 population of more than thirty thousand and within ten miles
28 of an approved redemption center or if the dealer's place of
29 business is in a county with a population of thirty thousand
30 or fewer and within fifteen miles of an approved redemption
31 center.

32 2. A dealer who refuses to accept beverage containers
33 pursuant to this section shall conspicuously display on the
34 front door of the dealer's place of business a notice that
35 the dealer does not accept empty beverage containers. The

Page 11

1 notice shall also provide the location of the nearest approved
2 redemption center to the dealer's place of business.

3 Sec. 20. EFFECTIVE DATE.

4 1. Except as provided in subsections 2 or 3, this Act takes
5 effect January 1, 2023.

6 2. The section of this Act amending section 455C.5,
7 subsection 1, takes effect November 15, 2023.

8 3. The section of this Act allowing a dealer to refuse to
9 accept beverage containers before January 1, 2023, being deemed
10 of immediate importance, takes effect upon enactment.>

11 2. Title page, by striking lines 1 through 4 and inserting
12 <An Act relating to beverage containers control provisions,
13 including handling fees, refund value, applicability to certain
14 beverages, and acceptance of beverage containers, providing
15 penalties, and including effective date provisions.>

S-5128

1 Amend House File 2130, as amended, passed, and reprinted by
2 the House, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:
5 <Section 1. Section 321.234A, subsection 1, paragraph f,
6 Code 2022, is amended to read as follows:
7 f. The all-terrain vehicle is operated on a ~~county roadway~~,
8 primary road in accordance with section 321I.10, subsection 1A,
9 a secondary road in accordance with section 321I.10, subsection
10 2, or a city street in accordance with section 321I.10,
11 subsection 3.
12 Sec. 2. Section 321.234A, subsection 2, Code 2022, is
13 amended to read as follows:
14 2. A person operating an all-terrain vehicle on a highway
15 shall have a valid driver's license and ~~the vehicle shall be~~
16 operated operate the vehicle at speeds of thirty-five miles per
17 hour or less. In addition, a person operating an all-terrain
18 vehicle on a highway pursuant to subsection 1, paragraphs "b"
19 through "g", shall be at least eighteen years of age and have
20 financial liability coverage in effect for the vehicle and
21 carry proof of such financial liability coverage in accordance
22 with section 321.20B.
23 Sec. 3. Section 321.234A, Code 2022, is amended by adding
24 the following new subsection:
25 NEW SUBSECTION. 2A. As provided in section 321.1, an
26 all-terrain vehicle is a motor vehicle for purposes of this
27 chapter. Therefore, an all-terrain vehicle operated on a
28 highway shall be equipped with the parts, lamps, and other
29 equipment in proper condition and adjustment as required under
30 this chapter for motor vehicles, including but not limited
31 to the parts, lamps, and equipment required under sections
32 321.386, 321.387, 321.404, 321.432, and 321.437.
33 Sec. 4. Section 321.384, subsection 1, Code 2022, is amended
34 to read as follows:
35 1. Every motor vehicle upon a highway within the state,

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1 at any time from sunset to sunrise, and at such other times
2 when conditions such as fog, snow, sleet, or rain provide
3 insufficient lighting to render clearly discernible persons
4 and vehicles on the highway at a distance of five hundred feet
5 ahead, shall display lighted headlamps as provided in section
6 321.415, subject to exceptions with respect to parked vehicles
7 as provided in this chapter. However, an all-terrain vehicle
8 shall display lighted headlamps as provided in section 321.415
9 at all times while the vehicle is operated on a highway.
10 Sec. 5. Section 321.385, Code 2022, is amended to read as
11 follows:
12 **321.385 Headlamps on motor vehicles.**

13 Every motor vehicle other than a motorcycle, ~~or~~ motorized
14 bicycle, ~~or all-terrain vehicle~~ shall be equipped with at least
15 two headlamps with at least one on each side of the front
16 of the motor vehicle, which headlamps shall comply with the
17 requirements and limitations set forth in this chapter.

18 Sec. 6. Section 321.386, Code 2022, is amended to read as
19 follows:

20 **321.386 Headlamps on motorcycles, and motorized bicycles, and**
all-terrain vehicles.

22 Every motorcycle, ~~and~~ motorized bicycle, ~~and all-terrain~~
23 ~~vehicle~~ shall be equipped with at least one and not more than
24 two headlamps which shall comply with the requirements and
25 limitations of this chapter.

26 Sec. 7. Section 3211.10, Code 2022, is amended by adding the
27 following new subsection:

28 **NEW SUBSECTION.** 1A. A registered all-terrain vehicle
29 or off-road utility vehicle may be operated on an undivided
30 two-lane primary road that is not part of the interstate road
31 system over the most direct and accessible route between any of
32 the following locations:

- 33 a. An all-terrain vehicle park or trail.
34 b. A secondary road on which such vehicles are authorized
35 to operate under subsection 2.

Page 3

1 c. A city street on which such vehicles are authorized to
2 operate under subsection 3.

3 d. The vehicle operator's residence.

4 Sec. 8. Section 3211.10, subsections 2 and 3, Code 2022, are
5 amended to read as follows:

6 2. a. A registered all-terrain vehicle or off-road
7 utility vehicle may be operated on ~~any of the roadways of that~~
8 ~~portion of county highways designated by the county board of~~
9 ~~supervisors for such use during a specified period following~~
10 secondary roads:

11 (1) An unpaved secondary road.

12 (2) A paved, undivided two-lane secondary road over the
13 most direct and accessible route between any of the following
14 locations:

15 (a) An all-terrain vehicle park or trail.

16 (b) Another secondary road on which such vehicles are
17 authorized to operate under this paragraph.

18 (c) A city street on which such vehicles are authorized to
19 operate under subsection 3.

20 (d) The vehicle operator's residence.

21 (3) A paved, undivided secondary road or segment thereof,
22 if authorized by the county board of supervisors. The county
23 board of supervisors shall evaluate the traffic conditions on
24 all county highways such secondary roads under its jurisdiction
25 and designate roadways on which all-terrain vehicles or
26 off-road utility vehicles may be operated for the specified

27 ~~period~~ without unduly interfering with or constituting an undue
28 hazard to conventional motor vehicle traffic. In designating
29 such roadways, the board may authorize all-terrain vehicles
30 and off-road utility vehicles to stop at service stations or
31 convenience stores along a designated roadway.
32 b. Notwithstanding paragraph "a", a county may prohibit by
33 ordinance the operation of all-terrain vehicles and off-road
34 utility vehicles on a secondary road or segment thereof
35 under its jurisdiction pursuant to an agreement with a local

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1 all-terrain vehicle or off-road utility vehicle club or
2 organization. Such an agreement shall be in writing and shall
3 be valid for not more than five years unless renewed. Such an
4 agreement may be renewed any number of times, with each renewal
5 valid for not more than five years. For purposes of this
6 paragraph, "local all-terrain vehicle or off-road utility vehicle
7 club or organization" means a group that represents at least
8 seven residents of the county each of whom own a registered
9 all-terrain vehicle or off-road utility vehicle.
10 3. Cities A city may regulate the operation of registered
11 all-terrain vehicles and off-road utility vehicles and may
12 designate streets under the jurisdiction of cities the city
13 within their respective its corporate limits, and two-lane
14 primary and secondary road extensions in the city, which may
15 be used for the operation of registered all terrain vehicles
16 or registered off road utility such vehicles. In designating
17 such streets, the city may authorize all-terrain vehicles
18 and off-road utility vehicles to stop at service stations or
19 convenience stores along a designated street. However, a city
20 shall not charge a fee to operate a registered all-terrain
21 vehicle or off-road utility vehicle within the city.

22 Sec. 9. Section 321I.10, subsection 5, unnumbered paragraph
23 1, Code 2022, is amended to read as follows:

24 An all-terrain vehicle or off-road utility vehicle may
25 make a direct crossing of a highway that is not part of the
26 interstate road system provided all of the following occur:

27 Sec. 10. Section 321I.10, subsection 5, paragraph e, Code
28 2022, is amended to read as follows:

29 e. The crossing is made from a street, roadway, or highway
30 designated as an all-terrain vehicle trail by a state agency,
31 county, or city on which the all-terrain vehicle or off-road
32 utility vehicle is authorized to operate to a street, roadway,
33 or highway designated as an all terrain vehicle trail by
34 a state agency, county, or city on which such vehicle is
35 authorized to operate.>

CARRIE KOELKER
WAYLON BROWN

S-5129

1 Amend House File 2573, as passed by the House, as follows:
2 1. Page 1, by striking lines 1 through 28 and inserting:
3 <Section 1. Section 13.2, subsection 1, Code 2022, is
4 amended by adding the following new paragraph:
5 **NEW PARAGRAPH.** *p.* Submit a report by January 15 of each
6 year to the co-chairpersons and ranking members of the joint
7 appropriations subcommittee on the justice system detailing any
8 moneys paid to the state as a result of a national settlement
9 of litigation with entities that manufactured, marketed, sold,
10 distributed, dispensed, or promoted opioids. The report shall
11 include the total amount of moneys received each year from the
12 settlement of litigation, the current balance of any funds
13 maintained for the receipt of opioid settlement moneys, and how
14 any moneys received were spent during the prior report period.
15 Sec. ___. Section 135.190, subsection 1, paragraph d, Code
16 2022, is amended to read as follows:
17 *d. "Person in a position to assist"* means a family member,
18 friend, caregiver, health care provider, employee of a
19 substance abuse treatment facility, school employee, or other
20 person who may be in a place to render aid to a person at risk
21 of experiencing an opioid-related overdose.
22 Sec. ___. Section 135.190, Code 2022, is amended by adding
23 the following new subsection:
24 **NEW SUBSECTION.** 4A. A school district may obtain a valid
25 prescription for an opioid antagonist and maintain a supply of
26 opioid antagonists in a secure location at each location where
27 a student may be present for use as provided in this section.>
28 2. Title page, by striking lines 1 and 2 and inserting <An
29 Act requiring an annual report concerning opioid settlement
30 litigation funds, creating an opioid antagonist medication
31 fund, and allowing school districts to obtain opioid antagonist
32 prescriptions.>
33 3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5130

1 Amend the amendment, S-5063, to House File 2198, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 1, after line 2 by inserting
4 <___. Page 1, line 12, after <supervision.> by inserting
5 <At least thirty days prior to a child care center adopting a
6 policy that would allow a person under eighteen years of age to
7 provide child care to school age children without additional
8 supervision, the child care center shall provide written notice
9 of the prospective policy change to the parents of children
10 currently attending the child care center.>>
11 2. Page 1, line 11, after <age.> by inserting <At least

12 thirty days prior to a child care center increasing its
13 child-to-staff ratio, the child care center shall provide
14 written notice of the prospective child-to-staff ratio increase
15 to the parents of children currently attending the child care
16 center.>
17 3. By renumbering, redesignating, and correcting internal
18 references as necessary.

PAM JOCHUM
TONY BISIGNANO
JOE BOLKCOM
NATE BOULTON
CLAIRE A. CELSI
WILLIAM A. DOTZLER, JR.
ERIC GIDDENS
ROBERT M. HOGG
KEVIN KINNEY
JIM LYKAM
LIZ MATHIS
JANET PETERSEN
HERMAN C. QUIRMBACH
AMANDA RAGAN
JACKIE SMITH
TODD TAYLOR
SARAH TRONE GARRIOTT
ZACH WAHLS

S-5131

1 Amend Senate File 2379 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 RETALIATION
6 Section 1. Section 562B.32, subsection 1, paragraph d, Code
7 2022, is amended to read as follows:
8 d. For exercising any of the rights and remedies pursuant
9 to this chapter or chapter 216.
10 Sec. 2. Section 562B.32, subsection 2, Code 2022, is amended
11 to read as follows:
12 2. If the landlord acts in violation of subsection 1
13 of this section, the tenant is entitled to the remedies
14 provided in section 562B.24 and has a defense in an action for
15 possession. In an action by or against the tenant, evidence
16 of a complaint within six months one year prior to the alleged
17 act of retaliation creates a presumption that the landlord's
18 conduct was in retaliation. The presumption does not arise
19 if the tenant made the complaint after notice of termination
20 of the rental agreement. For the purpose of this subsection,
21 "presumption" means that the trier of fact must find the
22 existence of the fact presumed unless and until evidence is
23 introduced which would support a finding of its nonexistence.

DIVISION II
RENTAL AGREEMENTS

26 Sec. 3. Section 562B.7, subsection 10, Code 2022, is amended
27 to read as follows:

28 10. "Rent" means a payment to be made to the landlord under
29 the rental agreement, including base rent, utilities, late
30 fees, and other payments made by the tenant to the landlord
31 under the rental agreement.

32 Sec. 4. Section 562B.10, subsection 5, Code 2022, is amended
33 to read as follows:

34 5. Rental agreements shall be for a term of one year unless
35 otherwise specified in the rental agreement. Rental agreements

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1 shall be canceled by at least ~~sixty~~ ninety days' written notice
2 given by either party. A landlord shall not cancel a rental
3 agreement solely for the purpose of making the tenant's mobile
4 home space available for another mobile home.

5 Sec. 5. Section 562B.14, subsection 7, Code 2022, is amended
6 to read as follows:

7 7. Each tenant shall be notified, in writing, of any rent
8 increase at least ~~sixty~~ ninety days before the effective date.
9 Such effective date shall not be sooner than the expiration
10 date of the original rental agreement or any renewal or
11 extension thereof.

12 Sec. 6. EFFECTIVE DATE. This division of this Act, being
13 deemed of immediate importance, takes effect upon enactment.

14 Sec. 7. APPLICABILITY. This division of this Act applies to
15 rent increases first noticed under chapter 562B occurring on or
16 after the effective date of this division of this Act.

DIVISION III

DISCLOSURE OF UTILITY CHARGES

19 Sec. 8. Section 562B.14, subsection 6, Code 2022, is amended
20 to read as follows:

21 6. a. The landlord or any person authorized to enter into
22 a rental agreement on the landlord's behalf shall provide a
23 written explanation of utility rates, charges and services to
24 the prospective tenant before the rental agreement is signed
25 unless the utility charges are paid by the tenant directly to
26 the utility company.

b. Tenants shall be notified of any increase in utility rates or charges in the manner set forth in subsection 7 for rent increases, unless the landlord does not receive at least ninety days prior notice of such increase from the utility provider, in which case no prior notice of the increase from the landlord to the tenant is required for the increase to be effective.

34 c. Nothing in this chapter shall authorize a landlord to
35 meter a premises contrary to applicable law, rule, or tariff.

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1 or assess a utility charge to the tenant contrary to applicable
2 law, rule, or tariff.

3 DIVISION IV

4 WRONGFUL FAILURE TO PROVIDE ESSENTIAL SERVICES
5 Sec. 9. **NEW SECTION. 562B.23A Wrongful failure to supply**
6 **running water or essential services.**

7 1. If contrary to the rental agreement or section 562B.16
8 the landlord deliberately or negligently fails to supply
9 running water or other essential services, the tenant may give
10 written notice to the landlord specifying the breach and may
11 do one of the following:

12 a. Procure reasonable amounts of water or other essential
13 services during the period of the landlord's noncompliance and
14 deduct the actual and reasonable cost from the rent.

15 b. Recover damages based upon the diminution in the fair
16 market value of the mobile home space.

17 c. Recover any rent already paid for the period of the
18 landlord's noncompliance which shall be reimbursed on a pro
19 rata basis.

20 2. If the tenant proceeds under this section, the tenant may
21 not proceed under section 562B.22 as to that breach.

22 3. The rights under this section do not arise until the
23 tenant has given notice to the landlord or if the condition was
24 caused by the deliberate or negligent act or omission of the
25 tenant, a member of the tenant's family, or other person on the
26 premises with the consent of the tenant.

27 Sec. 10. EFFECTIVE DATE. This division of this Act, being
28 deemed of immediate importance, takes effect upon enactment.

29 DIVISION V

30 DENIAL OF RENTAL OR REFUSAL OF SALE

31 Sec. 11. Section 562B.19, subsection 3, paragraph c, Code
32 2022, is amended to read as follows:

33 c. Deny any resident of a manufactured home community
34 or mobile home park the right to sell that person's mobile
35 home at a price of the person's own choosing, but may reserve

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1 the right to approve the purchaser of such mobile home as a
2 tenant but such permission may not be unreasonably withheld,
3 provided however, that the landlord may, in the event of a
4 sale to a third party, in order to upgrade the quality of
5 the manufactured home community or mobile home park, require
6 that any mobile home in a rundown condition or in disrepair be
7 removed from the manufactured home community or park within
8 sixty days. If the landlord does not approve the purchaser as
9 a tenant, the landlord shall provide the purchaser with written
10 notice of such denial and the general reason for the denial,
11 but the landlord shall not be required to provide a specific
12 reason for the denial.

DIVISION VI

14 PROHIBITED RENTAL AGREEMENT PROVISION — HOME EQUIPMENT
15 Sec. 12. Section 562B.11, subsection 1, Code 2022, is
16 amended by adding the following new paragraph:
17 **NEW PARAGRAPH.** *e.* Agrees to modify the mobile home,
18 manufactured home, or modular home in a way that would
19 substantially impair the ability of the tenant to move the
20 home from the mobile home space, unless such modification is
21 required by federal law, including but not limited to the
22 model manufactured home installation standards, 24 C.F.R. pt.
23 3285, the manufactured home construction and safety standards,
24 24 C.F.R. pt. 3280, or the manufactured home procedural and
25 enforcement regulations, 24 C.F.R. pt. 3282, or by state or
26 local law, the manufacturer's installation instructions, any
27 requirement arising from the landlord's financing of the home
28 or of the mobile home park or manufactured home community in
29 which the home is located, or unless such modification is
30 otherwise necessary for the safe and proper installation of the
31 home.

DIVISION VII

LANDLORD SALES

34 Sec. 13. NEW SECTION. 562B.17A Sale of mobile home by
35 landlord.

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1 1. Any sale of a mobile home located in a manufactured home
2 community or mobile home park by a landlord or landlord's agent
3 shall be by written agreement and the landlord shall, upon the
4 buyer's fulfillment of all payment and other terms under the
5 agreement, produce and assign the current certificate of title
6 obtained from the department of transportation. The agreement
7 shall state the basic terms of sale, including the total
8 cost of the mobile home, and, in the case of an installment
9 contract, finance charges, annual percentage rate, and the
10 frequency and amount of each installment payment.

11 frequency and amount of each installment payment.
12 2. If such sale does not comply with this section, the
13 court may award monetary or equitable relief, including voiding
14 the sale, and the buyer may recover damages incurred, amounts
15 paid as a rental deposit in excess of two months' rent, and
reasonable attorney fees.

16 3. A claim under subsection 2 may be combined with an action
17 under chapter 648.

18 Sec. 14. Section 648.19, subsection 1, Code 2022, is amended
19 to read as follows:

20 1. An action under this chapter shall not be filed in
21 connection with any other action, with the exception of a claim
22 for rent or recovery as provided in section 555B.3, 562A.24,
23 562A.32, 562B.17A, 562B.22, 562B.25, or 562B.27, nor shall it
24 be made the subject of counterclaim.

DIVISION VIII

26 SALE OF MANUFACTURED HOME COMMUNITY OR MOBILE HOME PARK

27 Sec. 15. **NEW SECTION. 562B.16A Sale of manufactured home**
28 **community or mobile home park — notices.**

29 Upon termination of the landlord's interest in the
30 manufactured home community or mobile home park, the landlord's
31 successor in interest shall have the same legal obligations,
32 rights, and remedies of the landlord, including with respect to
33 all rental agreements.

34 Sec. 16. **APPLICABILITY.** This division of this Act applies
35 to manufactured home community or mobile home park sale

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1 transactions made on or after the effective date of this
2 division of this Act.

3 **DIVISION IX**

4 **REGULATION BY COUNTIES AND CITIES — CONTINUING NONCONFORMING**
5 **USES**

6 Sec. 17. Section 335.3, subsection 2, Code 2022, is amended
7 to read as follows:

8 2. a. When Except as provided in paragraph "b", when there
9 is a replacement of a preexisting manufactured, modular, or
10 mobile home with another any other manufactured, modular, or
11 mobile home containing no more than the original number of
12 dwelling units, or a replacement of a preexisting site-built
13 dwelling unit with a manufactured, modular, or mobile home or
14 site-built dwelling unit, within a manufactured home community
15 or a mobile home park, the board of supervisors shall not
16 adopt or enforce any ordinance, regulation, or restriction,
17 or impose any conditions on the replacement home, home site
18 upon which the home sits, or the owner's property that were not
19 required of the preexisting home, home site, or property, that
20 would prevent the continuance of the property owner's lawful
21 nonconforming use that had existed relating to the preexisting
22 home unless any of the following apply: home site upon which
23 the home sat, or the owner's property.

24 b. Paragraph "a" does not apply if any of the following
25 conditions exist:

26 a. (1) A discontinuance is necessary for The replacement
27 of the preexisting home with the replacement home would
28 substantially increase the risk to the safety of life or
29 property.

30 b. (2) The property owner has discontinued and abandoned
31 the nonconforming use has been discontinued for the period
32 of time established by ordinance, unless such discontinuance
33 is caused by circumstances outside the control of the
34 property owner. The period of time so established shall be
35 not less than one year. For purposes of this subparagraph,

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1 circumstances outside the control of the property owner
2 include floods, fires, destructive thunderstorm events such

3 as derechos and tornadoes, and similar catastrophic events
4 causing widespread or localized severe property damage. For
5 purposes of this subparagraph, a property owner shall not be
6 considered to have discontinued and abandoned the nonconforming
7 use if the property owner demonstrates that the applicable home
8 site continues to be available for use as a home site for a
9 replacement home.

10 ~~e.~~ (3) The replacement results in the overall nature and
11 character of the present use being substantially or entirely
12 different from the original lawful preexisting nonconforming
13 use.

14 ~~d.~~ (4) The replacement results in an obstruction to a
15 shared driveway or shared sidewalk providing vehicular or
16 pedestrian access to other homes and uses unless the property
17 owner makes modifications to such shared driveway or sidewalk
18 that extinguishes such obstruction or the effects of such
19 obstruction.

20 Sec. 18. Section 414.1, subsection 1, paragraph c, Code
21 2022, is amended to read as follows:

22 c. (1) When Except when provided in subparagraph (2), when
23 there is a replacement of a preexisting manufactured, modular,
24 or mobile home with another any other manufactured, modular,
25 or mobile home containing no more than the original number of
26 dwelling units, or a replacement of a preexisting site-built
27 dwelling unit with a manufactured, modular, or mobile home or
28 site-built dwelling unit, within a manufactured home community
29 or a mobile home park, the city shall not adopt or enforce any
30 ordinance, regulation, or restriction, or impose any conditions
31 on the replacement home, home site upon which the home
32 sits, or the owner's property that were not required of the
33 preexisting home, home site, or property, that would prevent
34 the continuance of the property owner's lawful nonconforming
35 use that had existed relating to the preexisting home unless

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1 any of the following apply, home site upon which the home sat,
2 or the owner's property.
3 (2) Subparagraph (1) does not apply if any of the following
4 conditions exist:
5 ~~(1)~~ (a) A discontinuance is necessary for The replacement
6 of the preexisting home with the replacement home would
7 substantially increase the risk to the safety of life or
8 property.
9 ~~(2)~~ (b) The property owner has discontinued and abandoned
10 the nonconforming use has been discontinued for the period of
11 time established by ordinance, unless such discontinuance is
12 caused by circumstances outside the control of the property
13 owner. The period of time so established shall be not less
14 than one year. For purposes of this subparagraph division,
15 circumstances outside the control of the property owner
16 include floods, fires, destructive thunderstorm events such as

17 derechos and tornadoes, and similar catastrophic events causing
18 widespread or localized severe property damage. For purposes
19 of this subparagraph division, a property owner shall not be
20 considered to have discontinued and abandoned the nonconforming
21 use if the property owner demonstrates that the applicable home
22 site continues to be available for use as a home site for a
23 replacement home.

24 (2) (c) The replacement results in the overall nature and
25 character of the present use being substantially or entirely
26 different from the original lawful preexisting nonconforming
27 use.

28 ~~(d)~~ The replacement results in an obstruction to a
29 shared driveway or shared sidewalk providing vehicular or
30 pedestrian access to other homes and uses unless the property
31 owner makes modifications to such shared driveway or sidewalk
32 that extinguishes such obstruction or the effects of such
33 obstruction.

DIVISION X
FORCIBLE ENTRY AND DETAINER

Page 9

1 Sec. 19. Section 648.5, subsections 1 and 3, Code 2022, are
2 amended to read as follows:

3 1. a. An action for forcible entry and detainer shall
4 be brought in a county where all or part of the premises is
5 located. Such an action shall be tried as an equitable action.
6 Upon receipt of the petition, the court shall set a date, time,
7 and place for hearing. The court shall set the date of hearing
8 no later than eight days from the filing date, except that the
9 court shall set a later hearing date no later than fifteen days
10 from the date of filing if the plaintiff requests or consents
11 to the later date of hearing.

12 b. The requirement regarding the setting of the initial
13 hearing in paragraph "a" is not a jurisdictional requirement and
14 does not affect the court's subject matter jurisdiction to hear
15 the action for forcible entry and detainer.

16 3. Service of original notice by mail is deemed completed
17 four days after the notice is deposited in the mail and
18 postmarked for delivery, whether or not the recipient signs a
19 receipt for the original notice. In computing the time for
20 completion of service, the first day shall be excluded and the
21 final day shall be included regardless of whether the fourth
22 day is a Saturday, Sunday, or federal holiday.

DIVISION XI
ABANDONED MOBILE HOMES

25 Sec. 20. Section 555B.3, Code 2022, is amended to read as
26 follows:

27 555B.3 Action for abandonment — jurisdiction.

28 A real property owner not requesting notification by the

29 sheriff as provided in section 555B.2 may bring an action
30 alleging abandonment in the court within the county where the

31 real property is located ~~provided that there is no lien on~~
32 ~~the mobile home or personal property other than a tax lien~~
33 ~~pursuant to chapter 435.~~ The action shall be tried as an
34 equitable action. Unless commenced as a small claim, the
35 petition shall be presented to a district judge. Upon receipt

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1 of the petition, either the court or the clerk of the district
2 court shall set a date for a hearing not later than fourteen
3 days from the date of the receipt of the petition, except where
4 there is a lien on the mobile home or personal property other
5 than a tax lien, the court or the clerk of the district court
6 shall set a date for a hearing no sooner than twenty-five days
7 from the date of the receipt of the petition so as to allow for
8 service on the lienholder.

9 Sec. 21. Section 555B.4, Code 2022, is amended by adding the
10 following new subsections:

11 NEW SUBSECTION. 4. If a lien other than a tax lien exists
12 on the mobile home or personal property at the time an action
13 for abandonment is initiated, the personal service pursuant
14 to the Iowa rules of civil procedure shall be made upon the
15 lienholder no less than twenty days before the hearing. The
16 notice to the lienholder shall describe the mobile home and
17 shall state the docket, case number, date, and time at which
18 the hearing is scheduled, and the lienholder's right to assert
19 a claim to the mobile home at the hearing. The notice shall
20 state that failure to assert a claim to the mobile home within
21 the judicial proceedings is deemed a waiver of all rights,
22 title, claims, and interest in the mobile home and deemed to
23 be consent to the sale or disposal of the mobile home. If
24 personal service cannot be completed in time to give the
25 lienholder the minimum notice required by this subsection, the
26 court may set a new hearing date.

27 NEW SUBSECTION. 5. In the event a tenant who was sole owner
28 of a mobile home dies during the term of the rental agreement
29 resulting in the mobile home being abandoned, service shall be
30 made in accordance with section 562B.10, subsection 7.

31 Sec. 22. Section 555B.8, subsections 2 and 3, Code 2022, are
32 amended to read as follows:

33 2. If Except as otherwise ordered by the court, if the
34 mobile home owner or other claimant asserts a claim to the
35 property, the judgment shall be satisfied before the mobile

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1 home owner or other claimant may take possession of the mobile
2 home or personal property.
3 3. If no claim is asserted to the mobile home or personal
4 property or if the judgment is not satisfied at the time of
5 entry, an order shall be entered allowing the real property
6 owner to sell or otherwise dispose of the mobile home and

7 personal property pursuant to section 555B.9. If Except as
8 otherwise ordered by the court, if a claimant satisfies the
9 judgment at the time of entry, the court shall enter an order
10 permitting and directing the claimant to remove the mobile home
11 or personal property from its location within a reasonable time
12 to be fixed by the court. The court shall also determine the
13 amount of further rent or storage charges to be paid by the
14 claimant to the real property owner at the time of removal.

15 Sec. 23. Section 555B.9, subsections 1, 2, and 4, Code 2022,
16 are amended to read as follows:

17 1. Pursuant to an order for disposal under section 555B.8,
18 subsection 3, the real property owner shall dispose of the
19 mobile home and personal property by public or private sale in
20 a commercially reasonable manner. If the personal property
21 owner, lienholder, or other claimant has asserted a claim
22 to the mobile home or personal property within the judicial
23 proceedings, that person shall be notified of the sale by
24 restricted certified mail not less than five days before the
25 sale. The notice is deemed given upon the mailing. The real
26 property owner may buy at any public sale, and if the mobile
27 home or personal property is of a type customarily sold in
28 a recognized market or is the subject of widely distributed
29 standard price quotations, the real property owner may buy at a
30 private sale.

31 2. A sale pursuant to subsection 1 transfers to the
32 purchaser for value, all of the mobile home owner's rights
33 in the mobile home and personal property, and discharges the
34 real property owner's interest in the mobile home and personal
35 property, and any tax lien, and any other lien. The purchaser

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1 takes free of all rights and interests even though the real
2 property owner fails to comply with the requirements of this
3 chapter or of any judicial proceedings, if the purchaser acts
4 in good faith.

5 4. Notwithstanding subsections 1 through 3, the real
6 property owner may propose to retain the mobile home and
7 personal property in satisfaction of the judgment obtained
8 pursuant to section 555B.8. Written notice of the proposal
9 shall be sent to the mobile home owner, lienholder, or other
10 claimant, if that person has asserted a claim to the mobile
11 home or personal property in the judicial proceedings. If
12 the real property owner receives objection in writing from
13 the mobile home owner, lienholder, or other claimant within
14 twenty-one days after the notice was sent, the real property
15 owner shall dispose of the mobile home and personal property
16 pursuant to subsection 1. If no written objection is received
17 by the real property owner within twenty-one days after the
18 notice was sent, the mobile home and personal property may be
19 retained. Retention of the mobile home and personal property
20 discharges the judgment of the real property owner, and any tax

21 lien, and any other lien.

22 Sec. 24. Section 555B.9, subsection 3, Code 2022, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *0c.* Third, to satisfy any other lien
25 for which a claim was asserted pursuant to section 555B.4,
26 subsection 4.

27 Sec. 25. Section 562B.10, subsection 7, Code 2022, is
28 amended to read as follows:

29 7. *a.* If a tenant who was sole owner of a mobile home dies
30 during the term of a rental agreement then that person's heirs
31 at law or legal the personal representative of the decedent's
32 estate, or the landlord shall have the right to cancel the
33 tenant's lease by giving sixty days' written notice to the
34 person's heirs at law or legal the personal representative
35 of the decedent's estate, or to the landlord, whichever

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1 is appropriate, and the heirs at law or the legal personal
2 representative of the decedent's estate, shall have the same
3 rights, privileges and liabilities of the original tenant,
4 provided that such heirs at law and personal representative
5 of the estate shall not have the right to occupy or otherwise
6 use the home or mobile home space as a tenant unless approved
7 by the landlord as a tenant. In the event the landlord,
8 after such a written notice is given and the tenant's lease
9 is canceled, brings an action for forcible entry and detainer
10 or action for abandonment, the estate of the tenant and the
11 person's located heirs at law or personal representative shall
12 be named as defendants in the action. The landlord may serve
13 notice upon such defendants pursuant to the method set forth
14 in section 562B.27A, subsection 1, paragraph "c", or by mailing
15 notice by both regular mail and certified mail, as defined in
16 section 618.15, to the defendant's last known address.

17 *b.* (1) If a tenant who was sole owner of a mobile home dies
18 during the term of a rental agreement resulting in the mobile
19 home being abandoned as provided in section 562B.27, subsection
20 1, and the landlord cannot, despite due diligence, locate such
21 a tenant's heirs at law or personal representative, then the
22 landlord may bring an action for abandonment as provided in
23 section 555B.3, naming as defendants the estate of the tenant
24 and all unknown heirs at law of the tenant, and, upon the
25 landlord's filing of an affidavit that personal service cannot
26 be had on any heirs at law, personal representative, or estate
27 of the tenant, the court shall permit original notice of such
28 action to be served by publication pursuant to subparagraph
29 (2).

30 (2) Publication of original notice shall be made once each
31 week for three consecutive weeks in a newspaper of general
32 circulation published in the county where the petition is

33 filed, pursuant to the Iowa rules of civil procedure. Service
34 is complete after the third consecutive weekly publication.
35 (3) In the event any tax lien or other liens exist on

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1 the mobile home, the landlord may proceed with an action for
2 abandonment as provided in section 555B.3, except that the
3 notice shall be provided to the county treasurer as provided
4 in section 555B.4, subsection 3, if a tax lien exists, and
5 personal service pursuant to the Iowa rules of civil procedure
6 shall be made upon any lienholder no less than twenty days
7 before the hearing. Any notice to a lienholder shall state
8 that failure to assert a claim to the mobile home is deemed a
9 waiver of all rights, title, claims, and interest in the mobile
10 home and is deemed consent to the sale or disposal of the
11 mobile home. If personal service upon the lienholder cannot
12 be completed in time to give the lienholder the minimum notice
13 required by this subsection, the court may set a new hearing
14 date.>

15 2. Title page, lines 5 and 6, by striking <the repeal of the
16 manufactured home community and mobile home tax,> and inserting
17 <regulation by counties and cities of continuing nonconforming
18 uses of manufactured, modular, and mobile homes,>

AMY SINCLAIR

S-5132

1 Amend Senate File 2240 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 633.301, Code 2022, is amended to read
5 as follows:
6 **633.301 Copy of will for executor.**
7 When Upon request by the executor, when a will has been
8 admitted to probate and certified pursuant to section 633.300,
9 the clerk shall cause a certified copy thereof to be placed
10 in the hands of the executor to whom letters are issued. The
11 clerk shall retain the will in a separate file provided for
12 that purpose until the time for contest has expired, and
13 promptly thereafter shall place it with the files of the
14 estate.>
15 2. Title page, by striking lines 1 through 3 and inserting
16 <An Act relating to the provision of certified copies of
17 wills.>

JULIAN B. GARRETT

S-5133

1 Amend House File 2078, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. Section 633.279, Code 2022, is amended by adding
6 the following new subsections:

7 NEW SUBSECTION. 3. *Electronic presence requirements.* For
8 electronic presence, the testator must provide verbal answers
9 to all of the following questions, asked in substantially the
10 following manner before signing:

11 a. Are you currently married? If so, please state the name
12 of your spouse.

13 b. Please state the names of anyone who assisted you in
14 accessing the video conference today.

15 c. Please state the names of anyone who assisted you in
16 preparing or reviewing the documents you are signing today.

17 d. Where are you currently located?

18 e. Who is in the room with you?

19 NEW SUBSECTION. 4. *Retention of remote execution record.* A
20 will for which a communication technology was used must
21 be video recorded. The attorney for the testator using
22 communication technology for the signing of a will, or other
23 party facilitating the remote signing of a will if the testator
24 has no attorney, shall retain the video recording, or cause the
25 video recording to be retained by a repository designated by or
26 on behalf of the person required to retain the video recording.
27 Unless the testator dies sooner or terminates the relationship
28 with the attorney or other person required to retain the
29 record, the video recording must be retained for a period of at
30 least ten years after the video recording is made.

31 NEW SUBSECTION. 5. *Execution of remote will in
32 counterparts.* When a will is executed using a communication
33 technology under this section, the original document may
34 be executed in one or more counterparts by parties located
35 in different locations, and all such counterparts may be

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1 aggregated to comprise the complete will of the testator.

2 NEW SUBSECTION. 6. *Remote wills under disaster proclamation
3 deemed to satisfy this section.* Any wills executed using the
4 remote signing procedures permitted under the proclamation of
5 disaster emergency of the governor issued March 22, 2020, shall
6 be deemed to satisfy the presence requirements of this section
7 if the will was executed during the effective dates of the
8 proclamation of disaster emergency.

9 NEW SUBSECTION. 7. *Definition.* For purposes for this
10 section, "presence" means any manner, physical or electronic,
11 in which the witnesses and testator can see and hear the acts
12 of each other in real time using a communication technology

13 that meets the requirements of section 9B.14A, subsection 1,
14 paragraph "a".

15 Sec. 2. Section 633.301, Code 2022, is amended to read as
16 follows:

17 **633.301 Copy of will for executor.**

18 When Upon request by the executor, when a will has been
19 admitted to probate and certified pursuant to section 633.300,
20 the clerk shall cause a certified copy thereof to be placed
21 in the hands of the executor to whom letters are issued. The
22 clerk shall retain the will in a separate file provided for
23 that purpose until the time for contest has expired, and
24 promptly thereafter shall place it with the files of the
25 estate.>

26 2. Title page, by striking line 1 and inserting <An Act
27 relating to wills, including witness requirements for the
28 execution of a will and procedure for wills to be admitted into
29 probate.>

JULIAN B. GARRETT

S-5134

1 Amend House File 2562, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. Section 562A.9, subsection 4, Code 2022, is
6 amended to read as follows:

7 4. For rental agreements in which the rent does not exceed
8 seven hundred dollars per month, a rental agreement shall not
9 provide for a late fee that exceeds twelve dollars per day or a
10 total amount of sixty dollars per month. For rental agreements
11 in which the rent is greater than seven hundred dollars per
12 month but less than one thousand four hundred dollars per
13 month, a rental agreement shall not provide for a late fee that
14 exceeds twenty dollars per day or a total amount of one hundred
15 dollars per month. For rental agreements in which the rent is
16 at least one thousand four hundred dollars per month, a rental
17 agreement shall not provide for a late fee that exceeds two
18 percent of the rent per day or a total amount of ten percent of
19 the rent per month.

20 Sec. 2. Section 562B.10, subsections 4 and 5, Code 2022, are
21 amended to read as follows:

22 4. For rental agreements in which the rent does not exceed
23 seven hundred dollars per month, a rental agreement shall not
24 provide for a late fee that exceeds twelve dollars per day or a
25 total amount of sixty dollars per month. For rental agreements
26 in which the rent is greater than seven hundred dollars per
27 month but less than one thousand four hundred dollars per
28 month, a rental agreement shall not provide for a late fee that
29 exceeds twenty dollars per day or a total amount of one hundred
30 dollars per month. For rental agreements in which the rent is

31 at least one thousand four hundred dollars per month, a rental
32 agreement shall not provide for a late fee that exceeds two
33 percent of the rent per day or a total amount of ten percent of
34 the rent per month.

35 5. a. Rental agreements shall be for a term of one year

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1 unless otherwise specified in the rental agreement. Rental
2 agreements shall be canceled by at least sixty days' written
3 notice given by either party. A notice to cancel under this
4 subsection initiated by a landlord shall be for good cause. A
5 landlord shall not cancel a rental agreement solely for the
6 purpose of making the tenant's mobile home space available for
7 another mobile home.

8 b. For purposes of this subsection, "good cause" means a
9 violation of this chapter by the tenant, a material violation
10 of the manufactured home community or mobile home park rules
11 or regulations, a change in the use of the land on which the
12 mobile home park is located, or material noncompliance with the
13 rental agreement by the tenant.

14 Sec. 3. **NEW SECTION. 562B.12A Increasing rent.**

15 A landlord shall not increase the rent on any tenant in a
16 mobile home park unless the landlord has provided notice at
17 least one hundred eighty days in advance of the rent increase.

18 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
19 importance, takes effect upon enactment.>

20 2. Title page, by striking lines 1 through 9 and inserting
21 <An Act providing for remedies, procedures, and requirements
22 applicable to landlords under specified circumstances and
23 including effective date provisions.>

ZACH WAHLS

S-5135

1 Amend House File 2562, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 2, by striking lines 28 through 30 and inserting
4 <provider, in which case the landlord shall provide notice to
5 the tenant within five business days of receiving the notice
6 from the utility provider.>

HERMAN C. QUIRMBACH

S-5136

1 Amend House File 2562, as amended, passed, and reprinted by
2 the House, as follows:
3 1. By striking page 1, line 31, through page 2, line 1, and
4 inserting:
5 <5. Rental agreements shall be for a term of one year

6 unless otherwise specified in the rental agreement a tenant in
7 writing requests a shorter term or tenant and landlord agree in
8 writing to a longer term. Rental agreements shall be canceled
9 terminated by at least sixty ninety days' written notice given
10 by either party before the term is due to expire. A landlord
11 shall not cancel a rental agreement solely for the purpose of
12 making the tenant's mobile home space available for another
13 mobile home.>

HERMAN C. QUIRMBACH

S-5137

1 Amend House File 2562, 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 GROUNDS FOR TERMINATION OF TENANCY

7 Section 1. Section 562B.10, Code 2022, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 4A. A landlord may only terminate a tenancy
10 if the tenant engages in any of the following or for any of the
11 following reasons:

12 a. A material noncompliance with the rental agreement.
13 b. A material violation of the manufactured home community
14 or mobile home park rules or regulations.

15 c. Any other violation of this chapter for which termination
16 is a remedy.

17 d. A legitimate and material business reason the impact of
18 which is not specific to one tenant.

19 e. A change in the use of the land if change in the use of
20 the land is included in the rental agreement as grounds for
21 termination or nonrenewal.

22 Sec. 2. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

24 Sec. 3. APPLICABILITY. This division of this Act applies
25 to terminations of tenancies on or after the effective date of
26 this division of this Act.

27 DIVISION II

28 RETALIATION

29 Sec. 4. Section 562B.32, subsection 1, paragraph d, Code
30 2022, is amended to read as follows:

31 d. For exercising any of the rights and remedies pursuant
32 to this chapter or chapter 216.

33 Sec. 5. Section 562B.32, subsection 2, Code 2022, is amended
34 to read as follows:

35 2. If the landlord acts in violation of subsection 1

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1 of this section, the tenant is entitled to the remedies
2 provided in section 562B.24 and has a defense in an action for
3 possession. In an action by or against the tenant, evidence
4 of a complaint within ~~six months~~ one year prior to the alleged
5 act of retaliation creates a presumption that the landlord's
6 conduct was in retaliation. The presumption does not arise
7 if the tenant made the complaint after notice of termination
8 of the rental agreement. For the purpose of this subsection,
9 "*presumption*" means that the trier of fact must find the
10 existence of the fact presumed unless and until evidence is
11 introduced which would support a finding of its nonexistence.
12 Sec. 6. EFFECTIVE DATE. This division of this Act, being
13 deemed of immediate importance, takes effect upon enactment.

14 DIVISION III
15 CONSUMER FRAUD

16 Sec. 7. Section 562B.4, Code 2022, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 3. A violation of this chapter by a
19 landlord, or an agent of the landlord, is an unlawful practice
20 under section 714.16.

21 Sec. 8. Section 714.16, subsection 2, Code 2022, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. q. It is an unlawful practice for a landlord
24 or the landlord's agent to violate any of the provisions of
25 chapter 562B.

26 Sec. 9. EFFECTIVE DATE. This division of this Act, being
27 deemed of immediate importance, takes effect upon enactment.

28 Sec. 10. APPLICABILITY. This division of this Act applies
29 to violations of chapter 562B occurring on or after the
30 effective date of this division of this Act.

31 DIVISION IV
32 RENT INCREASES

33 Sec. 11. Section 562B.14, subsection 7, Code 2022, is
34 amended by striking the subsection and inserting in lieu
35 thereof the following:

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1 7. a. A landlord shall not increase the amount of rent due
2 by any tenant in a manufactured home community or mobile home
3 park unless the tenant is notified, in writing, of the rent
4 increase at least one hundred eighty days before the effective
5 date of the rent increase. The effective date of any increase
6 in the amount of rent shall not be less than one year after
7 either the effective date of the most recent rent increase or
8 the beginning of the tenancy, whichever is later.
9 b. (1) Subject to paragraph "a", a landlord may increase
10 the amount of rent due by any tenant in an amount greater than
11 the average annual increase of the consumer price index for all
12 urban consumers in the midwest region for the most recently

13 available preceding thirty-six-month period, if the landlord
14 demonstrates the increase is justified for all of the following
15 conditions:

16 (a) The landlord, during the preceding twelve-month period,
17 has not been found in violation of any provision of this
18 chapter that threatens the health or safety of the tenants of
19 or visitors to the manufactured home community or mobile home
20 park that persists for more than fifteen days, beginning on the
21 day the landlord received notice of such violation.

22 (b) The proposed rent increase is directly related to
23 operating, maintaining, or improving the manufactured home
24 community or mobile home park, and is justified by one or more
25 of the following factors:

26 (i) The completion and cost of any capital improvements or
27 repair work in the manufactured home community or mobile home
28 park, as distinguished from ordinary repair, replacement, and
29 maintenance.

30 (ii) An increase in property taxes due on the manufactured
31 home community or mobile home park.

32 (iii) If the landlord is responsible for payment of one
33 or more utilities, an increase in utility expenses within the
34 manufactured home community or mobile home park.

35 (iv) An increase in insurance costs and financing

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1 associated with the manufactured home community or mobile home
2 park.

3 (v) An increase in reasonable operating and maintenance
4 expenses relating to the manufactured home community or mobile
5 home park.

6 (vi) An increase in market rent. For purposes of this
7 section, "*market rent*" means that rent which would result from
8 market forces absent an unequal bargaining position between the
9 landlord and tenants. In determining market rent, relevant
10 considerations include rents charged to recent new tenants of
11 the manufactured home community or mobile home park or rents
12 charged by comparable manufactured home communities or mobile
13 home parks. To be comparable, a manufactured home community or
14 mobile home park must be within the competitive area and must
15 offer similar facilities, services, amenities, and management.

16 (c) The department of revenue shall monitor the consumer
17 price index for all urban consumers in the midwest region and
18 report the relevant data to the consumer protection division of
19 the office of the attorney general for periodic publication.

20 c. The written notice of a rent increase provided to the
21 tenant shall include the specific reasons for the increase
22 including the justification under paragraph "b", if applicable.

23 d. A decrease in the number or quality of amenities,
24 services, or utilities provided under the rental agreement
25 without a corresponding and proportionate reduction in rent
26 shall be considered a rent increase for the purposes of this

27 chapter.

28 Sec. 12. EFFECTIVE DATE. This division of this Act, being
29 deemed of immediate importance, takes effect upon enactment.

30 Sec. 13. APPLICABILITY. The following applies to rent
31 increases under chapter 562B occurring on or after the
32 effective date of this division of this Act:

33 Section 562B.14, subsection 7, paragraphs "a" and "d", as
34 enacted in this division of this Act.

35 Sec. 14. APPLICABILITY. The following applies to rent

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1 increases under chapter 562B occurring on or after July 1,
2 2022:
3 Section 562B.14, subsection 7, paragraphs "b" and "c", as
4 enacted in this division of this Act.

5 DIVISION V

6 LANDLORD REMEDIES AND PROCEDURES

7 Sec. 15. Section 555B.3, Code 2022, is amended to read as
8 follows:

9 **555B.3 Action for abandonment — jurisdiction.**
10 A real property owner not requesting notification by the
11 sheriff as provided in section 555B.2 may bring an action
12 alleging abandonment in the court within the county where the
13 real property is located ~~provided that there is no lien on~~
~~the mobile home or personal property other than a tax lien~~
~~pursuant to chapter 435.~~ The action shall be tried as an
16 equitable action. Unless commenced as a small claim, the
17 petition shall be presented to a district judge. Upon receipt
18 of the petition, either the court or the clerk of the district
19 court shall set a date for a hearing not later than fourteen
20 days from the date of the receipt of the petition, ~~except when~~
~~there is a lien on the mobile home or personal property, other~~
~~than a tax lien, the court or the clerk of the district court~~
~~shall set a date for a hearing no sooner than twenty-five days~~
~~from the date of the receipt of the petition so as to allow for~~
~~service on the lienholder.~~

26 Sec. 16. Section 555B.4, Code 2022, is amended by adding the
27 following new subsection:

28 **NEW SUBSECTION.** 4. If a lien, other than a tax lien, exists
29 on the mobile home or personal property at the time an action
30 for abandonment is initiated, personal service pursuant to rule
31 of civil procedure 1.305 shall be made upon the lienholder
32 no less than twenty days before the hearing. The notice to
33 the lienholder shall describe the mobile home and shall state
34 the docket, case number, date, time at which the hearing is
35 scheduled, and the lienholder's right to assert a claim to

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1 the mobile home at the hearing. The notice shall also state
2 that failure to assert a claim to the mobile home within the

3 judicial proceedings is deemed a waiver of all right, title,
4 claim, and interest in the mobile home and is deemed consent to
5 the sale or disposal of the mobile home. If personal service
6 upon the lienholder cannot be completed in time to give the
7 lienholder the minimum notice required by this section, the
8 court may set a new hearing date.

9 Sec. 17. Section 555B.8, subsections 2 and 3, Code 2022, are
10 amended to read as follows:

11 2. ~~If Except as otherwise ordered by the court, if the~~ mobile home owner or other claimant asserts a claim to the
12 property, the judgment shall be satisfied before the mobile
13 home owner or other claimant may take possession of the mobile
14 home or personal property.

15 3. If no claim is asserted to the mobile home or personal
16 property or if the judgment is not satisfied at the time of
17 entry, an order shall be entered allowing the real property
18 owner to sell or otherwise dispose of the mobile home and
19 personal property pursuant to section 555B.9. ~~If Except as~~
20 ~~otherwise ordered by the court, if a claimant satisfies the~~ judgment at the time of entry, the court shall enter an order
21 permitting and directing the claimant to remove the mobile home
22 or personal property from its location within a reasonable time
23 to be fixed by the court. The court shall also determine the
24 amount of further rent or storage charges to be paid by the
25 claimant to the real property owner at the time of removal.

26 Sec. 18. Section 555B.9, subsections 1, 2, 3, and 4, Code
27 2022, are amended to read as follows:

28 1. Pursuant to an order for disposal under section 555B.8,
29 subsection 3, the real property owner shall dispose of the
30 mobile home and personal property by public or private sale in
31 a commercially reasonable manner. If the personal property,
32 lienholder, owner, or other claimant has asserted a claim
33 to the mobile home or personal property within the judicial

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1 proceedings, that person shall be notified of the sale by
2 restricted certified mail not less than five days before the
3 sale. The notice is deemed given upon the mailing. The real
4 property owner may buy at any public sale, and if the mobile
5 home or personal property is of a type customarily sold in
6 a recognized market or is the subject of widely distributed
7 standard price quotations, the real property owner may buy at a
8 private sale.

9 2. A sale pursuant to subsection 1 transfers to the
10 purchaser for value, all of the mobile home owner's rights
11 in the mobile home and personal property, and discharges the
12 real property owner's interest in the mobile home and personal
13 property, and any tax lien, and any other lien. The purchaser
14 takes free of all rights and interests even though the real
15 property owner fails to comply with the requirements of this
16 chapter or of any judicial proceedings, if the purchaser acts

17 in good faith.

18 3. The proceeds of the sale of mobile home and personal
19 property shall be distributed as follows:

20 a. First, to satisfy the real property owner's judgment
21 obtained under section 555B.8.

22 b. Second, to satisfy any tax lien for which a claim was
23 asserted pursuant to section 555B.4, subsection 3.

24 c. Third, to satisfy any other lien for which a claim was
25 asserted pursuant to section 555B.4, subsection 4.

26 c. Any surplus remaining after the proceeds are distributed
27 shall be held by the real property owner for six months. If
28 the mobile home owner fails to claim the surplus in that time,
29 the surplus may be retained by the real property owner. If
30 a deficiency remains after distribution of the proceeds, the
31 mobile home owner is liable for the amount of the deficiency.

32 d. Notwithstanding subsections 1 through 3, the real
33 property owner may propose to retain the mobile home and
34 personal property in satisfaction of the judgment obtained
35 pursuant to section 555B.8. Written notice of the proposal

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1 shall be sent to the mobile home owner, lienholder, or other
2 claimant, if that person has asserted a claim to the mobile
3 home or personal property in the judicial proceedings. If
4 the real property owner receives objection in writing from
5 the mobile home owner, lienholder, or other claimant within
6 twenty-one days after the notice was sent, the real property
7 owner shall dispose of the mobile home and personal property
8 pursuant to subsection 1. If no written objection is received
9 by the real property owner within twenty-one days after the
10 notice was sent, the mobile home and personal property may be
11 retained. Retention of the mobile home and personal property
12 discharges the judgment of the real property owner, and any tax
13 lien, and any other lien.

14 Sec. 19. Section 562A.9, subsection 4, Code 2022, is amended
15 to read as follows:

16 4. For rental agreements in which the rent does not exceed
17 seven hundred dollars per month, a rental agreement shall not
18 provide for a late fee that exceeds twelve dollars per day or a
19 total amount of sixty dollars per month. For rental agreements
20 in which the rent is greater than seven hundred dollars per
21 month but less than one thousand four hundred dollars per
month, a rental agreement shall not provide for a late fee that
23 exceeds twenty dollars per day or a total amount of one hundred
24 dollars per month. For rental agreements in which the rent is
at least one thousand four hundred dollars per month, a rental
agreement shall not provide for a late fee that exceeds two
percent of the rent per day or a total amount of ten percent of
the rent per month.

25 Sec. 20. Section 562B.10, subsections 4 and 7, Code 2022,
26 are amended to read as follows:

31 4. For rental agreements in which the rent does not exceed
32 seven hundred dollars per month, a rental agreement shall not
33 provide for a late fee that exceeds twelve dollars per day or a
34 total amount of sixty dollars per month. For rental agreements
35 in which the rent is greater than seven hundred dollars per

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1 month but less than one thousand four hundred dollars per
2 month, a rental agreement shall not provide for a late fee that
3 exceeds twenty dollars per day or a total amount of one hundred
4 dollars per month. For rental agreements in which the rent is
5 at least one thousand four hundred dollars per month, a rental
6 agreement shall not provide for a late fee that exceeds two
7 percent of the rent per day or a total amount of ten percent of
8 the rent per month.

9 7. a. If a tenant who was sole owner of a mobile home dies
10 during the term of a rental agreement then that person's heirs
11 or legal representative or the landlord shall have the right
12 to cancel the tenant's lease by giving sixty days' written
13 notice to the person's heirs or legal representative or to
14 the landlord, whichever is appropriate, and the heirs or the
15 legal representative shall have the same rights, privileges and
16 liabilities of the original tenant.

17 b. (1) If a tenant who was sole owner of a mobile home dies
18 during the term of a rental agreement resulting in the mobile
19 home being abandoned as provided in section 562B.27, subsection
20 1, and the landlord cannot, despite due diligence, locate such
21 tenant's heirs or legal representatives, then the landlord may
22 bring an action for abandonment as provided in section 555B.3,
23 naming as defendants the estate of the tenant and any and all
24 unknown heirs of the tenant and, upon the landlord's filing
25 of an affidavit that personal service cannot be had on any
26 heir, legal representative, or estate of the tenant, the court
27 shall permit original notice of such action to be served by
28 publication pursuant to subparagraph (2) of this paragraph.

29 (2) Publication of the original notice shall be made
30 once each week for three consecutive weeks in a newspaper of
31 general circulation published in the county where the petition
32 is filed, as provided in rules of civil procedure 1.313 and
33 1.314. Service is complete after the third consecutive weekly
34 publication.

35 (3) In the event any tax lien or other lien exists on

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1 the mobile home, the landlord may proceed with an action for
2 abandonment as provided in section 555B.3, except that:
3 (a) Notice shall be provided to the county treasurer as
4 provided in section 555B.4, subsection 3, if a tax lien exists.
5 (b) Personal service pursuant to rule of civil procedure
6 1.305 shall be made upon any lienholder no less than twenty

7 days before the hearing.

8 (4) Any notice to a lienholder shall state that failure
9 to assert a claim to the mobile home is deemed a waiver of
10 all right, title, claim, and interest in the mobile home and
11 is deemed consent to the sale or disposal of the mobile home.
12 If personal service upon the lienholder cannot be completed
13 in time to give the lienholder the minimum notice required by
14 subparagraph (3), the court may set a new hearing date.

15 Sec. 21. Section 648.5, subsection 1, Code 2022, is amended
16 to read as follows:

17 1. An action for forcible entry and detainer shall be
18 brought in a county where all or part of the premises is
19 located. Such an action shall be tried as an equitable action.
20 Upon receipt of the petition, the court shall set a date,
21 time, and place for hearing. The court shall set the date
22 of hearing no later than eight days from the filing date,
23 except that the court shall set a later hearing date no later
24 than fifteen days from the date of filing if the plaintiff
25 requests or consents to the later date of hearing. The
26 requirement regarding the setting of the initial hearing is not
27 a jurisdictional requirement and does not affect the court's
28 subject matter jurisdiction to hear the action for forcible
29 entry and detainer.

DIVISION VI

MANUFACTURED HOUSING PROGRAM FUND

32 Sec. 22. Section 16.45, subsection 1, Code 2022, is amended
33 to read as follows:

34 1. A manufactured housing program fund is created within
35 the authority to further the goal of providing affordable

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1 housing to Iowans. The moneys in the fund are to be used for
2 the purpose of providing funding to financial institutions or
3 other lenders to finance the purchase by an individual of a
4 manufactured home that is in compliance with all laws, rules,
5 and standards that are applicable to manufactured homes and
6 manufactured housing. The manufactured housing program fund
7 is designed exclusively for manufactured homes sited on leased
8 land.

DIVISION VII

TENANT COUNTERCLAIM FOR LANDLORD NONCOMPLIANCE

11 Sec. 23. Section 562B.25, Code 2022, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 5. a. In an action for possession based
14 upon nonpayment of the rent or in an action for rent where the
15 tenant is in possession, the tenant may counterclaim for an
16 amount which the tenant may recover under the rental agreement
17 or this chapter. In that event, the court from time to time
18 may order the tenant to pay into court all or part of the rent
19 accrued and thereafter accruing, and shall determine the amount
20 due to each party. The party to whom a net amount is owed

21 shall be paid first from the money paid into court, and the
22 balance by the other party. If rent does not remain due after
23 application of this section, judgment shall be entered for
24 the tenant in the action for possession. If the defense or
25 counterclaim by the tenant is without merit and is not raised
26 in good faith, the landlord may recover reasonable attorney
27 fees.

28 b. In an action for rent where the tenant is not in
29 possession, the tenant may counterclaim as provided in
30 paragraph "a", but the tenant is not required to pay any rent
31 into court.

32 Sec. 24. EFFECTIVE DATE. This division of this Act, being
33 deemed of immediate importance, takes effect upon enactment.

34 Sec. 25. APPLICABILITY. This division of this Act applies
35 to actions for possession filed on or after the effective date

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1 of this division of this Act.

DIVISION VIII UTILITY CHARGES

4 Sec. 26. Section 562B.14, subsection 6, Code 2022, is
5 amended to read as follows:

6 6. The landlord or any person authorized to enter into
7 a rental agreement on the landlord's behalf shall provide
8 a written explanation of utility rates, fees, charges, and
9 services, subject to section 562B.16, subsection 3, to the
10 prospective tenant before the rental agreement is signed unless
11 the utility charges are paid by the tenant directly to the
12 utility company.

13 Sec. 27. Section 562B.16, Code 2022, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 3. A landlord that is responsible for
16 payment of utilities being provided to the tenant shall not
17 charge to the tenant an amount in excess of the actual cost of
18 the utility and as specified in writing under section 562B.14,
19 subsection 6. In addition to the actual cost of the utility,
20 a landlord that is responsible for the payment of one or more
21 utilities being provided to the tenant may impose a monthly
22 utility administration fee to each tenant not to exceed five
23 dollars per month. The amount of the utility administration
24 fee shall not exceed five dollars per month regardless of the
25 number of utilities being provided or the actual cost of the
26 utilities being provided.

27 Sec. 28. Section 562B.25, Code 2022, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 2A. The failure of a tenant to pay utility
30 charges that exceed the actual cost of the utility provided
31 as required by section 562B.16, subsection 3, shall not be
32 considered noncompliance with the rental agreement.

33 Sec. 29. Section 714H.3, subsection 2, Code 2022, is amended
34 by adding the following new paragraph:
35 **NEW PARAGRAPH. h.** Section 562B.16, subsection 3.

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DIVISION IX

UNLAWFUL OUSTER

3 Sec. 30. Section 562B.24, Code 2022, is amended to read as
4 follows:

5 562B.24 Tenant's remedies for landlord's unlawful ouster, 6 exclusion or diminution of services.

If the landlord unlawfully removes or excludes the tenant from the manufactured home community or mobile home park or willfully diminishes services to the tenant by interrupting or causing the interruption of electric, gas, water or other essential service to the tenant, the tenant may recover possession, require the restoration of essential services or terminate the rental agreement and, in either case, recover an amount not to exceed two months' periodic rent, ~~and~~ twice the actual damages sustained by the tenant, and reasonable attorney fees. If the rental agreement is terminated, the landlord shall return all prepaid rent and security.

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

19 declined or immediate importance, takes effect upon enactment.
20 See. 32. **APPLICABILITY.** This division of this Act applies
21 to actions under section 562B.24 filed on or after the
22 effective date of this division of this Act.

DIVISION X

23 DIVISION A
24 WRONGFUL FAILURE TO PROVIDE ESSENTIAL SERVICES
25 Sec. 33. NEW SECTION. 562B.23A Wrongful failure to suppl
26 running water or essential services.

18 running water or essential services.

19 1. If contrary to the rental agreement or section 562B.16

20 the landlord deliberately or negligently fails to supply

21 running water or other essential services, the tenant may give

22 written notice to the landlord specifying the breach and may

23 do one of the following:

32 a. Procure reasonable amounts of water or other essential
33 services during the period of the landlord's noncompliance and
34 deduct the actual and reasonable cost from the rent.

35 b. Recover damages based upon the diminution in the fair

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- 1 market value of the mobile home or mobile home space.
 - 2 c. Recover any rent already paid for the period of the
 - 3 landlord's noncompliance which shall be reimbursed on a pro
 - 4 rata basis.
 - 5 2. If the tenant proceeds under this section, the tenant may
 - 6 not proceed under section 562B.22 as to that breach.
 - 7 3. The rights under this section do not arise until the
 - 8 tenant has given notice to the landlord or if the condition was

9 caused by the deliberate or negligent act or omission of the
10 tenant, a member of the tenant's family, or other person on the
11 premises with the consent of the tenant.

12 Sec. 34. EFFECTIVE DATE. This division of this Act, being
13 deemed of immediate importance, takes effect upon enactment.

14 Sec. 35. APPLICABILITY. This division of this Act applies
15 to actions under section 562B.23A filed on or after the
16 effective date of this division of this Act.

17 DIVISION XI

18 TENANT CORRECTING DEFICIENCIES

19 Sec. 36. Section 562B.25, Code 2022, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 4A. In any action by a landlord for
22 possession based upon nonpayment of rent, proof by the tenant
23 of all of the following shall be a defense to any action or
24 claim for possession by the landlord, and the amounts expended
25 by the tenant in correcting the deficiencies shall be deducted
26 from the amount claimed by the landlord as unpaid rent:

27 a. That the landlord failed to comply either with the rental
28 agreement or with section 562B.16.

29 b. That the tenant notified the landlord at least seven
30 days prior to the due date of the tenant's rent payment of the
31 tenant's intention to correct the condition constituting the
32 breach referred to in paragraph "a" at the landlord's expense.

33 c. That the reasonable cost of correcting the condition
34 constituting the breach is equal to or less than one month's
35 periodic rent.

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1 d. That the tenant in good faith caused the condition
2 constituting the breach to be corrected prior to receipt of
3 written notice of the landlord's intention to terminate the
4 rental agreement for nonpayment of rent.

5 Sec. 37. EFFECTIVE DATE. This division of this Act, being
6 deemed of immediate importance, takes effect upon enactment.

7 Sec. 38. APPLICABILITY. This division of this Act applies
8 to actions by a landlord for possession filed on or after the
9 effective date of this division of this Act.

10 DIVISION XII

11 DENIAL OF RENTAL OR REFUSAL OF SALE

12 Sec. 39. Section 562B.19, subsection 3, paragraphs a and c,
13 Code 2022, are amended to read as follows:

14 a. Deny rental unless the tenant or prospective tenant
15 cannot conform to manufactured home community or park rules
16 and regulations. A decision to deny rental shall conform
17 to recognized principles, rules, and standards generally
18 accepted by the professional manufactured home community or
19 park industry to ensure the commercially reasonable safety and
20 financial security of comparable manufactured home communities
21 or mobile home parks. A landlord shall deliver the decision
22 in writing to the tenant or prospective tenant as soon as

23 commercially feasible and shall provide the basis for a denial
24 in writing to the tenant or prospective tenant at the time of
25 the decision.
26 c. Deny any resident of a manufactured home community
27 or mobile home park the right to sell that person's mobile
28 home at a price of the person's own choosing, but may reserve
29 the right to approve the purchaser of such mobile home as
30 a tenant but such permission shall only be withheld for a
31 legitimate business reason within the recognized principles,
32 rules, and standards described in paragraph "a", and may not be
33 unreasonably withheld, provided however, that the landlord may,
34 in the event of a sale to a third party, in order to upgrade
35 the quality of the manufactured home community or mobile home

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1 park, require that any mobile home in a rundown condition or in
2 disrepair be removed from the manufactured home community or
3 park within sixty days. If the landlord refuses to approve the
4 purchaser of the mobile home as a tenant, a legitimate business
5 reason for the refusal shall be provided in writing to the
6 resident who is selling the mobile home.

DIVISION XIII

7 PROHIBITED RENTAL AGREEMENT PROVISION — HOME EQUIPMENT
8 Sec. 40. Section 562B.11, subsection 1, Code 2022, is
9 amended by adding the following new paragraph:
10 NEW PARAGRAPH. e. Agrees to modify the physical
11 characteristics or equipment of the mobile home, manufactured
12 home, or modular home if the modification impairs the ability
13 of the tenant to move the home from the mobile home space,
14 unless otherwise required by federal or state law or by local
15 ordinance.

DIVISION XIV

RENTAL AGREEMENT TERMS

16 Sec. 41. Section 562B.11, subsection 1, Code 2022, is
17 amended by adding the following new paragraphs:
18 NEW PARAGRAPH. f. Authorizes imposition of fines,
19 penalties, or fees solely as a punishment or in amounts in
20 excess of actual damages or costs incurred.
21 NEW PARAGRAPH. g. Authorizes a person to confess judgment
22 on a claim arising out of the rental agreement.

23 NEW PARAGRAPH. h. Authorizes prohibitions, limitations,
24 additional deposits, or other restrictive policies that are
25 not based on ordinary wear and tear expected to occur during a
tenancy or that are not based on community safety standards.

30 Sec. 42. Section 562B.11, subsection 3, Code 2022, is

31 amended to read as follows:

32 3. A provision prohibited by this section included in a
33 rental agreement is unenforceable. If a landlord ~~or tenant~~
34 knowingly and willfully uses a rental agreement containing
35 provisions known to be prohibited by this chapter, the ~~other~~

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1 party tenant may recover actual damages sustained by the tenant
2 and not more than three months' periodic rent and reasonable
3 attorney fees.

4 DIVISION XV

5 RENTAL DEPOSITS

6 Sec. 43. Section 562B.7, subsection 12, Code 2022, is
7 amended to read as follows:

8 12. "*Rental deposit*" means a deposit of money to secure
9 performance of a ~~mobile home space~~ rental agreement under this
10 chapter ~~other than a deposit which is exclusively in advance~~
11 ~~payment of rent.~~

12 Sec. 44. Section 562B.13, subsection 2, Code 2022, is
13 amended to read as follows:

14 2. All rental deposits shall be held by the landlord for
15 the tenant, who is a party to the agreement, in a bank, credit
16 union, or savings and loan association which is insured by an
17 agency of the federal government. Rental deposits shall not be
18 commingled with the personal funds of the landlord. All rental
19 deposits may be held in a trust account, which may be a common
20 trust account and which may be an interest-bearing account.
21 Any interest earned on a rental deposit during the first five
22 years of a tenancy shall be the property of the landlord.

23 Sec. 45. Section 562B.13, Code 2022, is amended by adding
24 the following new subsection:
25 NEW SUBSECTION. 9. The court may, in any action on a rental
26 agreement, award reasonable attorney fees to the prevailing
27 party.

28 DIVISION XVI

29 LANDLORD SALES

30 Sec. 46. NEW SECTION. 562B.17A Sale of mobile home by
31 landlord.

32 1. Any sale of a mobile home located in a manufactured
33 home community or mobile home park by a landlord or landlord's
34 agent shall be by written agreement and the landlord shall
35 produce and assign the current certificate of title obtained

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1 from the department of transportation. The agreement shall
2 state the basic terms of sale, including the total cost of
3 the mobile home, finance charges, annual percentage rate, and
4 the frequency and amount of each installment payment. Such
5 agreement shall comply with the finance charge rate limitation
6 in section 103A.58, subsection 1.

7 2. Any such sale that does not comply with this section
8 may be voided by the buyer and the buyer may recover damages
9 incurred, amounts paid as a rental deposit in excess of two
10 months' rent for the mobile home, and reasonable attorney fees.
11 3. A claim under subsection 2 may be combined with an action
12 under chapter 648.

13 Sec. 47. Section 648.19, subsection 1, Code 2022, is amended
14 to read as follows:

15 1. An action under this chapter shall not be filed in
16 connection with any other action, with the exception of a claim
17 for rent or recovery as provided in section 555B.3, 562A.24,
18 562A.32, 562B.17A, 562B.22, 562B.25, or 562B.27, nor shall it
19 be made the subject of counterclaim.

20 DIVISION XVII

21 NONJUDICIAL FORECLOSURE

22 Sec. 48. Section 654.18, Code 2022, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 5. Actions under this section initiated
25 on or after July 1, 2022, shall not be allowed for property
26 consisting of a mobile home as defined in section 562B.7.

27 Sec. 49. Section 655A.9, Code 2022, is amended to read as
28 follows:

29 **655A.9 Application of chapter.**

30 1. This chapter does not apply to real estate used for
31 an agricultural purpose as defined in section 535.13, or to
32 a one or two family dwelling which is, at the time of the
33 initiation of the foreclosure, occupied by a legal or equitable
34 titleholder.

35 2. Actions under this chapter initiated on or after July 1,

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1 2022, shall not be allowed for property consisting of a mobile
2 home as defined in section 562B.7.

3 Sec. 50. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.>

5 2. Title page, by striking lines 1 through 8 and inserting
6 <An Act relating to property law by modifying provisions
7 relating to rental properties, manufactured home communities,
8 mobile home parks, and manufactured mobile home communities,
9 modifying provisions governing actions relating to such
10 properties, making penalties applicable, and including
11 effective date and applicability provisions.>

ZACH WAHLS
SARAH TRONE GARRIOTT

S-5138

1 Amend House File 2507, as amended, passed, and reprinted by
2 the House, as follows:

- 3 1. Page 20, line 24, by striking <a>
- 4 2. Page 20, line 26, by striking <(1)> and inserting <a>
- 5 3. Page 20, line 28, by striking <(2)> and inserting
- 6 4. Page 20, line 30, by striking <(3)> and inserting <c>
- 7 5. Page 20, line 34, by striking <(a)> and inserting <(1)>
- 8 6. Page 21, line 1, by striking <(b)> and inserting <(2)>
- 9 7. Page 21, line 2, by striking <(c)> and inserting <(3)>

10 8. Page 21, line 4, by striking <(d)> and inserting <(4)>
11 9. Page 21, line 10, by striking <(e)> and inserting <(5)>
12 10. Page 21, line 12, by striking <(4)> and inserting <d.>
13 11. Page 21, line 12, after <physician> by inserting <, physician assistant,>
14 12. Page 21, lines 18 and 19, by striking <paragraph "a", subparagraph (2) or (3),> and inserting <paragraph "b" or "c",>
15 13. Page 22, lines 9 through 11, by striking <"a", subparagraph (3),> the court may identify a category listed in subsection 2, paragraph "a", subparagraph (3),> and inserting <"c",> the court may identify a category listed in subsection 2, paragraph "c",>
16 14. Page 22, lines 22 and 24, by striking <"a", subparagraph (3), subparagraph division (b), (c), (d), or (e),> and inserting <"c", subparagraph (2), (3), (4), or (5),>
17 15. Page 22, line 28, by striking <"a", subparagraph (2) or (3),> and inserting <"b" or "c",>
18 16. Page 23, lines 17 and 18, by striking <"a", subparagraph (2) or (3),> and inserting <"a" "b" or "c",>
19 17. Page 24, lines 12 and 13, by striking <"a", subparagraph (3), subparagraph division (b), (c), (d), or (e),> and inserting <"c", subparagraph (2), (3), (4), or (5),>
20 18. Page 24, line 21, by striking <"a",> and inserting <"c",>
21 19. Page 25, line 21, by striking <paragraph a,>
22 20. Page 25, line 22, by striking <paragraph> and inserting

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1 <subsection>
2 21. Page 25, line 24, before <a.> by inserting <1.>
3 22. Page 41, line 35, before <Contingent> by inserting <1.>
4 23. Page 41, line 35, by striking <these purposes,> and inserting <juvenile delinquent graduated sanctions services,>
5 24. Page 42, line 2, by striking <1.> and inserting <a.>
6 25. Page 42, line 6, by striking <2.> and inserting <b.>
7 26. Page 42, line 9, by striking <3.> and inserting <c.>
8 27. Page 42, line 14, by striking <4.> and inserting <d.>
9 28. Page 42, after line 16 by inserting:
10 <2. The supreme court shall prescribe rules to implement this section.>
11 29. Page 42, by striking lines 22 through 32 and inserting:
12 <1. a. Notwithstanding any other provision of law to the contrary, and subject to subsection 2, for the fiscal years beginning on or after July 1, 2020, federal funds received by the state pursuant to Tit. IV-B or Tit. IV-E of the federal Social Security Act or the federal Family First Prevention Services Act of 2018, Pub. L. No. 115-123, as the result of the expenditure of state funds by the judicial branch, including state funds expended during a previous state fiscal year, are appropriated to the judicial branch to be used as additional funding for juvenile court services, juvenile

24 delinquent graduated sanctions services, and court-ordered
25 services, including but not limited to qualified expenses and
26 administrative costs.
27 b. Notwithstanding section 8.33, moneys appropriated to the
28 judicial branch under paragraph "a" that remain unencumbered or
29 unobligated at the close of the fiscal year shall not revert
30 to the general fund of the state but shall remain available
31 to the judicial branch for expenditure for juvenile court
32 services, juvenile delinquent graduated sanctions services, and
33 court-ordered services, including but not limited to qualified
34 expenses and administrative costs, for the next two succeeding
35 fiscal years.

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1 2. The department of human services may retain and is
2 appropriated the portion of the federal funds received pursuant
3 to subsection 1 in an amount equal to the administrative costs
4 incurred by the department of human services in obtaining such
5 funds.>
6 30. Title page, line 6, after <provisions> by inserting <,
7 and making appropriations>

JEFF EDLER

S-5139

1 Amend Senate File 2257 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <DIVISION I
5 JUVENILE JUSTICE — CONSTRUCTION AND DEFINITIONS
6 Section 1. Section 232.1, Code 2022, is amended to read as
7 follows:
8 **232.1 Rules of construction.**
9 This chapter shall be liberally construed to the end that
10 each child under the jurisdiction of the court shall receive,
11 preferably in the child's own home, the care, guidance and
12 control that will best serve the child's welfare and the best
13 interest of the state. When a child is removed from the
14 control of the child's parents, the court shall secure the
15 least restrictive care for the child care as nearly as possible
16 equivalent to that which should have been given by the parents
17 child's placement with a preference for placement with the
18 child's family or a fictive kin.
19 Sec. 2. Section 232.2, subsection 6, Code 2022, is amended
20 by striking the subsection and inserting in lieu thereof the
21 following:
22 6. "*Child in need of assistance*" means a child who has been
23 found to meet the grounds for adjudication pursuant to section
24 232.96A.
25 Sec. 3. Section 232.2, subsection 9, Code 2022, is amended
26 to read as follows:

27 9. "*Court appointed special advocate*" means a person duly
28 certified by the child advocacy board created in section
29 237.16 for participation in the court appointed special
30 advocate program and appointed by the court to ~~represent the~~
31 ~~interests of a child in any judicial proceeding to which the~~
32 ~~child is a party or is called as a witness or relating to any~~
33 ~~dispositional order involving the child resulting from such~~
34 ~~proceeding carry out duties pursuant to section 237.24.~~

35 Sec. 4. Section 232.2, Code 2022, is amended by adding the

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1 following new subsections:
2 2. **NEW SUBSECTION.** 20A. "*Fictive kin*" means an adult person
3 who is not a relative of a child but who has an emotionally
4 positive significant relationship with the child or the child's
5 family.

6 6. **NEW SUBSECTION.** 20B. "*Foster care*" means the provision of
7 parental nurturing, including but not limited to the furnishing
8 of food, lodging, training, education, supervision, treatment,
9 or other care, to a child on a full-time basis by a person,
10 including an adult relative or fictive kin of the child, and
11 where the child is under the placement, care, or supervision
12 of the department, juvenile court services, or tribes with
13 whom the department has entered into an agreement pursuant
14 to a court order or voluntary placement, but not including a
15 guardian of the child.

16 Sec. 5. Section 232.2, subsection 21, paragraph a, Code
17 2022, is amended to read as follows:

18 a. "*Guardian*" means a person who is not the parent of
19 a child, but who has been appointed by a court ~~or juvenile~~
20 ~~court~~ having jurisdiction over the child, to have a permanent
21 self-sustaining relationship with the child and to make
22 important decisions which have a permanent effect on the life
23 and development of that child and to promote the general
24 welfare of that child. A guardian may be a court ~~or a juvenile~~
25 ~~court~~. Guardian does not mean conservator, as defined in
26 section 633.3, although a person who is appointed to be a
27 guardian may also be appointed to be a conservator.

28 Sec. 6. Section 232.2, subsection 22, paragraph a, Code
29 2022, is amended to read as follows:

30 a. "*Guardian ad litem*" means a person appointed by the
31 court to represent the interests of a child in any judicial
32 proceeding to which the child is a party, ~~and includes a court~~
33 ~~appointed special advocate, except that a court appointed~~
34 ~~special advocate shall not file motions or petitions pursuant~~
35 ~~to section 232.54, subsection 1, paragraphs "a" and "d", section~~

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1 1. ~~232.103, subsection 2, paragraph "e", and section 232.111.~~
2 2. Sec. 7. Section 232.2, subsection 22, paragraph b,

3 unnumbered paragraph 1, Code 2022, is amended to read as
4 follows:

5 Unless otherwise enlarged or circumscribed after a finding
6 of good cause by a court or juvenile court having jurisdiction
7 over the child or by operation of law, the duties of a guardian
8 ad litem with respect to a child shall include the following:

9 Sec. 8. Section 232.2, subsection 22, paragraph b, Code
10 2022, is amended by adding the following new subparagraphs:

11 NEW SUBPARAGRAPH. (8) Submitting a written report to
12 the juvenile court and to each of the parties detailing
13 compliance with this subsection. If the guardian ad litem
14 is also appointed to represent the child as an attorney, the
15 written report shall contain an assessment of this dual role
16 and whether there is a need for the court to appoint a separate
17 guardian ad litem. A written report shall be submitted for
18 each court hearing unless otherwise ordered by the court.

19 NEW SUBPARAGRAPH. (9) Providing a sibling of a child
20 not placed with the child with the reasons why the child and
21 the sibling have not been placed together and an explanation
22 of the efforts being made to facilitate placement together
23 or why efforts to place the child and sibling together
24 are not appropriate. This subparagraph shall not apply if
25 the sibling's age or mental state makes such explanations
26 inappropriate.

27 Sec. 9. Section 232.2, subsection 22, Code 2022, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. e. In determining the best interests of
30 the child, rather than relying solely on a guardian ad litem's
31 life experiences or instinct, a guardian ad litem shall, with
32 the primary goal of achieving permanency for the child by
33 preserving the child's family or reunifying the child with the
34 child's family, do all of the following:

35 (1) Determine the child's circumstances through a full,

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1 independent, and efficient investigation, including the
2 information gathered from the child's medical, mental health,
3 and education professionals, social workers, other relevant
4 experts, and other sources obtained in accordance with this
5 subsection.

6 (2) Assess the child and the totality of the child's
7 circumstances at the time of each placement determination,
8 including any potential trauma to the child that may be caused
9 by any recommended action.

10 (3) Examine all options available to the child in light of
11 the permanency plans.

12 (4) Incorporate a child's expressed wishes in
13 recommendations and reports.

14 Sec. 10. Section 232.2, Code 2022, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 35A. "Neglect" means the failure on the

17 part of a person responsible for the care of a child to provide
18 for adequate food, shelter, clothing, medical or mental health
19 treatment, supervision, or other care necessary for the child's
20 health and welfare when financially able to do so or when
21 offered financial or other reasonable means to do so.

22 Sec. 11. Section 232.2, subsection 42, Code 2022, is amended
23 to read as follows:

24 42. "Physical abuse or neglect" or "abuse or neglect"

25 "Physical abuse" means any nonaccidental physical injury
26 suffered by a child as the result of the acts or omissions of
27 the child's parent, guardian, or custodian or other person
28 legally responsible for the child.

29 Sec. 12. Section 232.2, Code 2022, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 045A. "Putative father" means a person who
32 has been identified by the mother of a child as the child's
33 potential biological father or a person who claims to be the
34 biological father of a child and who was not married to the
35 child's mother at the time of the child's birth, when all of

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1 the following circumstances apply:

2 a. Biological testing has not excluded the person as the
3 child's biological father.

4 b. No legal father has been established, biological
5 testing excludes the previously identified father, or previous
6 paternity has otherwise been disestablished.

7 c. Information sufficient to identify and find the person
8 has been provided to the county attorney by the mother, the
9 person, or a party to proceedings under this chapter.

10 d. The person has not been found by a court to be
11 uncooperative with genetic testing.

12 Sec. 13. Section 232.2, subsection 46A, Code 2022, is
13 amended by striking the subsection and inserting in lieu
14 thereof the following:

15 46A. "Relative" means an individual related to a child
16 within the fourth degree of consanguinity or affinity, by
17 marriage, or through adoption. For purposes of subchapters III
18 and IV, "relative" includes the parent of a sibling of the child
19 if the sibling's parent's parental rights were not previously
20 terminated in relation to the child.

21 Sec. 14. Section 232.2, subsection 52, Code 2022, is amended
22 to read as follows:

23 52. "Sibling" means an individual who is related to
24 another individual by blood, adoption, or affinity through a
25 common legal or biological parent, regardless of whether a
26 common legal or biological parent's parental rights have been
27 terminated.

28 Sec. 15. Section 232.3, subsection 1, Code 2022, is amended
29 to read as follows:

30 1. During the pendency of an action under this chapter, a

31 party to the action is estopped from litigating concurrently
32 the custody, guardianship, or placement of a child who
33 is the subject of the action, in a court other than the
34 juvenile court. A district judge, district associate judge,
35 magistrate, or judicial hospitalization referee, upon notice

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1 of the pendency of an action under this chapter, shall not
2 issue an order, finding, or decision relating to the custody,
3 guardianship, or placement of the child who is the subject of
4 the action, under any law, including but not limited to chapter
5 232D, 598, 598B, or 633.

DIVISION II

7 JUVENILE DELINQUENCY PROCEEDINGS — TAKING A CHILD INTO CUSTODY
8 Sec. 16. Section 232.19, subsection 1, paragraph c, Code
9 2022, is amended to read as follows:

10 c. By a peace officer, when the peace officer has
11 reasonable grounds to believe the child has run away from the
12 child's parents, guardian, or custodian, for the purposes
13 of determining whether the child shall be reunited with the
14 child's parents, guardian, or custodian; or placed in shelter
15 care, ~~or, if the child is a chronic runaway and the county has~~
~~an approved county runaway treatment plan, placed in a runaway~~
~~assessment center under section 232.196.~~

DIVISION III

19 JUVENILE DELINQUENCY PROCEEDINGS — JUDICIAL PROCEEDINGS
20 Sec. 17. Section 232.37, subsection 4, Code 2022, is amended
21 to read as follows:

22 4. Service of summons or notice shall be made personally
23 by the sheriff by delivering a copy of the summons or notice
24 to the person being served. If the court determines that
25 personal service of a summons or notice is impracticable, the
26 court may order service by certified mail addressed to the last
27 known address, by publication, or by electronic mail or other
28 electronic means with the consent of the party to be served.
29 Service of summons or notice shall be made not less than five
30 days before the time fixed for hearing. Service of summons,
31 notice, subpoenas or other process, after an initial valid
32 summons or notice, shall be made in accordance with the rules
33 of the court governing such service in civil actions.

34 Sec. 18. Section 232.57, subsection 2, paragraphs d, e, f,
35 and g, Code 2022, are amended to read as follows:

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1 d. The parent has been convicted of the murder of another
2 child ~~of the parent~~.
3 e. The parent has been convicted of the voluntary
4 manslaughter of another child ~~of the parent~~.
5 f. The parent has been convicted of aiding or abetting,
6 attempting, conspiring in, or soliciting the commission of

7 the murder or voluntary manslaughter of another child ~~of the~~
8 ~~parent.~~

9 g. The parent has been convicted of a felony assault which
10 resulted in serious bodily injury of the child or of another
11 child ~~of the parent.~~

12 DIVISION IV

13 CHILD IN NEED OF ASSISTANCE PROCEEDINGS — CHILD ABUSE
14 REPORTING, ASSESSMENT, AND REHABILITATION

15 Sec. 19. Section 232.67, Code 2022, is amended to read as
16 follows:

17 **232.67 Legislative findings — purpose and policy.**

18 Children in this state are in urgent need of protection
19 from abuse. It is the purpose and policy of ~~this part 2 of~~
20 subchapter III to provide the greatest possible protection
21 to victims or potential victims of abuse through encouraging
22 the increased reporting of suspected cases of abuse, ensuring
23 the thorough and prompt assessment of these reports, and
24 providing rehabilitative services, where appropriate and
25 whenever possible to abused children and their families which
26 will stabilize the home environment so that the family can
27 remain intact without further danger to the child. The state
recognizes removing a child from the child's family will cause
the child harm and that the harm caused by a child's removal
must be weighed against the potential harm in allowing a child
to remain with the child's family.

32 Sec. 20. Section 232.68, subsection 2, paragraph a,
33 subparagraph (4), subparagraph division (a), Code 2022, is
34 amended to read as follows:

35 (a) The failure on the part of a person responsible for

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1 the care of a child to provide for the adequate food, shelter,
2 clothing, medical or mental health treatment, supervision, or
3 other care necessary for the child's health and welfare when
4 financially able to do so or when offered financial or other
5 reasonable means to do so and the failure occurred within five
6 years of a report.

7 Sec. 21. Section 232.68, subsection 2, paragraph a,
8 subparagraph (7), Code 2022, is amended to read as follows:

9 (7) The person responsible for the care of a child,
10 in the presence of a child, as defined in section ~~232.2~~,
11 ~~subsection 6, paragraph "p"~~ 232.96A, subsection 16, paragraph
12 "e", unlawfully uses, possesses, manufactures, cultivates,
13 or distributes a dangerous substance, as defined in section
14 ~~232.2, subsection 6, paragraph "p"~~ 232.96A, subsection 16,
15 paragraph "f", or knowingly allows such use, possession,
16 manufacture, cultivation, or distribution by another person in
17 the presence of a child; possesses a product with the intent
18 to use the product as a precursor or an intermediary to a
19 dangerous substance in the presence of a child; or unlawfully
20 uses, possesses, manufactures, cultivates, or distributes a

21 dangerous substance specified in section 232.2, subsection 6,
22 paragraph "p", subparagraph (2), subparagraph division (a),
23 (b), or (e) 232.96A, subsection 16, paragraph "f", subparagraph
24 (1), (2), or (3), in a child's home, on the premises, or in a
25 motor vehicle located on the premises and the incident occurred
26 within five years of a report to the department.

27 Sec. 22. Section 232.70, subsection 1, Code 2022, is amended
28 by striking the subsection and inserting in lieu thereof the
29 following:

30 1. Each report made by a mandatory reporter, as defined
31 in section 232.69, subsection 1, or a permissive reporter, as
32 defined in section 232.69, subsection 2, shall be oral.

33 Sec. 23. Section 232.71B, subsection 11, Code 2022, is
34 amended to read as follows:

35 11. *Multidisciplinary team.* In each county or multicounty

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1 area in which more than fifty child abuse reports are made
2 per year, the department shall establish a multidisciplinary
3 team, as defined in section 235A.13, subsection 8. Upon the
4 department's request, a multidisciplinary team shall assist
5 the department in the assessment, diagnosis, and disposition
6 of a child abuse assessment and the subsequent provision of
7 services.

DIVISION V

CHILD IN NEED OF ASSISTANCE PROCEEDINGS — TEMPORARY CUSTODY OF A CHILD

11 Sec. 24. Section 232.78, subsection 1, paragraph b, Code
12 2022, is amended to read as follows:

13 b. It appears The court has found that substantial evidence
14 exists to demonstrate that the need for removal outweighs the
15 potential harm removal of the child would cause the child,
16 including but not limited to any physical, emotional, social,
17 and mental trauma the removal may cause the child.

18 c. The court finds that the child's immediate removal
19 is necessary to avoid imminent danger to the child's life
20 or health. The circumstances or conditions indicating the
21 presence of such imminent danger shall include but are not
22 limited to any of the following:

23 (1) The refusal or failure of the person responsible for
24 the care of the child to comply with the request of a peace
25 officer, juvenile court officer, or child protection worker
26 for such person to obtain and provide to the requester the
27 results of a physical or mental examination of the child. The
28 request for a physical examination of the child may specify the
29 performance of a medically relevant test.

30 (2) The refusal or failure of the person responsible for
31 the care of the child or a person present in the person's home
32 to comply with a request of a peace officer, juvenile court

33 officer, or child protection worker for such a person to submit
34 to and provide to the requester the results of a medically
35 relevant test of the person.

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1 Sec. 25. Section 232.78, subsection 7, Code 2022, is amended
2 to read as follows:

3 7. Any order entered under this section authorizing
4 temporary removal of a child must include ~~both~~ all of the
5 following:

6 a. A determination made by the court that continuation
7 of the child in the child's home would be contrary to the
8 welfare of the child. Such a determination must be made on a
9 case-by-case basis. The grounds for the court's determination
10 must be explicitly documented and stated in the order.
11 However, preserving the safety of the child must be the court's
12 paramount consideration. If imminent danger to the child's
13 life or health exists at the time of the court's consideration,
14 the determination shall not be a prerequisite to the removal
15 of the child.

16 b. A determination made by the court that the necessity
17 of the removal of the child from the child's home, due to an
18 imminent risk to the child's life or health, is greater than
19 the potential harm including but not limited to physical,
20 emotional, social, and mental trauma the removal may cause the
21 child.

22 b. c. A statement informing the child's parent that the
23 consequences of a permanent removal may include termination of
24 the parent's rights with respect to the child.

25 Sec. 26. Section 232.78, Code 2022, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 8. a. If the juvenile court determines
28 that the child should be temporarily removed from the child's
29 home under this section, the court shall consider placing the
30 child in the custody of another parent of the child. If the
31 juvenile court determines placing custody of the child with any
32 of the child's parents is not in the child's best interests,
33 the child's custody shall be transferred to the department for
34 placement of the child in any of the following categories in
35 the following order of priority:

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1 (1) An adult relative of the child including but not limited
2 to adult siblings and parents of siblings.
3 (2) A fictive kin.
4 (3) Any other suitable placement identified by the child's
5 relatives.
6 (4) An individual licensed to provide foster care pursuant
7 to chapter 237. If the child is placed with a licensed foster
8 care provider, the department shall assign decision-making

9 authority to the foster care provider for the purpose of
10 applying the reasonable and prudent parent standard during the
11 child's placement.

12 (5) A group care facility, shelter care facility, or other
13 residential treatment facility.

14 b. (1) If the court places custody of the child with the
15 department pursuant to paragraph "a", the court may identify a
16 category listed in paragraph "a" for placement of the child, but
17 the department shall have the authority to select the specific
18 person or facility within that category for placement, subject
19 to court review at the request of an interested party.

20 (2) The court shall give deference to the department's
21 decision for placement of a child. A party opposed to the
22 department's placement of a child shall have the burden
23 to prove the department failed to act in the child's best
24 interests by unreasonably or irresponsibly failing to discharge
25 its duties in selecting a suitable placement for the child.

26 c. A juvenile court shall not order placement of a child
27 in a category listed in paragraph "a", subparagraph (2), (3),
28 (4), or (5), without a specific finding that placement with a
29 relative is not in the child's best interests and shall provide
30 reasons for the court's finding.

31 Sec. 27. Section 232.79, subsection 2, Code 2022, is amended
32 by adding the following new paragraph:

33 NEW PARAGRAPH. 0c. Make every reasonable effort to place
34 the child with an adult relative or a fictive kin of the child.

35 Sec. 28. Section 232.79A, Code 2022, is amended to read as

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1 follows:

2 **232.79A Children without adult supervision.**

3 If a peace officer determines that a child does not have
4 adult supervision because the child's parent, guardian, or
5 other person responsible for the care of the child has been
6 arrested and detained or has been unexpectedly incapacitated,
7 and that no adult who is legally responsible for the care
8 of the child can be located within a reasonable period of
9 time, the peace officer shall attempt to place the child with
10 an adult relative of the child, ~~an adult person who cares~~
11 ~~for the child, or another adult person who is known to the~~
12 ~~child or a fictive kin.~~ The person with whom the child is
13 placed is authorized to give consent for emergency medical
14 treatment of the child and shall not be held liable for any
15 action arising from giving the consent. Upon the request
16 of the peace officer, the department shall assist in making
17 the placement. The placement shall not exceed a period of
18 twenty-four hours and shall be terminated when a person who
19 is legally responsible for the care of the child is located
20 and takes custody of the child. If a person who is legally
21 responsible for the care of the child cannot be located within
22 the twenty-four hour period or a placement in accordance with

23 this section is unavailable, the provisions of section 232.79
24 shall apply. If the person with whom the child is placed
25 charges a fee for the care of the child, the fee shall be paid
26 from funds provided in the appropriation to the department for
27 protective child care.

28 Sec. 29. **NEW SECTION. 232.79B Safety plans.**

29 1. For the purposes of this section, "safety plan" means
30 a short-term, time-limited agreement entered into between the
31 department and a child's parent designed to address signs of
32 imminent or impending danger to a child identified by the
33 department.

34 2. Upon the department's determination that potential harm
35 to a child may be mitigated by the development of a safety

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1 plan, the department may enter into a safety plan with the
2 child's parent.

3 3. A safety plan shall not be construed as a removal from
4 parental custody absent a court order placing the child with a
5 person or facility other than the parent who entered into the
6 safety plan.

7 4. The department shall adopt rules to implement this
8 section.

9 Sec. 30. Section 232.82, Code 2022, is amended to read as
10 follows:

11 **232.82 Removal of sexual offenders, and physical abusers, and**
domestic abusers from the residence pursuant to court order.

12 1. Notwithstanding section 561.15, if it is alleged by
13 a person authorized to file a petition under section 232.87,
14 subsection 2, or by the court on its own motion, that a parent,
15 guardian, custodian, or an adult member of the household in
16 which a child resides has committed a sexual offense with or
17 against the child, pursuant to chapter 709 or section 726.2, or
18 ~~a physical abuse as defined by in~~ section 232.2, subsection 42,
19 ~~or domestic abuse assault as defined in section 708.2A, against~~
20 ~~the child or another household member at a location or in a~~
21 ~~manner a reasonably prudent person would know the child could~~
22 ~~see, hear, or otherwise experience,~~ the juvenile court may
23 enter an ex parte order requiring the alleged sexual offender,
24 ~~or physical abuser, or domestic abuser~~ to vacate the child's
25 residence upon a showing that probable cause exists to believe
26 that the sexual offense, ~~or physical abuse, or domestic abuse~~
27 has occurred and that substantial evidence exists to believe
28 that the presence of the alleged sexual offender, ~~or physical~~
29 ~~abuser, or domestic abuser~~ in the child's residence presents a
30 danger to the child's life or physical, emotional, or mental
31 health.

32 2. If an order is entered under subsection 1 and a petition
33 has not yet been filed under this chapter, the petition shall
34 be filed under section 232.87 by the county attorney, the

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1 department of human services, or a juvenile court officer
2 within three days of the entering of the order.
3 3. The juvenile court may order on its own motion, or
4 shall order upon the request of the alleged sexual offender,
5 ~~or physical abuser, or domestic abuser~~ a hearing to determine
6 whether the order to vacate the residence should be upheld,
7 modified, or vacated. The hearing shall be held within thirty
8 days of removal of the alleged sexual offender, physical
9 abuser, or domestic abuser from the residence. The juvenile
10 court may in any later child in need of assistance proceeding
11 uphold, modify, or vacate the order to vacate the residence.

12 Sec. 31. Section 232.84, subsection 2, Code 2022, is amended
13 to read as follows:

14 2. Within Unless the custody of a child is transferred
15 from one of the child's parents to another parent of the
16 child, within thirty days after the entry of an order under
17 this chapter ~~transferring custody of a child to an agency for~~
18 ~~placement removing a child from the custody of a parent or~~
19 ~~parents of the child, the agency department~~ shall exercise due
20 diligence in identifying and providing notice to the child's
21 grandparents, aunts, uncles, adult siblings, parents of the
22 child's siblings, and adult relatives suggested by the child's
23 parents, subject to exceptions due to the presence of family or
24 domestic violence.

25 Sec. 32. Section 232.84, Code 2022, is amended by adding the
26 following new subsections:

27 **NEW SUBSECTION.** 4. The agency may share information as
28 necessary to explore a child's potential placement with any
29 adult relative who may receive notice pursuant to subsection 2.
30 **NEW SUBSECTION.** 5. If an adult relative entitled to notice
31 pursuant to subsection 2 is later discovered by or identified
32 to the department, the department shall provide notice to that
33 relative within thirty days of that relative becoming known to
34 the department.

35 Sec. 33. **NEW SECTION. 232.96A Child in need of assistance**

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1 **adjudication.**

2 The court may adjudicate a child in need of assistance
3 if such child is unmarried and meets any of the following
4 requirements:

5 1. The child's parent, guardian, or other custodian has
6 abandoned or deserted the child.

7 2. The child's parent, guardian, other custodian, or
8 other member of the household in which the child resides has
9 physically abused or neglected the child, or is imminently
10 likely to physically abuse or neglect the child.

11 3. The child has suffered or is imminently likely to suffer
12 harmful effects as a result of any of the following:

13 a. Mental injury caused by the acts of the child's parent,
14 guardian, or custodian.
15 b. The failure of the child's parent, guardian, custodian,
16 or other member of the household in which the child resides to
17 exercise a reasonable degree of care in supervising the child.
18 c. The child's parent, guardian, custodian, or person
19 responsible for the care of a child as defined in section
20 232.68, has knowingly disseminated or exhibited obscene
21 material, as defined in section 728.1, to the child.
22 4. The child has been, or is imminently likely to be,
23 sexually abused by the child's parent, guardian, custodian, or
24 other member of the household in which the child resides.
25 5. The child is in need of medical treatment to cure,
26 alleviate, or prevent serious physical injury or illness and
27 whose parent, guardian, or custodian is unwilling or unable to
28 provide such treatment.
29 6. The child is in need of treatment to cure or alleviate
30 serious mental illness or disorder, or emotional damage
31 as evidenced by severe anxiety, depression, withdrawal, or
32 untoward aggressive behavior toward the child's self or others
33 and the child's parent, guardian, or custodian is unwilling to
34 provide such treatment.
35 7. The child's parent, guardian, or custodian fails to

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1 exercise a minimal degree of care in supplying the child with
2 adequate food, clothing, or shelter and refuses other means
3 made available to provide such essentials.
4 8. The child has committed a delinquent act as a result
5 of pressure, guidance, or approval from a parent, guardian,
6 custodian, or other member of the household in which the child
7 resides.
8 9. The child has been the subject of or a party to sexual
9 activities for hire or who poses for live display or for
10 photographic or other means of pictorial reproduction or
11 display which is designed to appeal to the prurient interest,
12 is patently offensive, and taken as a whole, lacks serious
13 literary, scientific, political, or artistic value.
14 10. The child is without a parent, guardian, or other
15 custodian.
16 11. The child's parent, guardian, or other custodian for
17 good cause desires to be relieved of the child's care and
18 custody.
19 12. The child for good cause desires to have the child's
20 parents relieved of the child's care and custody.
21 13. The child is in need of treatment to cure or alleviate
22 chemical dependency and whose parent, guardian, or custodian is
23 unwilling or unable to provide such treatment.
24 14. The child's parent, guardian, or custodian suffers
25 from a mental incapacity, a mental condition, imprisonment, or
26 drug or alcohol abuse that results in the child not receiving

27 adequate care or being imminently likely not to receive
28 adequate care.
29 15. The child's body has an illegal drug present as a
30 direct and foreseeable consequence of the acts or omissions of
31 the child's parent, guardian, or custodian. The presence of
32 the drug shall be determined in accordance with a medically
33 relevant test as defined in section 232.73.
34 16. The child's parent, guardian, custodian, or other adult
35 member of the household in which a child resides does any of

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1 the following:
2 a. Unlawfully uses, possesses, manufactures, cultivates, or
3 distributes a dangerous substance in the presence of the child.
4 b. Knowingly allows the use, possession, manufacture,
5 cultivation, or distribution of a dangerous substance by
6 another person in the presence of the child.
7 c. Possesses a product with the intent to use the product as
8 a precursor or an intermediary to a dangerous substance in the
9 presence of the child.
10 d. Unlawfully uses, possesses, manufactures, cultivates,
11 or distributes a dangerous substance listed in paragraph "f",
12 subparagraph (1), (2), or (3), in the child's home, on the
13 premises, or in a motor vehicle located on the premises.
14 e. For the purposes of this subsection, "*in the presence of*
15 *a child*" means in the physical presence of a child or occurring
16 under other circumstances in which a reasonably prudent person
17 would know that the use, possession, manufacture, cultivation,
18 or distribution of a dangerous substance may be seen, smelled,
19 ingested, or heard by a child.
20 f. For the purposes of this subsection, "*dangerous*
21 *substance*" means any of the following:
22 (1) Amphetamine, its salts, isomers, or salts of its
23 isomers.
24 (2) Methamphetamine, its salts, isomers, or salts of its
25 isomers.
26 (3) A chemical or combination of chemicals that poses a
27 reasonable risk of causing an explosion, fire, or other danger
28 to the life or health of persons who are in the vicinity while
29 the chemical or combination of chemicals is used or is intended
30 to be used in any of the following:
31 (a) The process of manufacturing an illegal or controlled
32 substance.
33 (b) As a precursor in the manufacturing of an illegal or
34 controlled substance.
35 (c) As an intermediary in the manufacturing of an illegal

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1 or controlled substance.
2 (4) Cocaine, its salts, isomers, salts of its isomers, or

3 derivatives.

4 (5) Heroin, its salts, isomers, salts of its isomers, or
5 derivatives.

6 (6) Opium and opiate, and any salt, compound, derivative, or
7 preparation of opium or opiate.

8 17. The child is a newborn infant whose parent has
9 voluntarily released custody of the child in accordance with
10 chapter 233.

DIVISION VI

12 CHILD IN NEED OF ASSISTANCE PROCEEDINGS — JUDICIAL PROCEEDINGS

13 Sec. 34. Section 232.89, subsection 1, Code 2022, is amended
14 to read as follows:

15 1. Upon the filing of a petition the parent, guardian,
16 putative father, or custodian identified in the petition
17 shall have the right to counsel in connection with all
18 subsequent hearings and proceedings. If that person desires
19 but is financially unable to employ counsel, the court shall
20 appoint counsel. A putative father is not a necessary party
21 to a proceeding until the putative father's paternity is
22 established.

23 Sec. 35. Section 232.89, subsection 2, paragraph a, Code
24 2022, is amended to read as follows:

25 a. If the child is represented by counsel and the court
26 determines there is a conflict of interest between the child
27 and the child's parent, guardian, putative father, or custodian
28 and that the retained counsel could not properly represent the
29 child as a result of the conflict, the court shall appoint
30 other counsel to represent the child, who shall be compensated
31 pursuant to the provisions of subsection 3.

32 Sec. 36. Section 232.89, subsection 4, Code 2022, is amended
33 to read as follows:

34 4. The same person may serve both as the child's counsel
35 and as guardian ad litem. However, the court may appoint a

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1 separate guardian ad litem, if the same person cannot properly
2 represent the legal interests of the child as legal counsel
3 and also represent the best interest interests of the child as
4 guardian ad litem in accordance with section 232.2, subsection
5 22, paragraph "e", or a separate guardian ad litem is required
6 to fulfill the requirements of subsection 2. If a child's
7 guardian ad litem is also acting as an attorney for the child,
8 each report submitted to a court by the guardian ad litem shall
9 contain a statement indicating whether a separate guardian ad
10 item is required based on the guardian ad litem's interviews
11 and investigations conducted until the time a report is
12 submitted to the court.

13 Sec. 37. Section 232.91, subsections 1, 2, 3, and 4, Code
14 2022, are amended to read as follows:

15 1. Any hearings or proceedings under this subchapter
16 subsequent to the filing of a petition shall not take place

17 without the presence of the child's parent, guardian,
18 custodian, or guardian ad litem in accordance with and subject
19 to section 232.38. A parent without custody ~~may petition~~
20 ~~the court to shall~~ be made a party to proceedings under this
21 subchapter.
22 2. An agency, facility, institution, ~~or person adult~~
23 ~~relative with a substantial relationship to the child, fictive~~
24 ~~kin, including a foster parent or an individual providing~~
25 ~~preadoptive care, or individual providing custodial care to the~~
26 ~~child~~ may petition the court to be made a party to proceedings
27 under this subchapter.
28 3. Any person who is entitled under section 232.88 to
29 receive notice of a hearing concerning a child shall be given
30 the opportunity to be heard in any other review or hearing
31 involving the child. A foster parent, ~~adult~~ relative, or other
32 individual with whom a child has been placed for preadoptive
33 care shall have the right to be heard in any proceeding
34 involving the child. If a child is of an age appropriate to
35 attend the hearing but the child does not attend, the court

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1 shall determine if the child was informed of the child's right
2 to attend the hearing. A presumption exists that it is in the
3 best interests of a child ~~fourteen~~ ten years of age or older to
4 attend all hearings.
5 4. If a child is of an age appropriate to attend a hearing
6 but the child does not attend, the court shall determine if the
7 child was informed of the child's right to attend the hearing.
8 A presumption exists that it is in the best interests of a
9 child ~~fourteen~~ ten years of age or older to attend all hearings
10 and all staff or family meetings involving placement options
11 or services provided to the child. The department shall allow
12 the child to attend all such hearings and meetings unless the
13 attorney for the child finds the child's attendance is not in
14 the best interests of the child. If the child is excluded from
15 attending a hearing or meeting, the department shall maintain a
16 written record detailing the reasons for excluding the child.
17 Notwithstanding sections 232.147 through 232.151, a copy of the
18 written record shall be made available to the child upon the
19 request of the child after reaching the age of majority.
20 Sec. 38. **NEW SECTION. 232.94B Continuances.**
21 A court may grant a continuance in a child in need of
22 assistance proceeding or a termination of a parent-child
23 relationship proceeding only for good cause shown.
24 Sec. 39. Section 232.95, subsection 2, Code 2022, is amended
25 by striking the subsection and inserting in lieu thereof the
26 following:
27 2. a. Upon such hearing, the court may do any of the
28 following:
29 (1) Return the child to a person with legal custody of the
30 child pending a final order of disposition.

31 (2) Remove the child from home and place the child with a
32 parent of the child pending a final order of disposition.
33 (3) Remove the child from home and place custody of the
34 child with the department for placement of the child, pending a
35 final order of disposition, in any of the following categories

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1 in the following order of priority:
2 (a) An adult relative of the child including but not limited
3 to adult siblings and parents of siblings.
4 (b) A fictive kin.
5 (c) Any other suitable placement identified by the child's
6 relatives.
7 (d) An individual licensed to provide foster care pursuant
8 to chapter 237. If the child is placed with a licensed foster
9 care provider, the department shall assign decision-making
10 authority to the foster care provider for the purpose of
11 applying the reasonable and prudent parent standard during the
12 child's placement.
13 (e) A group care facility, shelter care facility, or other
14 residential treatment facility.
15 (f) Authorize a physician or hospital to provide medical
16 or surgical procedures if such procedures are necessary to
17 safeguard the child's life or health.
18 Sec. 40. Section 232.95, Code 2022, is amended by adding the
19 following new subsections:
20 **NEW SUBSECTION.** 5. *a.* If the court orders a removal
21 pursuant to subsection 2, paragraph "a", subparagraph (2) or
22 (3), the court shall, in addition, make a determination that
23 continuation of the child in the child's home would be contrary
24 to the welfare of the child, and that reasonable efforts have
25 been made to prevent or eliminate the need for removal of the
26 child from the child's home. The court shall also make a
27 finding that substantial evidence exists to demonstrate that
28 the need for removal due to an imminent risk to the child's
29 life or health is greater than the potential harm including
30 but not limited to any physical, emotional, social, or mental
31 trauma the removal may cause the child.
32 *b.* The court's determination regarding continuation
33 of the child in the child's home and regarding reasonable
34 efforts, including those made to prevent removal and those
35 made to finalize any permanency plan in effect as well as any

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1 determination by the court that reasonable efforts are not
2 required, must be made on a case-by-case basis. The grounds
3 for each determination must be specifically documented and
4 stated in the court order. However, preserving the safety of
5 the child must be the court's paramount consideration. If
6 imminent danger to the child's life or health exists at the

7 time of the court's consideration, the determinations otherwise
8 required under this paragraph shall not be a prerequisite for
9 an order for temporary removal of the child.

10 NEW SUBSECTION. 6. *a.* (1) If the court places custody
11 of the child with the department pursuant to subsection 2,
12 paragraph "a", subparagraph (3), the court may identify a
13 category listed in subsection 2, paragraph "a", subparagraph
14 (3), for placement of the child, but the department shall have
15 the authority to select the specific person or facility within
16 that category for placement, subject to court review at the
17 request of an interested party.

18 (2) The court shall give deference to the department's
19 decision for placement of a child. A party opposed to the
20 department's placement of a child shall have the burden
21 to prove the department failed to act in the child's best
22 interests by unreasonably or irresponsibly failing to discharge
23 its duties in selecting a suitable placement for the child.

24 *b.* The court shall not order placement of a child in
25 a category identified in subsection 2, paragraph "a",
26 subparagraph (3), subparagraph division (b), (c), (d), or
27 (e), without a specific finding that placement with an adult
28 relative is not in the child's best interests and providing
29 reasons for the finding.

30 *c.* If the court orders the removal of a child pursuant
31 to subsection 2, paragraph "a", subparagraph (2) or (3), the
32 order shall also include a statement informing the child's
33 parent that the consequences of a permanent removal may include
34 termination of the parent's rights with respect to the child.

35 Sec. 41. Section 232.96, subsection 6, Code 2022, is amended

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1 to read as follows:
2 6. A report, study, record, or other writing or an
3 audiotape or videotape recording made by the department of
4 human services, a juvenile court officer, a peace officer, a
5 child protection center, or a hospital relating to a child in a
6 proceeding under this subchapter is admissible notwithstanding
7 any objection to hearsay statements contained in it provided
8 it is relevant and material and provided its probative value
9 substantially outweighs the danger of unfair prejudice to the
10 child's parent, guardian, or custodian. The circumstances of
11 the making of the report, study, record or other writing or an
12 audiotape or videotape recording, including the maker's lack of
13 personal knowledge, may be proved to affect its weight.

14 Sec. 42. Section 232.96, subsection 10, Code 2022, is
15 amended to read as follows:

16 10. If the court enters an order adjudicating the child
17 to be a child in need of assistance, the court, if it has not
18 previously done so, may issue an order authorizing temporary
19 removal of the child from the child's home as set forth in
20 section 232.95, subsection 2, paragraph "a", subparagraph (2)

21 or (3), pending a final order of disposition. The order shall
22 include ~~both all~~ of the following:
23 a. A determination that continuation of the child in the
24 child's home would be contrary to the welfare of the child,
25 ~~and~~ that reasonable efforts, ~~as defined in section 232.102,~~
26 have been made to prevent or eliminate the need for removal of
27 the child from the child's home ~~and the court has found that~~
28 ~~substantial evidence exists to demonstrate that the need for~~
29 ~~removal due to an imminent risk to the child's life or health~~
30 ~~is greater than the potential harm including but not limited to~~
31 ~~any physical, emotional, social, or mental trauma the removal~~
32 ~~may cause the child.~~ The court's determination regarding
33 continuation of the child in the child's home, and regarding
34 reasonable efforts, including those made to prevent removal
35 and those made to finalize any permanency plan in effect, as

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1 well as any determination by the court that reasonable efforts
2 are not required, must be made on a case-by-case basis. The
3 grounds for each determination must be explicitly documented
4 and stated in the court order. However, preserving the safety
5 of the child is the paramount consideration. If imminent
6 danger to the child's life or health exists at the time of the
7 court's consideration, the determinations otherwise required
8 under this paragraph shall not be a prerequisite for an order
9 for temporary removal of the child.
10 b. A statement informing the child's parent that the
11 consequences of a permanent removal may include termination of
12 the parent's rights with respect to the child.
13 c. ~~If the court orders a removal of a child pursuant to this~~
14 ~~subsection and placement of a child pursuant to section 232.95,~~
15 ~~subsection 2, paragraph "a", subparagraph (3), subparagraph~~
16 ~~division (b), (c), (d), or (e), a specific finding that~~
17 ~~placement with an adult relative is not in the child's best~~
18 ~~interests and the reasons for the finding.~~
19 Sec. 43. Section 232.96, Code 2022, is amended by adding the
20 following new subsection:
21 **NEW SUBSECTION.** 11. a. If the court places custody of the
22 child with the department pursuant to subsection 10, the court
23 may identify a category listed in section 232.95, subsection 2,
24 paragraph "a", for placement of the child, but the department
25 shall have the authority to select the specific person or
26 facility within that category for placement, subject to court
27 review at the request of an interested party.
28 b. The court shall give deference to the department's
29 decision for placement of a child. A party opposed to the
30 department's placement of a child shall have the burden
31 to prove the department failed to act in the child's best
32 interests by unreasonably or irresponsibly failing to discharge

33 its duties in selecting a suitable placement for the child.

34 Sec. 44. Section 232.97, subsection 3, Code 2022, is amended
35 to read as follows:

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1 3. The social report shall not be disclosed except as
2 provided in this section and except as otherwise provided in
3 this chapter. At least five days prior to the hearing at which
4 the disposition is determined, the ~~court department~~ shall ~~send~~
5 file a copy of the social report ~~to with the court and the court~~
6 ~~shall restrict access of the social report to~~ counsel for the
7 child, counsel for the child's parent, guardian, or custodian,
8 ~~the department, the court appointed special advocate, a local~~
9 ~~board as defined in section 237.15, the county attorney,~~
10 ~~the state's counsel,~~ and the guardian ad litem. The court
11 may in its discretion order counsel not to disclose parts
12 of the report to the child, or to the parent, guardian, or
13 custodian ~~if disclosure would seriously harm the treatment~~
14 ~~or rehabilitation of the child or would violate a promise of~~
15 ~~confidentiality given to a source of information.~~ If the
16 report indicates the child ~~or parent~~ has behaved in a manner
17 that threatened the safety of another person, has committed a
18 violent act causing bodily injury to another person, ~~or has~~
19 ~~committed sexual abuse, or the child~~ has been a victim ~~or~~
20 ~~perpetrator~~ of sexual abuse, unless otherwise ordered by the
21 court, the child's parent, guardian, or foster parent or other
22 person with custody of ~~or providing substantial care to~~ the
23 child shall be provided with that information.

24 Sec. 45. Section 232.102, subsection 1, paragraph a, Code
25 2022, is amended by striking the paragraph and inserting in
26 lieu thereof the following:

27 a. After a dispositional hearing, the court may enter an
28 order transferring the legal custody of the child to a parent
29 of the child. If the court finds that custody with either
30 of the child's parents is not in the child's best interests,
31 the child's custody shall be transferred to the department for
32 placement of the child in any of the following categories in
33 the following order of priority:

34 (1) An adult relative of the child including but not limited
35 to adult siblings and parents of siblings.

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1 (2) A fictive kin.

2 (3) Any other suitable placement identified by the child's
3 relatives.

4 (4) An individual licensed to provide foster care pursuant
5 to chapter 237. If the child is placed with a licensed foster
6 care provider, the department shall assign decision-making
7 authority to the foster care provider for the purpose of
8 applying the reasonable and prudent parent standard during the

9 child's placement.

10 (5) A group care facility, shelter care facility, or other
11 residential treatment facility.

12 b. (1) If the court places custody of the child with the
13 department pursuant to paragraph "a", the court may identify a
14 category listed in paragraph "a" for placement of the child, but
15 the department shall have the authority to select the specific
16 person or facility within that category for placement, subject
17 to court review at the request of an interested party.

18 (2) The court shall give deference to the department's
19 decision for placement of a child. A party opposed to the
20 department's placement of a child shall have the burden
21 to prove the department failed to act in the child's best
22 interests by unreasonably or irresponsibly failing to discharge
23 its duties in selecting a suitable placement for the child.

24 c. A court shall not order placement of a child in a
25 category identified in paragraph "a", subparagraph (2), (3),
26 (4), or (5) without a specific finding that placement with
27 an adult relative is not in the child's best interests and
28 providing reasons for the court's finding.

29 d. If the child is fourteen years of age or older, the
30 order shall specify the services needed to assist the child in
31 preparing for the transition from foster care to adulthood. If
32 the child has a case permanency plan, the court shall consider
33 the written transition plan of services and needs assessment
34 developed for the child's case permanency plan. If the child
35 does not have a case permanency plan containing the transition

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1 plan and needs assessment at the time the order is entered, the
2 written transition plan and needs assessment shall be developed
3 and submitted for the court's consideration no later than six
4 months from the date of the transfer order. The court shall
5 modify the initial transfer order as necessary to specify
6 the services needed to assist the child in preparing for the
7 transition from foster care to adulthood. If the transition
8 plan identifies services or other support needed to assist
9 the child when the child becomes an adult and the court deems
10 it to be beneficial to the child, the court may authorize
11 the individual who is the child's guardian ad litem or court
12 appointed special advocate to continue a relationship with and
13 provide advice to the child for a period of time beyond the
14 child's eighteenth birthday.

15 Sec. 46. Section 232.102, subsection 2, Code 2022, is
16 amended to read as follows:

17 2. The court shall not order group foster care placement of
18 the child which is a charge upon the state if that placement
19 is not in accordance with the service area plan for group
20 foster care established pursuant to section 232.143 for the
21 departmental service area in which the court is located unless
22 the group foster care meets the requirements established by the

23 department by rule.

24 Sec. 47. Section 232.102, subsections 5, 11, and 12, Code
25 2022, are amended by striking the subsections.

26 Sec. 48. Section 232.102, subsection 10, Code 2022, is
27 amended by striking the subsection and inserting in lieu
28 thereof the following:

29 10. Unless prohibited by court order or the department or
30 juvenile court services finds that allowing the visitation
31 would not be in the child's best interests, the department or
32 juvenile court services may authorize reasonable visitation
33 between the child and the child's adult relative or a fictive
34 kin.

35 Sec. 49. **NEW SECTION. 232.102A Reasonable efforts.**

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1 1. For the purposes of this subchapter:

2 a. "*Reasonable efforts*" means the efforts made to preserve
3 and unify a family prior to the out-of-home placement of a
4 child in foster care or to eliminate the need for removal of
5 the child or make it possible for the child to safely return
6 to the family's home. Reasonable efforts include but are not
7 limited to giving consideration, if appropriate, to interstate
8 placement of a child in the permanency planning decisions
9 involving the child and giving consideration to in-state and
10 out-of-state placement options at a permanency hearing and
11 when using concurrent planning. If returning the child to the
12 family's home is not appropriate or not possible, reasonable
13 efforts shall include the efforts made in a timely manner to
14 finalize a permanency plan for the child. A child's health
15 and safety shall be the paramount concern in making reasonable
16 efforts. Reasonable efforts may include but are not limited
17 to family-centered services, if the child's safety in the home
18 can be maintained during the time the services are provided.
19 In determining whether reasonable efforts have been made, the
20 court shall consider all of the following:

21 (1) The type, duration, and intensity of services or support
22 offered or provided to the child and the child's family. If
23 family-centered services were not provided, the court record
24 shall enumerate the reasons the services were not provided,
25 including but not limited to whether the services were not
26 available, not accepted by the child's family, judged to be
27 unable to protect the child and the child's family during
28 the time the services would have been provided, judged to be
29 unlikely to be successful in resolving the problems which would
30 lead to removal of the child, or other services were found to
31 be more appropriate.

32 (2) The relative risk to the child of remaining in the
33 child's home versus removal of the child.

34 b. "*Family-centered services*" means services and other
35 support intended to safely maintain a child with the child's

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1 family or with an adult relative, to safely and in a timely
2 manner return a child to the home of the child's parent or
3 relative, or to promote achievement of concurrent planning
4 goals by identifying and helping the child secure placement for
5 adoption, with a guardian, or with other alternative permanent
6 family connections. Family-centered services include services
7 adapted to the individual needs of a family in regard to the
8 specific services and other support provided to the child's
9 family and the intensity and duration of service delivery and
10 services intended to preserve a child's connections to the
11 child's neighborhood, community, and family and to improve the
12 overall capacity of the child's family to provide for the needs
13 of the children in the family.

14 2. Family interactions shall continue regardless of a
15 parent's failure to comply with the requirements of a court
16 order or the department, provided there is no finding by
17 a court or the department that such interaction would be
18 detrimental to the child.

19 3. The performance of reasonable efforts to place a child
20 for adoption or with a guardian may be made concurrently with
21 making reasonable efforts as defined in this section.

22 4. If the court determines by clear and convincing evidence
23 that aggravated circumstances exist supported by written
24 findings of fact based upon evidence in the record, the court
25 may waive the requirement for making reasonable efforts. The
26 existence of aggravated circumstances is indicated by any of
27 the following:

28 a. The parent has abandoned the child.
29 b. The court finds the circumstances described in section
30 232.116, subsection 1, paragraph "i", are applicable to the
31 child.
32 c. The parent's parental rights have been terminated under
33 section 232.116 or involuntarily terminated by an order of a
34 court of competent jurisdiction in another state with respect
35 to another child who is a member of the same family, and there

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1 is clear and convincing evidence to show that the offer or
2 receipt of services would not be likely within a reasonable
3 period of time to correct the conditions which led to the
4 child's removal.
5 d. The parent has been convicted of the murder of another
6 child.
7 e. The parent has been convicted of the voluntary
8 manslaughter of another child.
9 f. The parent has been convicted of aiding or abetting,
10 attempting, conspiring in, or soliciting the commission of the
11 murder or voluntary manslaughter of another child.
12 g. The parent has been convicted of a felony assault which

13 resulted in serious bodily injury to the child or another
14 child.
15 5. Prior services the state provided to the family shall not
16 be considered in making a determination as to whether a waiver
17 of reasonable efforts is appropriate.
18 Sec. 50. Section 232.103, subsection 2, paragraph b, Code
19 2022, is amended to read as follows:
20 b. The child's parent, guardian or custodian, except that
21 such motion may be filed by that person not more often than
22 once every ~~six months sixty days~~ except with leave of court for
23 good cause shown.
24 Sec. 51. Section 232.103A, Code 2022, is amended by adding
25 the following new subsection:
26 NEW SUBSECTION. 8. A court-appointed attorney shall be paid
27 by the state public defender's office for work done relating
28 to a bridge order.
29 Sec. 52. Section 232.104, subsection 2, paragraph d,
30 subparagraphs (1) and (2), Code 2022, are amended by striking
31 the subparagraphs and inserting in lieu thereof the following:
32 (1) Transfer sole custody of the child from one parent to
33 another parent.
34 (2) Transfer guardianship and custody of the child to an
35 adult relative, a fictive kin, or another suitable person.

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1 Sec. 53. Section 232.104, Code 2022, is amended by adding
2 the following new subsection:
3 NEW SUBSECTION. 4A. A court shall apply the priority
4 of placement requirements of section 232.102, subsection
5 1, paragraphs "a" and "c", when entering a permanency order
6 pursuant to subsection 2, paragraph "d".
7 Sec. 54. Section 232.108, subsections 1, 2, and 3, Code
8 2022, are amended to read as follows:
9 1. If the court orders the transfer of custody of a
10 child and siblings to the department or other agency for
11 placement under ~~this subchapter, under subchapter II, relating~~
~~to juvenile delinquency proceedings, or under any other~~
~~provision of this chapter, the department or other agency~~
14 shall make ~~a reasonable effort~~ efforts to place the child and
15 siblings together ~~in the same placement whenever possible if~~
~~such placement is in the best interests of each child. The~~
17 requirement of this subsection remains applicable to custody
18 transfer orders made at separate times ~~and provided the~~
~~requirement will not jeopardize the stability of placements~~
20 ~~and is in the best interests of each child. The requirement~~
~~of this subsection also applies in addition to efforts made by~~
22 ~~the department or agency to place the child with a an adult~~
23 relative.
24 2. If the requirements of subsection 1 apply but the
25 siblings are not placed in the same placement together, the
26 ~~department or other agency child's attorney or guardian ad~~

27 item shall provide the siblings with the reasons why and the
28 efforts being made to facilitate such placement, or why making
29 efforts for such placement is not appropriate. An explanation
30 is not required if the ages or mental states of the siblings
31 make such an explanation inappropriate. Unless visitation or
32 ongoing interaction with siblings is suspended or terminated
33 by the court, the department or agency shall make reasonable
34 effort efforts to provide for frequent visitation or other
35 ongoing interaction between the child and the child's siblings

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1 from the time of the child's out-of-home placement until
2 the child returns home or is in a permanent placement. The
3 department shall make reasonable efforts for such visitations
4 or interactions to occur at least once every thirty days unless
5 more frequent or less frequent visitation is ordered by the
6 court based on the child's circumstances.
7 3. A person who wishes to assert a sibling relationship
8 with a child who is subject to an order under this chapter for
9 an out-of-home placement and to request frequent visitation
10 or other ongoing interaction with the child may file a motion
11 or petition with the court with jurisdiction over the child.
12 Unless the court determines it would not be in the child's best
13 interest interests, upon finding that the person is a sibling
14 of the child, the provisions of this section providing for
15 frequent visitation or other ongoing interaction between the
16 siblings shall apply. Nothing in this section is intended to
17 provide or expand a right to counsel under this chapter beyond
18 the right provided and persons specified in sections 232.89 and
19 232.113.

DIVISION VII

20 TERMINATION OF PARENT-CHILD RELATIONSHIP PROCEEDINGS
21 Sec. 55. Section 232.111, subsection 2, paragraph a,
22 subparagraphs (2), (4), (5), and (6), Code 2022, are amended
23 to read as follows:

24 (2) A court has determined aggravated circumstances exist
25 and has waived the requirement for making reasonable efforts
26 under as defined in section 232.102 232.102A because the court
27 has found the circumstances described in section 232.116,
28 subsection 1, paragraph "i", are applicable to the child.
29 (4) The parent has been convicted of the murder or the
30 voluntary manslaughter of another child of the parent.
31 (5) The parent has been convicted of aiding or abetting,
32 attempting, conspiring in, or soliciting the commission of
33 the murder or voluntary manslaughter of another child of the
34 parent.

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1 (6) The parent has been convicted of a felony assault which
2 resulted in serious bodily injury of the child or of another

3 child ~~of the parent~~.

4 Sec. 56. Section 232.112, subsection 3, Code 2022, is
5 amended to read as follows:

6 3. Notice under this section shall be served personally,
7 sent by restricted certified mail, or sent by electronic mail
8 or other electronic means with the consent of the party to be
9 served, whichever is determined by the court to be the most
10 effective means of notification. If the court determines
11 that personal service is impracticable, the court may order
12 service by publication. Such notice shall be made according
13 to the rules of civil procedure relating to an original notice
14 where not inconsistent with the provisions of this section.
15 Notice by personal delivery and notice sent by electronic
16 mail or other electronic means with the consent of the party
17 to be served shall be served not less than seven days prior
18 to the hearing on termination of parental rights. Notice by
19 restricted certified mail shall be sent not less than fourteen
20 days prior to the hearing on termination of parental rights.
21 A notice by restricted certified mail which is refused by the
22 necessary party given notice shall be sufficient notice to the
23 party under this section.

24 Sec. 57. Section 232.116, subsection 1, paragraph d,
25 subparagraph (1), Code 2022, is amended to read as follows:

26 (1) The court has previously adjudicated the child to be
27 a child in need of assistance after finding the child to have
28 been physically or sexually abused or neglected as the result
29 of the acts or omissions of one or both parents, or the court
30 has previously adjudicated a child who is a member of the
31 same family to be a child in need of assistance after such a
32 finding. This paragraph shall not be construed to require that
33 a finding of sexual abuse or neglect requires a finding of a
34 nonaccidental physical injury.

35 Sec. 58. Section 232.116, subsection 1, paragraph i,

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1 subparagraph (1), Code 2022, is amended to read as follows:

2 (1) The child meets the definition of child in need of
3 assistance based on a finding of physical or sexual abuse or
4 neglect as a result of the acts or omissions of one or both
5 parents. This paragraph shall not be construed to require that
6 a finding of sexual abuse or neglect requires a finding of a
7 nonaccidental physical injury.

8 Sec. 59. Section 232.116, subsection 1, paragraph l,
9 subparagraphs (1) and (2), Code 2022, are amended by striking
10 the subparagraphs and inserting in lieu thereof the following:

11 (1) The child has been adjudicated a child in need of
12 assistance pursuant to section 232.96 and custody has been
13 transferred from the child's parents for placement pursuant to
14 section 232.102.
15 (2) The parent has a severe substance-related disorder as
16 described by either of the following:

17 (a) The severe substance-related disorder meets the
18 definition for that term as defined in the most current edition
19 of the diagnostic and statistical manual prepared by the
20 American psychiatric association, and the parent presents a
21 danger to self or others as evidenced by prior acts.

22 (b) The disorder is evidenced by continued and repeated use
23 through the case, the parent's refusal to obtain a substance
24 abuse evaluation or treatment after given the opportunity to
25 do so, and the parent presents a danger to self or others as
26 evidenced by prior acts.

27 Sec. 60. Section 232.117, subsection 3, Code 2022, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 3. If the court concludes that facts sufficient to sustain
31 the petition have been established by clear and convincing
32 evidence, the court may order parental rights terminated. If
33 the court terminates the parental rights of a child's parent,
34 the court shall transfer the guardianship and custody of the
35 child to a parent of the child whose parental rights have not

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1 been terminated. If the court finds guardianship and custody
2 with the child's parents is not in the child's best interests,
3 guardianship and custody shall be transferred for placement of
4 the child in any of the following categories in the following
5 order of priority:

6 a. The department if the department had custody of the child
7 at the time of the filing of the petition for termination of
8 parental rights, or if custody with the department is necessary
9 to facilitate the permanency or adoption goal, unless the
10 department waives its priority.

11 b. An adult relative of the child, including but not limited
12 to adult siblings or parents of siblings.

13 c. A fictive kin.

14 d. A child-placing agency or other suitable private agency,
15 facility, or institution which is licensed or otherwise
16 authorized by law to receive and to provide care for the child.

17 Sec. 61. Section 232.117, subsection 4, Code 2022, is
18 amended by striking the subsection and inserting in lieu
19 thereof the following:

20 4. If the court orders a termination of parental rights
21 and siblings are not placed together but have an existing
22 relationship, the court shall order ongoing contact between
23 the siblings in accordance with section 232.108 if the court
24 finds that either visitation or ongoing interaction is in the
25 best interests of each sibling. This subsection shall not be
26 construed to require visitation between a child and a parent
27 whose parental rights have been terminated as to that child,
28 even if a sibling remains with the parent.

29 Sec. 62. Section 232.118, subsection 1, Code 2022, is
30 amended by adding the following new paragraphs:

31 NEW PARAGRAPH. *a.* The moving party or a party opposed to
32 the actions of the guardian has the burden to establish that
33 the court-appointed guardian failed to act in the child's best
34 interests by unreasonably or irresponsibly failing to discharge
35 the guardian's duties in finding a suitable adoptive home for

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1 the child.

2 NEW PARAGRAPH. *b.* The court shall give deference to the
3 decision of the guardian.

DIVISION VIII

FAMILY IN NEED OF ASSISTANCE PROCEEDINGS

6 Sec. 63. Section 232.126, subsection 2, Code 2022, is
7 amended to read as follows:

8 2. The court may appoint a court appointed special
9 advocate ~~to act as guardian ad litem~~. The court appointed
10 special advocate shall receive notice of and may attend all
11 depositions, hearings, and trial proceedings to support the
12 child and advocate for the protection of the child. The court
13 appointed special advocate shall not be allowed to separately
14 introduce evidence or to directly examine or cross-examine
15 witnesses. The court appointed special advocate shall submit
16 reports to the court and the parties to the proceedings
17 containing the information required in reports submitted by
18 a court appointed special advocate under section ~~232.89~~,
19 ~~subsection 5~~ 237.24, subsection 2, paragraphs "g" and "h". In
20 addition, the court appointed special advocate shall file other
21 reports to the court as required by the court.

22 Sec. 64. Section 232.127, subsection 8, Code 2022, is
23 amended to read as follows:

24 8. The court shall not order group foster care placement of
25 the child which is a charge upon the state ~~if that placement~~
~~is not in accordance with the service area plan for group~~
~~foster care established pursuant to section 232.143 for the~~
~~departmental service area in which the court is located unless~~
~~the group foster care meets requirements as established by the~~
~~department by rule.~~

31 Sec. 65. NEW SECTION. **237.24 Court appointed special
32 advocates.**

33 1. A court appointed special advocate shall receive notice
34 of all depositions, hearings, and trial proceedings in a matter
35 to which the court appointed special advocate is appointed.

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1 2. The duties of a court appointed special advocate with
2 respect to a child, unless otherwise enlarged or circumscribed
3 by a court or juvenile court with jurisdiction over the
4 child after a finding of good cause, shall include all of the
5 following:
6 *a.* Conducting in-person interviews with the child every

7 thirty days, if the child's age is appropriate for the
8 interview, and interviewing each parent, guardian, or other
9 person having custody of the child as needed, if authorized by
10 counsel.
11 b. Visiting the home, residence, or both home and residence
12 of the child and any prospective home or residence of the
13 child, including each time placement is changed.
14 c. Interviewing any person providing medical, mental health,
15 social, educational, or other services to the child.
16 d. Obtaining firsthand knowledge, if possible, of the facts,
17 circumstances, and parties involved in the matter in which the
18 court appointed special advocate is appointed.
19 e. Attending any depositions, hearings, and trial
20 proceedings in a matter to which the court appointed special
21 advocate is appointed for the purpose of supporting the child
22 and advocating for the child's protection.
23 f. Assisting the transition committee in the development of
24 a transition plan if the child's case permanency plan calls for
25 the development of a transition plan.
26 g. (1) Submitting a written report to the juvenile court
27 and to each of the parties identified in section 237.21,
28 subsection 4, prior to each court hearing unless otherwise
29 ordered by the court.
30 (2) The report shall include but not be limited to the
31 identified strengths of the child and the child's family,
32 concerns identified by the court appointed special advocate,
33 the court appointed special advocate's recommendations
34 regarding the child's placement, and other recommendations the
35 court appointed special advocate believes are in the child's

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1 best interests.
2 h. Submitting periodic reports to the court or juvenile
3 court with jurisdiction over a child and interested parties
4 detailing the child's situation as long as the child remains
5 under the jurisdiction of the court or juvenile court.
6 i. Filing other reports as ordered by a court or juvenile
7 court.

DIVISION IX

JUVENILE COURT EXPENSES AND COSTS — SHELTER AND DETENTION HOMES

11 Sec. 66. Section 232.141, subsection 8, Code 2022, is
12 amended to read as follows:
13 8. This subsection applies only to placements in a juvenile
14 shelter care home which is publicly owned, operated as a county
15 or multicounty shelter care home, organized under a chapter 28E
16 agreement, or operated by a private juvenile shelter care home.
17 If the actual and allowable costs of a child's shelter care
18 placement exceed the amount the department is authorized to
19 pay ~~in accordance with law and administrative rule~~, the unpaid
20 costs may be recovered from the child's custodial parent's

21 county of residence. However, the maximum amount of the
22 unpaid costs which may be recovered under this subsection is
23 limited to the difference between the amount the department is
24 authorized to pay and the statewide average of the actual and
25 allowable rates ~~in effect in May of the preceding fiscal year~~
26 ~~for reimbursement of juvenile shelter care homes as reasonably~~
27 ~~determined by the department annually. In no case shall the~~
28 ~~A home may only be reimbursed for more than the lesser of the~~
29 ~~home's actual and allowable costs or the statewide average of~~
30 ~~the actual and allowable rates as determined by the department~~
31 ~~in effect on the date the costs were paid.~~ The unpaid costs
32 are payable pursuant to filing of verified claims against the
33 child's custodial parent's county of residence. A detailed
34 statement of the facts upon which a claim is based shall
35 accompany the claim. Any dispute between counties arising from

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1 filings of claims pursuant to this subsection shall be settled
2 in the manner provided to determine residency in section
3 331.394.
4 Sec. 67. Section 232.142, subsections 3, 4, 5, and 6, Code
5 2022, are amended to read as follows:
6 3. A county or multicounty juvenile detention home approved
7 pursuant to this section shall receive financial aid from the
8 state in a manner approved by the director, ~~the director of the~~
9 ~~department of human rights, or a designee of the director of~~
10 ~~the department of human rights.~~ Aid paid by the state shall
11 be at least ten percent and not more than fifty percent of the
12 total cost of the establishment, improvements, operation, and
13 maintenance of the home. This subsection is repealed July 1,
14 2023.
15 4. The director, ~~the director of the department of human~~
16 ~~rights, or a designee of the director of the department of~~
17 ~~human rights~~ shall adopt minimal rules and standards for the
18 establishment, maintenance, and operation of such homes as
19 shall be necessary to effect the purposes of this chapter. The
20 rules shall apply the requirements of section 237.8, concerning
21 employment and evaluation of persons with direct responsibility
22 for a child or with access to a child when the child is
23 alone and persons residing in a child foster care facility,
24 to persons employed by, residing in, or volunteering for a
25 home approved under this section. The director shall, upon
26 request, give guidance and consultation in the establishment
27 and administration of the homes and programs for the homes.
28 This subsection is repealed July 1, 2023.
29 5. The director, ~~the director of the department of human~~
30 ~~rights, or a designee of the director of the department of~~
31 ~~human rights~~ shall approve annually all such homes established
32 and maintained under the provisions of this chapter. A home

33 shall not be approved unless it complies with minimal rules and
34 standards adopted by the director and has been inspected by the
35 department of inspections and appeals. The statewide number

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1 of beds in the homes approved by the director shall not exceed
2 two hundred seventy-two beds beginning July 1, 2017. This
3 subsection is repealed July 1, 2023.
4 6. A juvenile detention home fund is created in the
5 state treasury under the authority of the department or the
6 department of human rights as the department and the department
7 of human rights agree. The fund shall consist of moneys
8 deposited in the fund pursuant to section 602.8108. The moneys
9 in the fund shall be used for the costs of the establishment,
10 improvement, operation, and maintenance of county or
11 multicounty juvenile detention homes in accordance with annual
12 appropriations made by the general assembly from the fund for
13 these purposes. This subsection is repealed July 1, 2023.
14 Sec. 68. Section 232.142, Code 2022, is amended by adding
15 the following new subsections:

16 NEW SUBSECTION. 7. A county or multicounty juvenile
17 detention home approved pursuant to this section shall receive
18 financial aid from the state in a manner approved by the
19 director of the department of human rights or a designee of the
20 director of the department of human rights. Aid paid by the
21 state shall be at least ten percent and not more than fifty
22 percent of the total cost of the establishment, improvements,
23 operation, and maintenance of the home.

24 NEW SUBSECTION. 8. The director of the department of
25 human rights or a designee of the director of the department
26 of human rights shall adopt minimal rules and standards for
27 the establishment, maintenance, and operation of such homes as
28 shall be necessary to effect the purposes of this chapter. The
29 rules shall apply the requirements of section 237.8, concerning
30 employment and evaluation of persons with direct responsibility
31 for a child or with access to a child when the child is
32 alone and persons residing in a child foster care facility,
33 to persons employed by, residing in, or volunteering for a
34 home approved under this section. The director shall, upon
35 request, give guidance and consultation in the establishment

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1 and administration of the homes and programs for the homes.
2 NEW SUBSECTION. 9. The director of the department of human
3 rights or a designee of the director of the department of human
4 rights shall approve annually all such homes established and
5 maintained under the provisions of this chapter. A home shall
6 not be approved unless it complies with minimal rules and
7 standards adopted by the director and has been inspected by the
8 department of inspections and appeals. The statewide number

9 of beds in the homes approved by the director shall not exceed
10 two hundred seventy-two beds.

11 NEW SUBSECTION. 10. The juvenile detention home fund in the
12 state treasury shall be under the authority of the department
13 of human rights. The fund shall consist of moneys deposited in
14 the fund pursuant to section 602.8108. The moneys in the fund
15 shall be used for the costs of the establishment, improvement,
16 operation, and maintenance of county or multicounty juvenile
17 detention homes in accordance with annual appropriations made
18 by the general assembly from the fund for these purposes.

19 DIVISION X

20 JUVENILE JUSTICE REFORM — DECATEGORIZATION OF CHILD WELFARE
21 AND JUVENILE JUSTICE FUNDING INITIATIVE — EARLY INTERVENTION
22 PROGRAMS

23 Sec. 69. Section 232.188, subsection 5, paragraph b,
24 unnumbered paragraph 1, Code 2022, is amended to read as
25 follows:
26 Notwithstanding section 8.33, moneys designated for a
27 project's decategorization services funding pool that remain
28 unencumbered or unobligated at the close of the fiscal year
29 shall not revert but shall remain available for expenditure as
30 directed by the project's governance board for child welfare
31 and juvenile justice systems enhancements and other purposes
32 of the project for the next ~~two~~ three succeeding fiscal years.
33 Such moneys shall be known as "*carryover funding*". Moneys may
34 be made available to a funding pool from one or more of the
35 following sources:

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1 Sec. 70. NEW SECTION. **232.192 Early intervention and**
2 **follow-up programs.**

3 Contingent on a specific appropriation for these purposes,
4 juvenile court services shall do the following:

5 1. Develop or expand programs providing specific life
6 skills and interpersonal skills training for adjudicated
7 delinquent youth who pose a low or moderate risk to the
8 community.
9 2. Develop or expand a school-based program addressing
10 truancy and school behavioral problems for youth ages twelve
11 through seventeen.

12 3. Develop or expand an intensive tracking and supervision
13 program for adjudicated delinquent youth at risk for placement
14 who have been released from resident facilities, which shall
15 include telephonic or electronic tracking and monitoring and
16 intervention by juvenile authorities.

17 4. Develop or expand supervised community treatment
18 for adjudicated delinquent youth who experience significant
19 problems and who constitute a moderate community risk.

20 DIVISION XI

21 JUDICIAL BRANCH NONREVERSION OF CERTAIN MONEYS — CHILD WELFARE
22 AND JUVENILE JUSTICE

23 Sec. 71. NONREVERSION OF CERTAIN MONEYS RELATED TO CHILD
24 WELFARE AND JUVENILE JUSTICE.

25 1. Notwithstanding section 8.33, moneys received by the
26 state beginning July 1, 2020, pursuant to Tit. IV-B or Tit.
27 IV-E of the federal Social Security Act as reimbursement for
28 claims or pursuant to the federal Family First Prevention
29 Services Act of 2018, Pub. L. No. 115-123 as transition funds,
30 that remain unencumbered or unobligated at the close of the
31 fiscal year shall not revert to the general fund of the state
32 but shall remain available for expenditure for child welfare
33 and juvenile justice services including but not limited to
34 reimbursement of qualified expenses and administrative costs
35 until expended.

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1 Sec. 72. EFFECTIVE DATE. This division of this Act, being
2 deemed of immediate importance, takes effect upon enactment.

3 Sec. 73. RETROACTIVE APPLICABILITY. This division of this
4 Act applies retroactively to the fiscal year beginning July 1,
5 2020.

6 DIVISION XII

7 CONFORMING CODE CHANGES

8 Sec. 74. Section 232.52, subsection 3, paragraph c, Code
9 2022, is amended to read as follows:

10 c. Notwithstanding subsection 2, the court shall not order
11 group foster care placement of the child which is a charge
12 upon the state if that placement is not in accordance with the
13 service area plan for group foster care established pursuant to
14 section 232.143 for the departmental service area in which the
15 court is located unless the group foster care placement meets
16 requirements as established by the department by rule.

17 Sec. 75. Section 232.70, subsection 4, Code 2022, is amended
18 by striking the subsection.

19 Sec. 76. Section 232.71B, subsection 16, Code 2022, is
20 amended to read as follows:

21 16. *Conclusion of family assessment.* At the conclusion
22 of a family assessment, the department shall transfer the
23 case, if appropriate, to a contracted provider to review the
24 service plan for the child and family. The contracted provider
25 shall make a referral to the department abuse hotline if a
26 family's noncompliance with a service plan places a child at
27 risk. If any of the criteria for child abuse as defined in
28 section 232.68, subsection 2, paragraph "a", are met, the
29 department shall commence a child abuse assessment. If any of
30 the criteria for a child in need of assistance, as defined in
31 pursuant to section 232.2, subsection 6 232.96A, are met, the
32 department shall determine whether to request a child in need
33 of assistance petition.

34 Sec. 77. Section 232.83, subsection 2, unnumbered paragraph
35 1, Code 2022, is amended to read as follows:

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1 Anyone authorized to conduct a preliminary investigation
2 in response to a complaint may apply for, or the court on its
3 own motion may enter an ex parte order authorizing a physician
4 or hospital to conduct an outpatient physical examination or
5 authorizing a physician, a psychologist certified under section
6 154B.7, or a community mental health center accredited pursuant
7 to chapter 230A to conduct an outpatient mental examination of
8 a child if necessary to identify the nature, extent, and causes
9 of any injuries, emotional damage, or other such needs of a
10 child as specified in section ~~232.2, subsection 6, paragraph~~
11 ~~"e", "e", or "f"~~ ~~232.96A, subsection 3, 5, or 6~~, provided that
12 all of the following apply:
13 Sec. 78. Section 232.89, subsection 5, Code 2022, is amended
14 by striking the subsection.
15 Sec. 79. Section 232.98, subsection 1, paragraph b,
16 subparagraph (1), Code 2022, is amended to read as follows:
17 (1) Probable cause exists to believe that the child is
18 a child in need of assistance pursuant to section ~~232.2,~~
19 ~~subsection 6, paragraph "e" or "f"~~ ~~232.96A, subsection 5 or 6.~~
20 Sec. 80. Section 232.102, subsection 9, unnumbered
21 paragraph 1, Code 2022, is amended to read as follows:
22 An agency, facility, institution, or person to whom custody
23 of the child has been transferred pursuant to this section
24 shall file a written report with the court at least every six
25 months concerning the status and progress of the child. The
26 court shall hold a periodic dispositional review hearing for
27 each child in placement pursuant to this section in order
28 to determine whether the child should be returned home,
29 an extension of the placement should be made, a permanency
30 hearing should be held, or a termination of the parent-child
31 relationship proceeding should be instituted. The placement
32 shall be terminated and the child returned to the child's home
33 if the court finds by a preponderance of the evidence that the
34 child will not suffer harm in the manner specified in section
35 ~~232.2, subsection 6 & 232.96A~~. If the placement is extended,

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1 the court shall determine whether additional services are
2 necessary to facilitate the return of the child to the child's
3 home, and if the court determines such services are needed, the
4 court shall order the provision of such services. When the
5 child is not returned to the child's home and if the child has
6 been previously placed in a licensed foster care facility, the
7 department or agency responsible for the placement of the child
8 shall consider placing the child in the same licensed foster
9 care facility.
10 Sec. 81. Section 232.117, subsection 5, Code 2022, is
11 amended to read as follows:
12 5. If after a hearing the court does not order the

13 termination of parental rights but finds that there is clear
14 and convincing evidence that the child is a child in need
15 of assistance, ~~under pursuant to~~ section 232.2, subsection
16 § 232.96A, due to the acts or omissions of one or both of
17 the child's parents the court may adjudicate the child to
18 be a child in need of assistance and may enter an order in
19 accordance with the provisions of section 232.100, 232.101,
20 232.102, or 232.104.

21 Sec. 82. Section 234.6, subsection 1, paragraph e,
22 subparagraph (3), Code 2022, is amended to read as follows:
23 (3) Family-centered services, as defined in section
24 232.102, subsection 10, paragraph "b" 232.102A, subsection 1,
25 paragraph "b".

26 Sec. 83. Section 234.35, subsection 1, paragraph e, Code
27 2022, is amended to read as follows:
28 e. When a court has entered an order transferring the legal
29 custody of the child to a foster care placement pursuant to
30 section 232.46, section 232.52, subsection 2, paragraph "d",
31 or section 232.102, subsection 1. However, payment ~~shall not~~
32 ~~be made~~ for a group foster care placement ~~shall be limited to~~
33 ~~those placements which conform to a service area group foster~~
34 ~~care plan established pursuant to section 232.143 unless the~~
35 ~~group foster care meets requirements as established by the~~

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1 department by rule.

2 Sec. 84. Section 234.35, subsection 1, paragraph i, Code
3 2022, is amended by striking the paragraph.

4 Sec. 85. Section 234.35, subsection 3, paragraph a, Code
5 2022, is amended to read as follows:

6 a. ~~For a child who is eighteen years of age, family~~
7 Family foster care or ~~independent supervised apartment~~ living
8 arrangements.

9 Sec. 86. Section 234.35, subsection 3, paragraph b, Code
10 2022, is amended by striking the paragraph.

11 Sec. 87. Section 234.35, subsection 4, Code 2022, is amended
12 by striking the subsection.

13 Sec. 88. Section 237.21, subsection 5, Code 2022, is amended
14 to read as follows:

15 5. Members of the state board and local boards, court
16 appointed special advocates, and the employees of the
17 department and the department of inspections and appeals are
18 subject to standards of confidentiality pursuant to sections
19 217.30, 228.6, subsection 1, sections 235A.15, 600.16,
20 and 600.16A. Members of the state and local boards, court
21 appointed special advocates, and employees of the department
22 and the department of inspections and appeals who disclose
23 information or records of the board or department, other than
24 as provided in subsections 2, 3, and 4, sections 232.89 and
25 section 232.126, and section 237.20, subsection 2, are guilty
26 of a simple misdemeanor.

27 Sec. 89. Section 709A.5, Code 2022, is amended to read as
28 follows:

29 **709A.5 Interpretative clause.**

30 For the purposes of this chapter the word "*dependency*"
31 shall mean all the conditions as enumerated in section ~~232.2~~,
32 subsection 6 232.96A.

33 DIVISION XIII
34 REPEALS

35 Sec. 90. REPEAL. Sections 232.107, 232.143, 232.175,

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1 232.176, 232.177, 232.178, 232.179, 232.180, 232.181, 232.182,
2 232.183, 232.195, and 232.196, Code 2022, are repealed.
3 Sec. 91. FUTURE REPEAL. Sections 232.189 and 232.191, Code
4 2022, are repealed effective July 1, 2023.

5 DIVISION XIV
6 EFFECTIVE DATES

7 Sec. 92. EFFECTIVE DATE. The following take effect July 1,
8 2023:

9 1. The section of this Act enacting section 232.142,
10 subsections 7, 8, 9, and 10.

11 2. The section of this Act enacting section 232.192.

12 DIVISION XV
13 APPLICABILITY

14 Sec. 93. APPLICABILITY. The section of this Act enacting
15 section 232.79B shall apply beginning on the effective date
16 specified in rules adopted by the department of human services
17 pursuant to chapter 17A to implement that section.>

18 2. Title page, line 5, after <date> by inserting <,
19 applicability, and retroactive applicability>

JEFF EDLER

S-5140

1 Amend House File 2549, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. **NEW SECTION. 261.117 Mental health**
6 **professional loan repayment program.**

7 1. *Definitions.* For purposes of this section, unless the
8 context otherwise requires:

9 a. "Commission" means the college student aid commission.

10 b. "Eligible institution" means an institution of higher
11 learning governed by the state board of regents or an

12 accredited private institution as defined in section 261.9.

13 c. "Eligible loan" means a mental health professional's

14 total federally guaranteed Stafford loan amount under the

15 federal family education loan program or the federal direct

16 loan program, a mental health professional's federal grad plus

17 loans, or a mental health professional's federal Perkins loan,
18 including principal and interest.
19 d. "*Eligible practice area*" means a city in Iowa that is
20 within a federal mental health shortage area, as designated by
21 the health resources and services administration of the United
22 States department of health and human services.
23 e. "*Mental health professional*" means a nonprescribing
24 individual who meets all of the following qualifications:
25 (1) The individual holds at least a master's degree from
26 an eligible institution in a mental health field, including
27 psychology, counseling and guidance, social work, marriage and
28 family therapy, or mental health counseling.
29 (2) The individual holds a current Iowa license if
30 practicing in a field covered by an Iowa licensure law.
31 (3) The individual has at least two years of post-degree
32 clinical experience, supervised by another individual in the
33 mental health field, in assessing mental health needs and
34 problems and in providing appropriate mental health services.
35 (4) The individual is not eligible for the rural Iowa

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1 advanced nurse practitioner and physician assistant loan
2 repayment program established pursuant to section 261.114.
3 f. "*Part-time practice*" means at least seventy percent of
4 a forty-hour workweek.
5 2. *Program established.* A mental health professional loan
6 repayment program is established to be administered by the
7 commission for purposes of providing loan repayments for mental
8 health professionals who agree to practice in an eligible
9 practice area and meet the requirements of this section.
10 3. *Program agreements.*
11 a. The mental health professional and the commission shall
12 enter into a program agreement. Under the agreement, to
13 receive loan repayments pursuant to subsection 5, a mental
14 health professional shall agree to and shall engage in either
15 of the following:
16 (1) Full-time practice as a mental health professional in an
17 eligible practice area for a period of five consecutive years
18 after entering into the agreement.
19 (2) Part-time practice as a mental health professional in an
20 eligible practice area for a period of seven consecutive years
21 after entering into the agreement.
22 b. A mental health professional who entered into a program
23 agreement pursuant to paragraph "a" may apply to the commission
24 to amend the agreement to allow the mental health professional
25 to switch to part-time practice or full-time practice, as
26 applicable. The commission and the mental health professional
27 may consent to amend the agreement under which the mental
28 health professional shall engage in part-time practice in an
29 eligible practice area for an extended period of part-time
30 practice determined by the commission to be proportional to

31 the amount of full-time practice remaining under the original
32 agreement.
33 c. The commission shall give priority to mental health
34 professionals who are residents of Iowa and, if requested by
35 the adjutant general, to mental health professionals who are

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1 members of the Iowa national guard.
2 4. *Satisfaction of practice obligation.*
3 a. An obligation to engage in full-time or part-time
4 practice under a program agreement entered into pursuant to
5 subsection 3 shall be considered satisfied when any of the
6 following conditions is met:
7 (1) The terms of the agreement are completed.
8 (2) The individual who entered into the agreement dies.
9 (3) The individual who entered into the agreement, due to a
10 permanent disability, is unable to practice as a mental health
11 professional.
12 b. If a mental health professional fails to fulfill the
13 obligation to engage in practice in accordance with subsection
14 3, the mental health professional shall be subject to repayment
15 to the commission of loan repayment amounts the commission paid
16 to the mental health professional pursuant to subsection 5 plus
17 interest as specified by rule.
18 5. *Loan repayment amounts.* The annual amount of loan
19 repayment the commission may make to a mental health
20 professional who enters into a program agreement pursuant
21 to subsection 3, if the mental health professional is in
22 compliance with obligations under the agreement, shall be
23 eight thousand dollars for an eligible loan. The total amount
24 of loan repayments from the commission to a mental health
25 professional under this subsection shall not exceed forty
26 thousand dollars.
27 6. *Refinanced loans.* A mental health professional who
28 receives a loan repayment pursuant to subsection 5 and who
29 refinances an eligible loan by obtaining a private educational
30 loan may continue to receive loan repayment under this section
31 if the amount of loan repayment does not exceed the lesser of
32 the amount specified in subsection 5 or the balance of the loan
33 repayment amount the mental health professional qualified to
34 receive with the eligible loan.
35 7. *Mental health professional loan repayment fund.* A mental

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1 health professional loan repayment fund is created for deposit
2 of moneys appropriated to or received by the commission for use
3 under the mental health professional loan repayment program.
4 Notwithstanding section 8.33, moneys deposited in the mental
5 health professional loan repayment fund shall not revert to any
6 fund of the state at the end of any fiscal year but shall remain

7 in the mental health professional loan repayment fund and be
8 continuously available for loan repayment under the program.
9 Notwithstanding section 12C.7, subsection 2, interest or
10 earnings on moneys deposited in the mental health professional
11 loan repayment fund shall be credited to the fund.

12 *Report.* The commission shall submit in a report to the
13 general assembly by January 1, annually, the number of mental
14 health professionals who received loan repayment pursuant to
15 this section, where the mental health professionals practiced,
16 the amount paid to each mental health professional, and other
17 information identified by the commission as indicators of
18 outcomes of the program.

19 *Rules.* The commission shall adopt rules pursuant to
20 chapter 17A to administer this section.>

21 2. Title page, by striking lines 2 and 3 and inserting
22 <professional loan repayment program within the college student
23 aid commission.>

CHRIS COURNOYER

S-5141

1 Amend Senate File 2195 as follows:

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

4 <Section 1. **NEW SECTION. 261.117 Mental health**
5 **practitioner loan repayment program — trust fund —**
6 **appropriation.**

7 1. *Program established.* The commission shall establish
8 a mental health practitioner loan repayment program for
9 the purposes of providing loan repayments for mental health
10 practitioners who agree to practice in service commitment areas
11 for at least five years and who meet the requirements of this
12 section.

13 2. *Eligibility.* An individual is eligible to apply to enter
14 into a program agreement with the commission if the individual
15 is enrolled full-time in a curriculum leading to employment as
16 a mental health practitioner. A recipient of a loan repayment
17 award under section 261.113, 261.114, 261.115, or 261.116 shall
18 not be eligible for a loan repayment award under this chapter.

19 3. *Program agreements.* A program agreement shall be
20 entered into by an eligible student and the commission when the
21 eligible student begins the final year of study in an academic
22 program leading to eligibility for employment as a mental
23 health practitioner. Under the agreement, to receive loan
24 repayments pursuant to subsection 5, an eligible student shall
25 agree to and shall fulfill all of the following requirements:

26 a. Receive a graduate-level credential qualifying the
27 credential recipient for employment as a mental health
28 practitioner.

29 b. Receive a license to practice in this state.

30 c. Within nine months of meeting the requirements of a

31 mental health practitioner, engage in full-time practice as
32 a mental health practitioner for a period of five years in a
33 service commitment area.
34 d. During the five-year period of full-time practice, be
35 enrolled as an actively participating Medicaid provider.

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1 4. *Priorities in making awards.* In making awards under this
2 section, the commission shall give priority to:
3 a. Eligible students who are residents of Iowa upon
4 enrolling in a university and who agree to practice in a
5 service commitment area located in a mental health professional
6 shortage area.
7 b. Service commitment areas that are located in mental
8 health professional shortage areas.
9 5. *Loan repayment amounts.*
10 a. The amount of loan repayment an eligible student who
11 enters into an agreement pursuant to subsection 3 shall receive
12 if in compliance with obligations under the agreement shall be
13 as follows:
14 (1) For a psychiatrist, forty thousand dollars annually
15 with a maximum of two hundred thousand dollars for an eligible
16 loan, not to exceed the total loan amount.
17 (2) For a psychologist or a mental health professional,
18 eight thousand dollars annually with a maximum of forty
19 thousand dollars for an eligible loan, not to exceed the total
20 loan amount.
21 (3) For a physician assistant practicing under the
22 supervision of a psychiatrist, or for a psychiatric advanced
23 registered nurse practitioner, ten thousand dollars annually
24 with a maximum of fifty thousand dollars, not to exceed the
25 total loan amount.
26 b. If the total amount of the eligible student's loan
27 upon graduation is less than the maximum amount specified,
28 the commission shall divide the total amount of the eligible
29 student's eligible loan by five to determine the annual amount
30 of loan repayment the loan recipient is eligible to receive.
31 c. Payments under this section may be made for each year of
32 eligible practice during a period of five consecutive years.
33 6. *Refinanced loans.* A loan repayment recipient who
34 refinances an eligible loan by obtaining a private educational
35 loan may continue to receive loan repayment under this section

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1 if the amount of loan repayment does not exceed the lesser of
2 the amount specified in subsection 5 or the balance of the loan
3 repayment amount the loan repayment recipient qualified to
4 receive with the eligible loan.
5 7. *Program agreement limitation.* The commission shall by
6 rule determine the number of agreements entered into annually

7 based upon the funding available.

8 8. *Selection of service commitment area.* A loan repayment
9 recipient shall notify the commission of the recipient's
10 service commitment area prior to beginning practice in the area
11 in accordance with subsection 3, paragraph "c". Priority shall
12 be given to recipients who select service commitment areas
13 located in mental health professional shortage areas. The
14 commission may waive the requirement that the loan repayment
15 recipient practice in the same service commitment area for all
16 five years.

17 9. *Rules for additional loan repayment.* The commission
18 shall adopt rules to provide, in addition to loan repayment
19 provided to eligible students pursuant to this section and
20 subject to the availability of surplus funds, loan repayment to
21 a psychiatrist, a psychologist, a mental health professional,
22 a physician assistant practicing under the supervision of
23 a psychiatrist, or a psychiatric advanced registered nurse
24 practitioner, who, as provided in subsection 3, received a
25 degree from a university, obtained a license to practice
26 in this state, and is engaged in full-time practice in the
27 respective profession in a service commitment area.

28 10. *Part-time practice — agreement amended.* A person who
29 entered into an agreement pursuant to subsection 3 may apply
30 to the commission to amend the agreement to allow the person
31 to engage in less than the full-time practice specified in the
32 agreement and under subsection 3, paragraph "c". The commission
33 and the person may consent to amend the agreement under which
34 the person shall engage in less than full-time practice in a
35 service commitment area for an extended period of part-time

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1 practice determined by the commission to be proportional to
2 the amount of full-time practice remaining under the original
3 agreement. For purposes of this subsection, "*less than*
4 *the full-time practice*" means at least seventy percent of a
5 forty-hour workweek.

6 11. *Postponement and satisfaction of service obligation.*

7 a. The obligation to engage in practice in accordance with
8 subsection 3 shall be postponed for the following purposes:
9 (1) Active duty status in the armed forces, the armed forces
10 military reserve, or the national guard.

11 (2) Service in volunteers in service to America.

12 (3) Service in the federal peace corps.

13 (4) A period of service commitment to the United States
14 public health service commissioned corps.

15 (5) A period of religious missionary work conducted by an
16 organization exempt from federal income taxation pursuant to
17 section 501(c)(3) of the Internal Revenue Code.

18 (6) Any period of temporary medical incapacity during which
19 the person obligated is unable, due to a medical condition, to
20 engage in full-time practice as required under subsection 3,

21 paragraph "c".

22 **b.** Except for a postponement under paragraph "a",
23 subparagraph (6), an obligation to engage in practice under an
24 agreement entered into pursuant to subsection 3 shall not be
25 postponed for more than two years from the time the full-time
26 practice was to have commenced under the agreement.

27 **c.** An obligation to engage in full-time practice under
28 an agreement entered into pursuant to subsection 3 shall be
29 considered satisfied when any of the following conditions are
30 met:

31 (1) The terms of the agreement are completed.
32 (2) The person who entered into the agreement dies.
33 (3) The person who entered into the agreement, due to a
34 permanent disability, is unable to practice as a mental health
35 practitioner.

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1 **d.** If a loan repayment recipient fails to fulfill
2 the obligation to engage in practice in accordance with
3 subsection 3, the recipient shall be subject to repayment to
4 the commission of the loan amount plus interest as specified
5 by rule. A loan repayment recipient who fails to meet the
6 requirements of the obligation to engage in practice in
7 accordance with subsection 3 may also be subject to repayment
8 of moneys advanced by the service commitment area as provided
9 in any agreement with the service commitment area.

10 **12. Trust fund established.** A mental health practitioner
11 loan repayment program trust fund is created in the state
12 treasury as a separate fund under the control of the
13 commission. The commission shall remit all repayments made
14 pursuant to this section to the trust fund. All moneys
15 deposited or paid into the trust fund are appropriated and
16 made available to the commission to be used for meeting the
17 requirements of this section. Moneys in the trust fund up
18 to the total amount that an eligible student may receive
19 for an eligible loan in accordance with this section and
20 upon fulfilling the requirements of subsection 3, shall be
21 considered encumbered for the duration of the agreement entered
22 into pursuant to subsection 3. Notwithstanding section 8.33,
23 any balance in the trust fund on June 30 of each fiscal year
24 shall not revert to the general fund of the state, but shall
25 be available for purposes of this section in subsequent fiscal
26 years.

27 **13. Report.** The commission shall submit in a report to
28 the general assembly by January 1, annually, the number of
29 individuals who received loan repayment pursuant to this
30 section, where the participants practiced, the amount paid to
31 each program participant, and other information identified by
32 the commission as indicators of outcomes of the program.

33 14. *Rules.* The commission shall adopt rules pursuant to
34 chapter 17A to administer this section.
35 15. *Definitions.* For purposes of this section:

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1 a. *"Advanced registered nurse practitioner"* means a person
2 licensed as a registered nurse under chapter 152 or 152E who
3 is licensed by the board of nursing as an advanced registered
4 nurse practitioner.
5 b. *"Eligible loan"* means the recipient's total federally
6 guaranteed Stafford loan amount under the federal family
7 education loan program or the federal direct loan program, the
8 recipient's federal grad plus loans, or the recipient's federal
9 Perkins loan, including principal and interest.
10 c. *"Mental health practitioner"* means a psychiatrist,
11 a psychologist, a mental health professional, a physician
12 assistant practicing under the supervision of a psychiatrist,
13 or a psychiatric advanced registered nurse practitioner.
14 d. *"Mental health professional"* means an individual who
15 meets all of the following qualifications:
16 (1) The individual holds at least a master's degree in
17 a mental health field, including psychology, counseling and
18 guidance, social work, marriage and family therapy, or mental
19 health counseling.
20 (2) The individual holds a current Iowa license if
21 practicing in a field covered by an Iowa licensure law.
22 (3) The individual has at least two years of post-degree
23 clinical experience, supervised by another individual in the
24 mental health field, in assessing mental health needs and
25 problems and in providing appropriate mental health services.
26 e. *"Mental health professional shortage area"* means a mental
27 health health professional shortage area designated by the
28 health resources and services administration of the United
29 States department of health and human services.
30 f. *"Psychiatric advanced registered nurse practitioner"*
31 means an individual currently licensed as a registered nurse
32 under chapter 152 or 152E who holds a national certification in
33 psychiatric mental health care and who is licensed by the board
34 of nursing as an advanced registered nurse practitioner.
35 g. *"Service commitment area"* means a city in Iowa that

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1 provides the following contribution amounts for deposit in the
2 mental health practitioner loan repayment trust fund for each
3 loan recipient in the community who is participating in the
4 loan repayment program:
5 (1) For a psychiatrist, twenty thousand dollars.
6 (2) For a psychologist or a mental health professional, four
7 thousand dollars.
8 (3) For a physician assistant practicing under the

9 supervision of a psychiatrist, or for a psychiatric advanced
10 registered nurse practitioner, five thousand dollars.

11 Sec. 2. MENTAL HEALTH PRACTITIONER LOAN REPAYMENT PROGRAM
12 TRUST FUND — APPROPRIATION. There is appropriated from the
13 general fund of the state to the college student aid commission
14 for the fiscal year beginning July 1, 2022, and ending June
15 30, 2023, the following amounts, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For deposit in the mental health practitioner loan repayment
18 program trust fund established pursuant to section 261.117, to
19 be used for the purposes of the program:

20 \$ 1,500,000>

21 2. Title page, by striking lines 1 and 2 and inserting
22 <An Act relating to the establishment of a mental health
23 practitioner loan repayment program, and providing an
24 appropriation.>

CHRIS COURNOYER

S-5142

1 Amend the amendment, S-5128, to House File 2130, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 1, line 8, by striking <road> and inserting
<highway>

4 2. Page 2, after line 25 by inserting:

5 <Sec. ___. Section 321I.8, subsection 2, Code 2022, is
6 amended to read as follows:

7 2. The department shall remit the fees, including user
8 fees collected pursuant to section 321I.5, to the treasurer
9 of state, who shall place the money in a special all-terrain
10 vehicle fund. The money is appropriated to the department for
11 the all-terrain vehicle programs of the state. The programs
12 shall include grants, subgrants, contracts, or cost-sharing
13 of all-terrain vehicle programs with political subdivisions
14 or incorporated private organizations or both in accordance
15 with rules adopted by the commission. All-terrain vehicle fees
16 may be used for the establishment, maintenance, and operation
17 of all-terrain vehicle recreational riding areas through
18 the awarding of grants administered by the department, but
19 shall not be used for law enforcement purposes outside of a
20 designated off-highway vehicle recreational riding area or for
21 purchasing, installing, or maintaining signs along a highway
22 outside of a designated off-highway vehicle recreational
23 riding area. All-terrain vehicle recreational riding areas
24 established, maintained, or operated by the use of such
25 grants shall not be operated for profit. All programs using
26 cost-sharing, grants, subgrants, or contracts shall establish
27 and implement an education instruction program either singly
28 or in cooperation with other all-terrain vehicle programs.
29 All-terrain vehicle fees may be used to support all-terrain
30 vehicle programs on a usage basis. At least fifty percent of

32 the special fund shall be available for political subdivisions
33 or incorporated private organizations or both. Moneys from
34 the special fund not used by the political subdivisions or
35 incorporated private organizations or both shall remain in the

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1 fund and may be used by the department for the administration
2 of the all-terrain vehicle programs. Notwithstanding
3 section 8.33, moneys in the special fund shall not revert to
4 the general fund of the state at the end of a fiscal year.
5 Notwithstanding section 12C.7, subsection 2, interest or
6 earnings on moneys in the special fund shall remain in the
7 fund.>
8 3. Page 2, line 30, by striking <primary road> and inserting
9 <primary highway>
10 4. By renumbering as necessary.

CARRIE KOELKER
WAYLON BROWN

S-5143

1 Amend House File 2128, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, line 15, by striking <214A.35,> and inserting
4 <214A.36,>
5 2. Page 1, line 21, by striking <motor fuel> and inserting
6 <gasoline>
7 3. Page 1, line 23, by striking <motor fuel> and inserting
8 <gasoline>
9 4. Page 1, line 28, by striking <motor fuel> and inserting
10 <gasoline>
11 5. Page 1, line 29, by striking <motor fuel> and inserting
12 <gasoline>
13 6. Page 1, line 30, by striking <motor fuel> and inserting
14 <gasoline>
15 7. Page 1, line 31, by striking <motor fuel> and inserting
16 <gasoline>
17 8. Page 2, line 1, by striking <motor fuel> and inserting
18 <gasoline>
19 9. Page 2, line 4, by striking <motor fuel> and inserting
20 <gasoline>
21 10. Page 2, lines 27 and 28, by striking <motor fuel> and
22 inserting <gasoline>
23 11. Page 2, line 30, by striking <motor fuel> and inserting
24 <gasoline>
25 12. Page 3, line 16, by striking <motor fuel> and inserting
26 <gasoline>
27 13. Page 4, line 26, before <E-15> by inserting
28 <alternative>
29 14. Page 4, line 31, before <E-15> by inserting

30 <alternative>
31 15. Page 5, line 7, before <E-15> by inserting <alternative>
32 16. Page 5, line 8, by striking <motor fuel> and inserting
33 <gasoline>
34 17. Page 5, line 15, by striking <motor fuel> and inserting
35 <gasoline>

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1 18. Page 5, line 25, by striking <motor fuel> and inserting
2 <gasoline>
3 19. Page 6, by striking lines 23 and 24 and inserting <event
4 has occurred. A terminable event occurs on the date that any
5 of the following apply:>
6 20. Page 7, by striking line 9 and inserting <all gasoline
7 storage tanks that are>
8 21. Page 7, line 10, after <any> by inserting <number>
9 22. Page 7, line 12, by striking <motor fuel> and inserting
10 <gasoline>
11 23. Page 7, line 14, by striking <motor fuel> and inserting
12 <gasoline>
13 24. Page 7, line 16, by striking <motor fuel> and inserting
14 <gasoline>
15 25. Page 7, line 18, by striking <motor fuel> and inserting
16 <gasoline>
17 26. Page 7, lines 23 and 24, by striking <may file and
18 review> and inserting <shall file and analyze>
19 27. Page 7, line 29, by striking <motor fuel> and inserting
20 <gasoline>
21 28. Page 7, line 33, before <E-15> by inserting
22 <alternative>
23 29. Page 7, line 34, by striking <motor fuel> and inserting
24 <gasoline>
25 30. Page 8, by striking lines 6 through 15 and inserting:
26 <(a) The total estimated cost of improvement which equals
27 the sum of all of the following:
28 (i) The reasonable cost of assessing the retail motor fuel
29 site to determine the estimated cost of improving the retail
30 motor fuel site as described in subparagraph subdivision (ii).
31 (ii) The estimated cost of improving the retail motor fuel
32 site to comply with the alternative E-15 access standard based
33 on the department's analysis of the inspection report described
34 in paragraph "a". The estimated cost of improving the retail
35 motor fuel site shall only include costs used to calculate the

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1 amount of standard financial incentives that could be awarded
2 by the renewable fuel infrastructure board to a retail dealer
3 participating in the renewable fuel infrastructure program for
4 retail motor fuel sites as provided in section 159A.14.>
5 31. Page 8, line 19, after <under> by inserting <tier III

6 of>

7 32. Page 8, line 22, before <E-15> by inserting
8 <alternative>

9 33. Page 8, line 27, by striking <is applying for> and
10 inserting <may apply for, is applying for,>

11 34. Page 9, after line 3 by inserting:

12 <Sec. ___. **NEW SECTION. 214A.36 Exemption from E-15 access**
13 **standard for small retail motor fuel sites — by order issued by**
14 **secretary of agriculture.**

15 1. *a.* The secretary of agriculture shall issue a small
16 retail motor fuel site exemption administrative order to a
17 retail dealer. The administrative order shall exempt the
18 retail dealer from complying with the E-15 access standard, as
19 otherwise required in section 214A.32, at a small retail motor
20 fuel site owned or operated by the retail dealer.

21 *b.* To qualify as a small retail motor fuel site under this
22 section, all of the following must apply:

23 (1) Prior to January 1, 2023, the retail motor fuel site
24 included gasoline storage and dispensing infrastructure.

25 (2) The retail motor fuel site's average total gasoline
26 gallonage was limited to three hundred thousand gallons or less
27 for the qualifying phase as provided in this section.

28 2. *a.* A retail dealer may apply for an administrative order
29 as described in subsection 1 by submitting an application to
30 the department in a manner and according to procedures required
31 by the department.

32 *b.* The retail dealer must sign the application which shall
33 include a statement that the retail dealer swears and affirms
34 that all information in the application completed by the retail
35 dealer is true and correct.

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1 3. *a.* Upon request by the department of agriculture and
2 land stewardship, the department of revenue shall certify the
3 average total gasoline gallonage for the retail motor fuel site
4 computed for the qualifying phase beginning on January 1, 2020,
5 and ending on December 31, 2022.

6 *b.* The computation described in paragraph "a" shall be
7 based on site-by-site information for the retail motor fuel
8 site in reports required to be filed for determination periods
9 by the retail dealer with the department of revenue pursuant
10 to chapter 452A, subchapter II. However, if the department
11 of revenue cannot obtain site-by-site information for the
12 retail motor fuel site from such reports, the department of
13 revenue may use other methods, including records maintained by
14 the department of revenue under chapter 422, to compute the
15 retail motor fuel site's gallonage for all or any part of that
16 qualifying phase.

17 *c.* A retail dealer who submits an application under this
18 section shall waive the confidentiality of information in
19 the department of revenue's certification identifying the

20 retail dealer or retail motor fuel site otherwise applicable
21 under chapter 422 or 452A. The information maintained by the
22 department of agriculture and land stewardship under this
23 section is a confidential record under section 22.7 and shall
24 be used by the department of agriculture and land stewardship
25 for the limited purposes of evaluating the retail dealer's
26 application for approval and issuing an administrative order
27 described in subsection 1. The certification may be used in
28 a criminal proceeding alleging the retail dealer committed
29 perjury as described in section 214A.11 when completing the
30 application. The application shall include a notice of the
31 waiver. The department of agriculture and land stewardship
32 shall redact such identifying information in any record
33 otherwise requiring disclosure by that department under chapter
34 22.

35 d. The department of revenue, in cooperation with the

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1 department of agriculture and land stewardship, may adopt rules
2 to administer this subsection.

3 4. The department shall publish on its internet site for
4 each quarter of a calendar year information aggregated from
5 administrative orders described in subsection 1 that shall be
6 limited to the following:

7 a. The total number of administrative orders issued.
8 b. The total number of administrative orders in effect.
9 5. a. The secretary of agriculture shall terminate the
10 administrative order described in subsection 1 if a terminable
11 event has occurred. A terminable event occurs on the date that
12 any of the following apply:
13 (1) The failure of a retail dealer to be licensed as
14 required under section 214.2 to use a commercial weighing and
15 measuring device when dispensing gasoline at the retail motor
16 fuel site.
17 (2) The cessation of the retail dealer's business of
18 advertising for sale or selling gasoline at the retail motor
19 fuel site.
20 (3) The installation, replacement, or conversion of a
21 gasoline storage tank located at the retail motor fuel site.
22 b. The department may require that a retail dealer
23 notify the department that a terminable event as described
24 in paragraph "a" is planned to occur, is occurring, or has
25 occurred.
26 6. a. This section shall be implemented on January 1, 2023.
27 b. This subsection is repealed January 2, 2023.>
28 35. Page 9, line 4, by striking <214A.36> and inserting
29 <214A.37>
30 36. Page 9, line 13, by striking < SUSPENDING OR WAIVING > and
31 inserting < SUSPENDING, WAIVING, OR EXEMPTING >
32 37. Page 9, after line 29 by inserting:
33 <4. The secretary of agriculture may issue a small retail

34 motor fuel site exemption administrative order as provided in
35 section 214A.36, as enacted in this part of this division of

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1 this Act, prior to January 1, 2023, if the secretary determines
2 it is necessary to issue the order prior to that date.>
3 38. Page 9, by striking lines 30 and 31 and inserting:
4 <Sec. ___. ADOPTION OF RULES IMPLEMENTING E-15 ACCESS
5 STANDARD, E-15 INCOMPATIBLE INFRASTRUCTURE WAIVER ORDER, AND
6 SMALL RETAIL MOTOR FUEL SITE EXEMPTION ADMINISTRATIVE ORDER.>
7 39. Page 10, after line 6 by inserting:
8 <3. The department of agriculture and land stewardship
9 shall adopt rules pursuant to chapter 17A prior to January 1,
10 2023, as necessary to administer and enforce a small retail
11 motor fuel site exemption administrative order as provided in
12 section 214A.36, as enacted in this part of this division of
13 this Act.>
14 40. Page 10, by striking lines 9 and 10.
15 41. Page 11, line 11, by striking <that is> and inserting
16 <that includes>
17 42. Page 11, after line 35 by inserting:
18 <NEW SUBSECTION. 10A. “*Determination period*” means any
19 twelve-month period beginning on January 1 and ending on
20 December 31 in which a retail dealer who owns or operates a
21 retail motor fuel site sells and dispenses gasoline or diesel
22 fuel from that retail motor fuel site as calculated by the
23 department of revenue in chapter 452A, subchapter II.>
24 43. Page 12, after line 4 by inserting:
25 <NEW SUBSECTION. 16A. “*Gasoline dispenser*” means a type
26 of motor fuel dispenser that is part of gasoline storage and
27 dispensing infrastructure.
28 <NEW SUBSECTION. 16B. “*Gasoline storage and dispensing
infrastructure*” or “*gasoline infrastructure*” means motor fuel
30 storage and dispensing infrastructure used to do any of the
31 following:
32 a. Store and dispense gasoline, including ethanol blended
33 gasoline or biobutanol blended gasoline.
34 b. Store, blend, and dispense gasoline, including ethanol
35 blended gasoline or biobutanol blended gasoline.

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1 <NEW SUBSECTION. 16C. “*Gasoline storage tank*” means a type
2 of motor fuel storage tank used to store an accumulation of
3 gasoline.>
4 44. Page 12, by striking lines 10 through 12 and inserting:
5 <Sec. ___. NEW SECTION. 214A.1A Administration and
6 enforcement.
7 1. This chapter shall be administered and enforced by the
8 department which may adopt rules under chapter 17A to carry out
9 the provisions of this chapter.

10 2. The department may adopt rules necessary to administer
11 and enforce this chapter in conjunction with chapter 214.>
12 45. Page 12, by striking lines 15 through 29 and inserting:
13 <1. a. The department shall adopt rules ~~pursuant to chapter~~
14 ~~17A for carrying out this chapter. The rules may include but~~
15 ~~are not limited to specifications establishing departmental~~
16 ~~standards relating to motor fuel, including but not limited to~~
17 ~~renewable fuel such as ethanol blended gasoline, biobutanol~~
18 ~~blended gasoline, biodiesel, biodiesel blended fuel, fuels and~~
19 motor fuel components such as an oxygenate.

20 b. In the interest of uniformity, the department shall
21 adopt by reference ~~other in part or in whole, as some of its~~
22 ~~departmental standards described in paragraph "a", applicable~~
23 specifications relating to tests and standards for motor fuel,
24 including renewable fuel and motor fuel components, adopted by
25 ~~ASTM international and applicable requirements~~ established by
26 the United States environmental protection agency ~~and A.S.T.M.~~
27 ~~international~~>

28 46. Page 13, by striking lines 10 through 24.
29 47. Page 13, after line 30 by inserting:
30 <Sec. ___. Section 214A.11, subsection 1, Code 2022, is
31 amended to read as follows:
32 1. Except as otherwise provided in ~~subsection 2 subsection~~
33 3, a person who violates a provision of this chapter is guilty
34 of a serious misdemeanor or is subject to an alternative
35 civil enforcement action under subsection 2. Each day that

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1 a continuing violation occurs shall be considered a separate
2 offense.>
3 48. Page 13, line 31, by striking <subsection 2,>
4 49. Page 13, line 32, by striking <paragraphs> and inserting
5 <subsection>
6 50. Page 13, line 33, by striking <NEW PARAGRAPH. c.> and
7 inserting <NEW SUBSECTION. 3. a.>
8 51. Page 14, line 3, by striking <"c"> and inserting <"a">
9 52. Page 14, line 6, by striking <NEW PARAGRAPH. d.> and
10 inserting <b.>
11 53. Page 14, line 15, by striking <"d"> and inserting <"b">
12 54. Page 14, after line 17 by inserting:
13 <c. (1) A retail dealer who submits an application for a
14 small retail motor fuel site exemption administrative order
15 under section 214A.36 that the retail dealer knows is not true
16 and correct commits perjury as provided in section 720.2.
17 (2) (a) This paragraph "c" shall be implemented on January
18 1, 2023.
19 (b) This subparagraph is repealed January 2, 2023.>
20 55. Page 15, by striking line 3.
21 56. Page 15, by striking line 9 and inserting:
22 <a. Section 214A.3>
23 57. Page 15, line 28, by striking <214A.36> and inserting

24 <214A.37>
25 58. Page 16, by striking lines 18 through 22 and inserting
26 <or “gasoline infrastructure” means the same as defined in
27 section 214A.1.>
28 59. Page 16, by striking lines 25 and 26 and inserting:
29 <Sec. ___. Section 455G.31, subsection 1, paragraph a, Code
30 2022, is amended by striking the paragraph.>
31 60. Page 16, line 29, by striking <2> and inserting <2.>
32 61. Page 16, lines 31 and 32, by striking <E-9 E-10> and
33 inserting <E-9>
34 62. Page 16, after line 35 by inserting:
35 <Sec. ___. Section 455G.31, subsection 3, Code 2022, is

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1 amended by striking the subsection.>
2 63. Page 28, line 21, by striking <motor fuel,> and
3 inserting <motor fuel or special fuel,>
4 64. Page 28, line 22, by striking <same> and inserting
5 <applicable>
6 65. Page 28, after line 23 by inserting:
7 <Sec. ___. Section 452A.31, subsection 1, Code 2022, is
8 amended to read as follows:
9 1. A determination period is any twelve-month period
10 beginning on January 1 and ending on December 31 in which a
11 retail dealer who owns or operates a retail motor fuel site
12 sells and dispenses gasoline or diesel fuel from that site as
13 regulated by the department of agriculture and land stewardship
14 pursuant to chapters 214 and 214A.>
15 66. By striking page 31, line 23, through page 32, line 2,
16 and inserting:
17 <c. (1) The retail dealer shall prepare and submit file
18 the report with the department in a manner and according to
19 procedures required by the department in compliance with
20 section 452A.61. However, the department may require that the
21 retail dealer file the report with the department by electronic
22 transmission. The department may require that retail dealers
23 report to the department on an annual, quarterly, or monthly
24 basis. The department, upon application by a retail dealer,
25 may grant a reasonable extension of time to file the report.
26 (2) If a retail dealer fails to file the report as required
27 by this section or fails to maintain records required to file
28 the report the department may impose a civil penalty of not
29 more than one hundred dollars per occurrence in addition to any
30 other penalty provided by law. The penalty amount shall be
31 deposited into the general fund of the state.>
32 67. Page 32, before line 3 by inserting:
33 <Sec. ___. Section 452A.33, subsection 1, paragraph d, Code
34 2022, is amended to read as follows:
35 d. The information included in a report submitted by a

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1 retail dealer is deemed to be a trade secret, protected as a
2 confidential record pursuant to section 22.7. However, upon
3 request by the department of agriculture and land stewardship
4 pursuant to section 159A.14 or 214A.36, the department of
5 revenue shall certify a retail motor fuel site's average total
6 gasoline gallonage for a qualifying phase as provided in each
7 of those sections.>

8 68. Page 36, before line 5 by inserting:

9 <PART A

10 RENEWABLE FUEL INFRASTRUCTURE PROGRAM FOR RETAIL MOTOR FUEL
11 SITES>

12 69. Page 38, by striking lines 4 through 11 and inserting:
13 <b. The application shall allow the department to determine
14 all of the following:

15 (1) The tier designation of the retail motor fuel site as
16 provided in subsection 4B.
17 (2) Whether the retail dealer would be in compliance with
18 the general E-15 access standard or the alternative E-15 access
19 standard as provided in section 214A.32 if that standard were
20 implemented on the date the application was filed.

21 (3) Whether the person is a retail dealer assigned special
22 status. The department shall assign the person special status
23 if the person does not comply with the E-15 access standard as
24 provided in section 214A.32 and the person is ineligible to be
25 issued an E-15 incompatible infrastructure class 2 waiver order
26 for that retail motor fuel site as provided in section 214A.35,
27 subsection 6.>

28 70. Page 38, by striking lines 12 through 24.

29 71. Page 38, line 25, by striking <d.> and inserting <c.>

30 72. Page 38, after line 27 by inserting:

31 <d. An application shall automatically expire if the
32 application has not been approved or disapproved by the board
33 as provided in this section within twenty-four months after the
34 department files the submitted application.

35 e. The infrastructure board shall not delay approving an

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1 application or financing agreement to install, replace, or
2 convert ethanol infrastructure based on its priority status as
3 provided in subsection 4B.>

4 73. By striking page 38, line 30, through page 39, line 4,
5 and inserting:

6 <The infrastructure board shall approve cost share financing
7 agreements entered into by the department and persons
8 that the infrastructure board determines are eligible as
9 provided in this section, according to terms and conditions
10 required by the infrastructure board. The infrastructure board
11 shall determine the amount of the financial incentives to be
12 awarded to a person participating in the program. In order to

13 be eligible to participate in the program, all of the following
14 must apply:>

15 74. Page 39, before line 5 by inserting:

16 <Sec. ___. Section 159A.14, subsection 3, paragraph b,
17 subparagraph (4), Code 2022, is amended to read as follows:

18 (4) A statement certifying that the infrastructure shall
19 only be used to comply with the provisions of this section and
20 as specified in the ~~cost share financing~~ agreement, unless
21 granted a waiver by the infrastructure board pursuant to this
22 section.

23 Sec. ___. Section 159A.14, Code 2022, is amended by adding
24 the following new subsections:

25 **NEW SUBSECTION.** 4A. A financing agreement shall be for
26 a five-year period. The financing agreement shall include
27 provisions for standard financial incentives or standard
28 financial incentives and supplemental financial incentives as
29 provided in this section. The infrastructure board may approve
30 multiple improvements to the same retail motor fuel site for
31 the full amount available for both ethanol infrastructure
32 and biodiesel infrastructure so long as the improvements for
33 ethanol infrastructure and for biodiesel infrastructure are
34 made under separate financing statements.

35 a. For the term of a financing agreement to improve a

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1 retail motor fuel site by installing, replacing, or converting
2 ethanol infrastructure, the participating person must use the
3 ethanol infrastructure to store and dispense, or store, blend,
4 and dispense, ethanol blended gasoline classified as E-15 or
5 higher.

6 b. For the term of a financing agreement to improve a
7 retail motor fuel site by installing, replacing, or converting
8 biodiesel infrastructure, the participating person must use
9 the biodiesel infrastructure to store and dispense, or store,
10 blend, and dispense, biodiesel blended fuel classified as B-5
11 or higher. However, at least for the period beginning April 1
12 and ending October 31 of each year, the participating person
13 must use the biodiesel infrastructure to store and dispense, or
14 store, blend, and dispense, biodiesel blended fuel classified
15 as B-11 or higher.

16 **NEW SUBSECTION.** 4B. a. The infrastructure board shall
17 award standard financial incentives to improve a retail motor
18 fuel site by installing, replacing, or converting ethanol
19 infrastructure designated by the department as a tier I site
20 or tier II site. The department's designation shall be based
21 on all of the following:

22 (1) The total number of retail motor fuel sites that store
23 and dispense gasoline, or store, blend, and dispense gasoline,
24 that are owned or operated in this state by the eligible person
25 on the date of the application.

26 (2) The retail motor fuel site's average total gasoline

27 gallonage for the qualifying phase that includes the three
28 calendar years immediately prior to the year that the eligible
29 person submitted the application.

30 (a) Upon request by the department of agriculture and
31 land stewardship, the department of revenue shall certify the
32 average total gasoline gallonage for the retail motor fuel site
33 computed for the qualifying phase. The computation shall be
34 based on site-by-site information for the retail motor fuel
35 site in reports required to be filed for determination periods

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1 by the retail dealer with the department of revenue pursuant
2 to chapter 452A, subchapter II. However, if the department
3 of revenue cannot obtain site-by-site information for the
4 retail motor fuel site from such reports, the department of
5 revenue may use other methods, including records maintained by
6 the department of revenue under chapter 422, to compute the
7 retail motor fuel site's gallonage for all or any part of that
8 qualifying phase.

9 (b) A person who submits an application under this
10 section shall waive the confidentiality of information in the
11 department of revenue's certification identifying the person
12 or retail motor fuel site otherwise applicable under chapter
13 422 or 452A. The information maintained by the department
14 of agriculture and land stewardship under this section is a
15 confidential record under section 22.7 and shall be used by
16 the department of agriculture and land stewardship and the
17 infrastructure board for the limited purpose of evaluating
18 the eligible person's application for approval and entering
19 into a financing agreement with the participating person.
20 The application shall include a notice of the waiver. The
21 department of agriculture and land stewardship or the
22 infrastructure board shall redact such identifying information
23 in any record otherwise requiring disclosure by that department
24 under chapter 22.

25 (c) The department of revenue, in cooperation with the
26 department of agriculture and land stewardship, may adopt rules
27 to administer this subparagraph.

28 b. (1) For a tier I site, all of the following apply:

29 (a) The eligible person must own or operate a total of ten
30 or fewer of the retail motor fuel sites described in paragraph
31 "a" regardless of their designations.

32 (b) The eligible person must not have stored and dispensed
33 E-15 gasoline at the retail motor fuel site at any time prior
34 to submitting the application.

35 (c) The retail motor fuel site's average total gasoline

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1 gallonage as certified by the department of revenue as provided
2 in paragraph "a" must not be more than one hundred forty

3 thousand gallons.

4 (2) The amount of standard financial incentives awarded to
5 improve the tier I site is ninety percent of the actual cost
6 of making the improvement or sixty-three thousand nine hundred
7 dollars, whichever is less.

8 c. (1) For a tier II site, all of the following apply:

9 (a) The eligible person must own or operate a total of ten
10 or fewer retail motor fuel sites described in paragraph "a"
11 regardless of their designations.

12 (b) The eligible person must not have stored and dispensed
13 E-15 gasoline at the retail motor fuel site at any time prior
14 to submitting the application.

15 (c) The retail motor fuel site's average total gasoline
16 gallonage as certified by the department of revenue as provided
17 in paragraph "a" must be more than one hundred forty thousand
18 gallons but not more than four hundred fifty thousand gallons.

19 (2) The amount of standard financial incentives awarded to
20 improve the tier II site is seventy-five percent of the actual
21 cost of making the improvements or fifty-three thousand two
22 hundred fifty dollars, whichever is less.

23 d. The infrastructure board shall award standard financial
24 incentives to improve a retail motor fuel site by installing,
25 replacing, or converting ethanol infrastructure at a tier III
26 site as designated by the department.

27 (1) Any retail motor fuel site not designated as a tier I
28 site under paragraph "b" or a tier II site under paragraph "c"
29 shall be designated as a tier III site.

30 (2) The amount of standard financial incentives awarded to
31 improve the tier III site is seventy percent of the actual cost
32 of making the improvement or fifty thousand dollars, whichever
33 is less.

34 e. The infrastructure board shall establish a system to rank
35 applications to improve a retail motor fuel site by installing,

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1 replacing, or converting ethanol infrastructure according to an
2 order or priority order as follows:

3 (1) For the first priority, a retail motor fuel site
4 assigned a special status as provided in subsection 2.

5 (2) For the second priority, a retail motor fuel site that
6 is a tier I site as provided in this subsection.

7 (3) For the third priority, a retail motor fuel site that is
8 a tier II site as provided in this subsection.

9 (4) For the fourth priority, a tier III site as provided
10 in this subsection. Among tier III sites, the infrastructure
11 board shall prioritize a retail motor fuel site that included
12 motor fuel storage and dispensing infrastructure used to store
13 and dispense gasoline prior to January 1, 2023.

14 **NEW SUBSECTION.** 4C. The amount of standard financial
15 incentives awarded to an eligible person to improve a retail
16 motor fuel site by installing, replacing, or converting

17 biodiesel infrastructure is seventy percent of the actual cost
18 of making the improvement or fifty thousand dollars, whichever
19 is less.

20 Sec. ___. Section 159A.14, subsection 5, unnumbered
21 paragraph 1, Code 2022, is amended by striking the unnumbered
22 paragraph and inserting in lieu thereof the following:

23 The department may provide for dedicated financing to
24 an eligible person who receives standard financing under
25 subsection 4B or 4C, subject to all of the following:

26 Sec. ___. Section 159A.14, subsection 5, paragraph a, Code
27 2022, is amended by striking the paragraph and inserting in
28 lieu thereof the following:

29 a. If the department determines that a participating person
30 is assigned special status because the participating person is
31 ineligible to be issued an E-15 incompatible infrastructure
32 class 2 waiver order for the retail motor fuel site as provided
33 in subsection 2, the infrastructure board may approve one
34 or multiple awards of standard financial incentives to make
35 improvements to that retail motor fuel site subject to all of

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1 the following:

2 (1) The total amount of awards shall not be reduced by the
3 amount of any standard or special financial incentives awarded
4 to improve the retail motor fuel site under a prior financing
5 agreement, notwithstanding subsection 4A.

6 (2) The total amount of awards for ethanol infrastructure
7 under the financing agreement to be entered into by the retail
8 dealer and department shall not exceed the limitations provided
9 in subsection 4B.>

10 75. Page 39, line 5, after <subsection 5,> by inserting
11 <paragraph b,>

12 76. By striking page 39, line 7, through page 41, line 6,
13 and inserting:

14 <b. In addition to any standard financial incentives awarded
15 to a participating person under paragraph "a", subsections 4B
16 and 4C, the participating person may be awarded supplemental
17 financial incentives to make improvements to a retail motor
18 fuel site to do any of the following:>

19 77. Page 41, by striking lines 24 and 25 and inserting
20 <incentives under this subparagraph paragraph "b" and standard
21 financial incentives under paragraph "a" subsection 4B or 4C to
22 improve the>

23 78. Page 42, after line 4 by inserting:

24 <Sec. ___. Section 159A.14, subsection 6, unnumbered
25 paragraph 1, Code 2022, is amended to read as follows:
26 A participating person shall not use the infrastructure to
27 store and dispense motor fuel other than the type of renewable
28 fuel approved by the board in the cost share financing
29 agreement, unless one of the following applies:>

30 79. Page 42, after line 16 by inserting:

31 <Sec. _____. EFFECTIVE DATE. This part of this division of
32 this Act takes effect January 1, 2023.

PART B RULEMAKING

35 Sec. ___. ADMINISTRATIVE RULES. The department of

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1 agriculture and land stewardship shall submit a notice of
2 intended action to the administrative rules coordinator and
3 the Iowa administrative code editor pursuant to section 17A.4,
4 subsection 1, paragraph "a", not later than July 1, 2022, for
5 the adoption of rules required to implement part A of this
6 division of this Act.

7 Sec. ___. EFFECTIVE DATE. This part of this division of
8 this Act, being deemed of immediate importance, takes effect
9 upon enactment. >

10 80. By striking page 42, line 17, through page 43, line 3.

11 81. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS
DAN DAWSON, CHAIRPERSON

S-5144

1 Amend Senate File 2338 as follows:
2 1. Page 1, by striking lines 1 through 3 and inserting:
3 <Section 1. 2017 Iowa Acts, chapter 149, section 4, as
4 amended by 2018 Iowa Acts, chapter 1170, section 3, and 2019
5 Iowa Acts, chapter 7, section 1, is amended to read as follows:
6 SEC. 4. REPEAL. The section of this Act amending section
7 321.477 is repealed July 1, 2022 2023.>

WAYLON BROWN

S-5145

1 Amend the House amendment, S-5121, to Senate File 581, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. By striking page 1, line 9, through page 2, line 5.
4 2. Page 2, after line 13 by inserting:
5 <Sec. ___. Section 483A.24, subsection 3, unnumbered
6 paragraph 1, Code 2022, is amended to read as follows:
7 The director shall provide up to seventy five one hundred
8 twenty-five nonresident deer hunting licenses for allocation
9 as provided in this subsection.

10 Sec. ___. Section 483A.24, subsection 3, paragraph b, Code
11 2022, is amended to read as follows:
12 b. Twenty five Seventy-five of the nonresident deer hunting
13 licenses shall be allocated as provided in subsection 5.

14 Sec. ___. Section 483A.24, subsection 5, unnumbered
15 paragraph 1, Code 2022, is amended to read as follows:

16 ~~Twenty five Seventy-five~~ of the nonresident deer hunting
17 licenses and wild turkey hunting licenses allocated under
18 subsections 3 and 4 subsection 3 and twenty-five of the wild
19 turkey hunting licenses allocated under subsection 4 shall be
20 available for issuance to nonresidents who have served in the
21 armed forces of the United States on active federal service and
22 who were disabled during the veteran's military service or who
23 are serving in the armed forces of the United States on active
24 federal service and have been disabled during military service
25 to enable the disabled person to participate in a hunt that is
26 conducted by an organization that conducts hunting experiences
27 in this state for disabled persons. The licenses shall be
28 issued as follows:>

29 3. Page 2, line 29, by striking <straight wall cartridge
30 rifle> and inserting <any handgun or rifle described in section
31 481A.48>

32 4. By renumbering, redesignating, and correcting internal
33 references as necessary.

KEN ROZENBOOM

S-5146

1 Amend the House amendment, S-3175, to Senate File 529, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. By striking page 1, line 1, through page 2, line 20, and
4 inserting:
5 <Amend the Senate File 529, as passed by the House, as
6 follows:
7 1. By striking everything after the enacting clause and
8 inserting:
9 <Section 1. **NEW SECTION. 714I.1 Short title.**
10 This chapter shall be known and may be cited as the "Fraud
11 in Assisted Reproduction Act".
12 Sec. 2. **NEW SECTION. 714I.2 Definitions.**
13 For purposes of this chapter, unless the context otherwise
14 requires:
15 1. "Assisted reproduction" means a method of causing
16 pregnancy other than sexual intercourse involving medical or
17 scientific intervention.
18 2. "Donor" means an individual who provides gametes
19 intended for use in assisted reproduction, whether or not for
20 consideration.
21 3. "Gamete" means a sperm, an egg, or any part of a sperm
22 or an egg.
23 4. "Health care professional" means a person who is
24 licensed, certified, or otherwise authorized or permitted by
25 the law of this state to administer health care in the ordinary
26 course of business or in the practice of a profession.
27 5. "Health facility" means a hospital, clinic, sperm bank,
28 laboratory, or other health care institution involved in the
29 assisted reproduction process.

30 6. "*Human reproductive material*" means a human gamete or a
31 human organism at any stage of development from fertilized ovum
32 to embryo.
33 7. "*Live birth*" means the same as defined in section 144.1.
34 8. "*Patient*" means a person who has received or is receiving
35 health services from a health care professional.

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1 9. "*Spouse*" means the spouse of a patient who undergoes
2 assisted reproduction at the time of conception, birth, or at
3 any time during the period between conception and birth of a
4 child through assisted reproduction.
5 Sec. 3. **714L.3 Prohibited practices and acts.**
6 1. A person shall not engage in a practice or act the
7 person knows or reasonably should have known provides false
8 information to a patient related to an assisted reproduction
9 procedure or treatment including false information relating to
10 any of the following:
11 a. The human reproductive material used or provided for
12 assisted reproduction.
13 b. The identity of a donor of human reproductive material
14 used or provided for assisted reproduction including but not
15 limited to the donor's name, birthdate, or address at the time
16 of donation.
17 c. A donor's medical history including but not limited to an
18 illness of the donor at the time of donation, any past illness
19 of the donor, or the social, genetic, or family history of the
20 donor.
21 2. A health care professional or a health facility shall not
22 knowingly or intentionally do any of the following:
23 a. Use or provide a patient with human reproductive material
24 for assisted reproduction other than that to which the patient
25 expressly consented in writing.
26 b. Use or provide a patient with human reproductive material
27 for assisted reproduction that is not provided with the donor's
28 consent or in a manner or to an extent other than that to which
29 the donor consented.
30 3. It is not a defense to a violation of this section that
31 a patient expressly consented in writing to the use of human
32 reproductive material from an anonymous donor.
33 4. A violation of this section by a health care professional
34 or health facility constitutes grounds for denial of an
35 application for, denial of renewal of, or revocation of any

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1 license, permit, certification, or any other form of permission
2 required to practice a profession or establish, conduct, or
3 maintain a facility regulated by the state. A violation
4 of this section by a health care professional constitutes
5 unprofessional conduct.

6 Sec. 4. **NEW SECTION. 714I.4 Private right of action —**

7 **damages.**

8 1. A cause of action for damages against any person in

9 violation of section 714I.3, subsection 2, may be brought in

10 accordance with the following:

11 a. (1) By the patient or the spouse of the patient,

12 if the patient conceives and gives birth to a child through

13 assisted reproduction in violation of section 714I.3,

14 subsection 2.

15 (b) By a child born as the result of being conceived

16 through assisted reproduction in violation of section 714I.3,

17 subsection 2, if the patient who conceived and gave birth to

18 such child or the patient's spouse is deceased or is otherwise

19 unable to bring such cause of action.

20 (2) A patient, or the spouse of the patient, has a separate

21 cause of action under this paragraph "a" for each conception

22 and birth of a child through assisted reproduction performed in

23 violation of section 714I.3, subsection 2.

24 b. (1) By the patient or the spouse of the patient, if the

25 patient conceives through assisted reproduction in violation

26 of section 714I.3, subsection 2, but the conception does not

27 result in the live birth of the child.

28 (2) A cause of action is barred under this paragraph "b"

29 if the conception does not result in a live birth because of

30 an induced termination of pregnancy required to be reported

31 pursuant to section 144.29A or because the patient or the

32 patient's spouse intentionally terminates the pregnancy in

33 violation of section 707.7.

34 2. A cause of action for damages may be brought by a donor

35 whose human reproductive material resulted in the conception

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1 or conception and birth of a child conceived through assisted

2 reproduction in violation of section 714I.3 or whose human

3 reproductive material was used without the donor's consent or

4 in a manner or to an extent other than that to which the donor

5 consented in violation of section 714I.3.

6 3. In addition to compensatory or punitive damages, a

7 prevailing plaintiff who brings an action under subsection 1,

8 paragraph "a", is entitled to all of the following:

9 a. (1) If the health care professional used the health care

10 professional's own human reproductive material for assisted

11 reproduction in violation of section 714I.3, subsection 2,

12 the health care professional is determined through blood or

13 genetic testing to be a biological parent as defined in section

14 600A.2 of the child, and the action is brought within the time

15 limitations specified in section 614.8, damages in an amount

16 that is the sum of all of the following:

17 (a) The basic support obligation prescribed by the child

18 support guidelines established pursuant to section 598.21B

19 based on the health care professional's monthly adjusted net

20 income for the time period specified for support for a child
21 under section 598.1, subsection 9.
22 (b) Medical support as defined in section 252E.1.
23 (c) A postsecondary education subsidy as defined in section
24 598.1.
25 (d) Such other sums as described in section 252A.3,
26 subsection 12, giving due regard to the circumstances of the
27 plaintiff.
28 (2) A determination that the health care professional is a
29 biological parent of the child or the awarding of damages under
30 this paragraph "a" does not create a parent-child relationship
31 between the child and the health care professional for any
32 legal purpose.
33 b. Statutory damages in the amount of two hundred thousand
34 dollars. Such damages shall be awarded to the prevailing
35 plaintiff regardless of whether the child born as the result of

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1 being conceived through assisted reproduction in violation of
2 section 714I.3, subsection 2, is deceased at the time the civil
3 action is commenced or at the time a violation is found.
4 c. Costs attributable to the assisted reproduction procedure
5 or treatment process.
6 d. Court costs.
7 e. Reasonable attorney fees.
8 4. In addition to compensatory or punitive damages, a
9 prevailing plaintiff who brings an action under subsection 1,
10 paragraph "b", is entitled to all of the following:
11 a. Statutory damages in the amount of five thousand dollars.
12 b. Costs attributable to the assisted reproduction procedure
13 or treatment process.
14 c. Court costs.
15 d. Reasonable attorney fees.
16 5. In addition to compensatory or punitive damages, a
17 prevailing plaintiff who brings an action under subsection 2 is
18 entitled to all of the following:
19 a. Statutory damages in the amount of five thousand dollars.
20 b. Court costs.
21 c. Reasonable attorney fees.
22 6. Notwithstanding any provision of law to the contrary,
23 an action brought pursuant to this section is not subject to a
24 statute of limitations and may be commenced at any time.
25 Sec. 5. Section 147.55, Code 2022, is amended by adding the
26 following new subsections:
27 NEW SUBSECTION. 7A. Sexual abuse in the fourth degree in
28 violation of section 709.4A.
29 NEW SUBSECTION. 7B. Fraud in assisted reproduction in
30 violation of section 714I.3.
31 Sec. 6. Section 692A.102, subsection 1, paragraph c, Code
32 2022, is amended by adding the following new subparagraph:
33 NEW SUBPARAGRAPH. (012) Sexual abuse in the fourth

34 degree in violation of section 709.4A, subsection 3, if the
35 perpetrator is a health care professional as defined in section

Page 6

1 714I.2, who used the health care professional's own human
2 reproductive material for assisted reproduction in violation of
3 section 714I.3, subsection 2.

4 Sec. 7. **NEW SECTION. 709.4A Sexual abuse in the fourth**
degree — health care professionals.

5 1. A health care professional commits sexual abuse in
6 the fourth degree when the health care professional uses
7 or provides a patient with human reproductive material for
8 assisted reproduction other than that to which the patient
9 expressly consented in writing in violation of section 714I.3,
10 subsection 2.

11 2. Sexual abuse in the fourth degree is an aggravated
12 misdemeanor.

13 3. a. Notwithstanding subsection 2, sexual abuse in
14 the fourth degree is a class "D" felony if the health care
15 professional uses or provides the health care professional's
16 own human reproductive material for assisted reproduction in
17 violation of section 714I.3, subsection 2.

18 b. A parent-child relationship between a child and a health
19 care professional is not created for any legal purpose when
20 the child is born as the result of being conceived through
21 commission of sexual abuse in the fourth degree as described
22 in this subsection.

23 4. For the purposes of this section, "assisted
24 reproduction", "gamete", "health care professional", "human
25 reproductive material", and "patient" mean the same as defined
26 in section 714I.2.

27 Sec. 8. **NEW SECTION. 802.2E Sexual abuse — fourth degree.**

28 An information or indictment for sexual abuse in the fourth
29 degree may be commenced at any time after the commission of the
30 offense.>>

ANNETTE SWEENEY

S-5147

1 Amend the House amendment, S-5121, to Senate File 581, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 9, through page 2, line 5.

4 2. Page 2, by striking lines 7 through 12.

5 3. Page 2, after line 13 by inserting:

6 <Sec. ___. Section 483A.24, subsection 3, unnumbered

7 paragraph 1, Code 2022, is amended to read as follows:

8 The director shall provide up to ~~seventy-five one hundred~~
9 ~~twenty-five~~ nonresident deer hunting licenses for allocation
10 as provided in this subsection.

11 Sec. ___. Section 483A.24, subsection 3, paragraph b, Code

12 2022, is amended to read as follows:

13 b. ~~Twenty five Seventy-five~~ of the nonresident deer hunting
14 licenses shall be allocated as provided in subsection 5.

15 Sec. ___. Section 483A.24, subsection 5, unnumbered
16 paragraph 1, Code 2022, is amended to read as follows:

17 ~~Twenty five Seventy-five~~ of the nonresident deer hunting
18 licenses ~~and wild turkey hunting licenses~~ allocated under
19 ~~subsection 3 and 4 subsection 3 and twenty-five of the wild~~
20 ~~wild turkey hunting~~ licenses allocated under subsection 4 shall be
21 available for issuance to nonresidents who have served in the
22 armed forces of the United States on active federal service and
23 who were disabled during the veteran's military service or who
24 are serving in the armed forces of the United States on active
25 federal service and have been disabled during military service
26 to enable the disabled person to participate in a hunt that is
27 conducted by an organization that conducts hunting experiences
28 in this state for disabled persons. The licenses shall be
29 issued as follows:>

30 4. Page 2, line 29, by striking <straight wall cartridge
31 rifle> and inserting <any handgun or rifle described in section
32 481A.48>

33 5. By renumbering, redesignating, and correcting internal
34 references as necessary.

KEN ROZENBOOM

S-5148

1 Amend Senate File 2331 as follows:

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

4 <Section 1. PSYCHIATRIC INTENSIVE INPATIENT CARE
5 REIMBURSEMENT — MEDICAID. No later than January 1, 2023, the
6 department of human services shall implement a tiered rate
7 reimbursement methodology for psychiatric intensive inpatient
8 care under the Medicaid program based on the level of patient
9 acuity and other factors as recommended in the inpatient bed
10 tracking study committee report submitted to the governor and
11 the general assembly on December 1, 2021.>

JEFF EDLER

S-5149

1 Amend House File 2558, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. JUDICIAL BRANCH.

6 1. There is appropriated from the general fund of the state
7 to the judicial branch for the fiscal year beginning July 1,
8 2022, and ending June 30, 2023, the following amounts, or so

9 much thereof as is necessary, to be used for the purposes
10 designated:

11 a. For salaries of supreme court justices, appellate court
12 judges, district court judges, district associate judges,
13 associate juvenile judges, associate probate judges, judicial
14 magistrates and staff, state court administrator, clerk of
15 the supreme court, district court administrators, clerks of
16 the district court, juvenile court officers, board of law
17 examiners, board of examiners of shorthand reporters, and
18 commission on judicial qualifications; receipt and disbursement
19 of child support payments; reimbursement of the auditor
20 of state for expenses incurred in completing audits of the
21 offices of the clerks of the district court during the fiscal
22 year beginning July 1, 2022; and maintenance, equipment, and
23 miscellaneous purposes:

24 \$ 190,100,550

25 From the moneys appropriated in this paragraph, the
26 judicial branch shall fund the appointment of four new district
27 associate judge positions and the associated support staff.

28 b. For deposit in the revolving fund created pursuant to
29 section 602.1302, subsection 3, for jury and witness fees,
30 mileage, costs related to summoning jurors, costs and fees for
31 interpreters and translators, and reimbursement of attorney
32 fees paid by the state public defender:

33 \$ 3,600,000

34 2. The judicial branch, except for purposes of internal
35 processing, shall use the current state budget system, the

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1 state payroll system, and the Iowa finance and accounting
2 system in administration of programs and payments for services,
3 and shall not duplicate the state payroll, accounting, and
4 budgeting systems.

5 3. The judicial branch shall submit monthly financial
6 statements to the legislative services agency and the
7 department of management containing all appropriated accounts
8 in the same manner as provided in the monthly financial status
9 reports and personal services usage reports of the department
10 of administrative services. The monthly financial statements
11 shall include a comparison of the dollars and percentage
12 spent of budgeted versus actual revenues and expenditures on
13 a cumulative basis for full-time equivalent positions and
14 dollars.

15 4. The judicial branch shall focus efforts upon the
16 collection of delinquent fines, penalties, court costs, fees,
17 surcharges, or similar amounts.

18 5. It is the intent of the general assembly that the offices
19 of the clerks of the district court operate in all 99 counties
20 and be accessible to the public as much as is reasonably
21 possible in order to address the relative needs of the citizens
22 of each county. An office of the clerk of the district court

23 shall be open regular courthouse hours.

24 6. In addition to the requirements for transfers under
25 section 8.39, the judicial branch shall not change the
26 appropriations from the amounts appropriated to the judicial
27 branch in this Act, unless notice of the revisions is given to
28 the legislative services agency prior to the effective date.
29 The notice shall include information on the judicial branch's
30 rationale for making the changes and details concerning the
31 workload and performance measures upon which the changes are
32 based.
33 7. The judicial branch shall submit a semiannual update
34 to the legislative services agency specifying the amounts of
35 fines, surcharges, and court costs collected using the Iowa

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1 court information system since the last report. The judicial
2 branch shall continue to facilitate the sharing of vital
3 sentencing and other information with other state departments
4 and governmental agencies involved in the criminal justice
5 system through the Iowa court information system.

6 8. The judicial branch shall provide a report to the general
7 assembly by January 1, 2023, concerning the amounts received
8 and expended from the court technology and modernization fund
9 created in section 602.8108, subsection 7, during the fiscal
10 year beginning July 1, 2021, and ending June 30, 2022, and the
11 plans for expenditures from each fund during the fiscal year
12 beginning July 1, 2022, and ending June 30, 2023.

13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
14 provision to the contrary, for the fiscal year beginning July
15 1, 2022, and ending June 30, 2023, if all parties in a case
16 agree, a civil trial including a jury trial may take place in a
17 county contiguous to the county with proper jurisdiction, even
18 if the contiguous county is located in an adjacent judicial
19 district or judicial election district. If the trial is moved
20 pursuant to this section, court personnel shall treat the case
21 as if a change of venue occurred.

22 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
23 602.1509, for the fiscal year beginning July 1, 2022, and
24 ending June 30, 2023, a judicial officer may waive travel
25 reimbursement for any travel outside the judicial officer's
26 county of residence to conduct official judicial business.

27 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
28 the annual salary rates for judicial officers established
29 by this Act for the fiscal year beginning July 1, 2022, and
30 ending June 30, 2023, the supreme court may by order place all
31 judicial officers on unpaid leave status on any day employees
32 of the judicial branch are placed on temporary layoff status.
33 The biweekly pay of the judicial officers shall be reduced
34 accordingly for the pay period in which the unpaid leave date
35 occurred in the same manner as for noncontract employees of the

Page 4

1 judicial branch. Through the course of the fiscal year, the
 2 judicial branch may use an amount equal to the aggregate amount
 3 of salary reductions due to the judicial officer unpaid leave
 4 days for any purpose other than for judicial salaries.

5 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent
 6 of the general assembly that the judicial branch utilize
 7 the Iowa communications network or other secure electronic
 8 communications in lieu of traveling for the fiscal year
 9 beginning July 1, 2022, and ending June 30, 2023.

10 Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

11 1. The salary rates specified in subsection 2 are for the
 12 fiscal year beginning July 1, 2022, effective for the pay
 13 period beginning June 24, 2022, and for subsequent fiscal
 14 years until otherwise provided by the general assembly. The
 15 salaries provided for in this section shall be paid from moneys
 16 allocated to the judicial branch from the salary adjustment
 17 fund, or if the allocation is not sufficient, from moneys
 18 appropriated to the judicial branch pursuant to this Act or any
 19 other Act of the general assembly.

20 2. The following annual salary rates shall be paid to the
 21 persons holding the judicial positions indicated during the
 22 fiscal year beginning July 1, 2022, effective with the pay
 23 period beginning June 24, 2022, and for subsequent pay periods:

24 a. Chief justice of the supreme court:		
25	\$	196,106
26 b. Each justice of the supreme court:		
27	\$	187,326
28 c. Chief judge of the court of appeals:		
29	\$	175,619
30 d. Each associate judge of the court of appeals:		
31	\$	169,765
32 e. Each chief judge of a judicial district:		
33	\$	163,910
34 f. Each district judge except the chief judge of a judicial 35 district:		

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1	\$	158,056
2 g. Each district associate judge:		
3	\$	140,495
4 h. Each associate juvenile judge:		
5	\$	140,495
6 i. Each associate probate judge:		
7	\$	140,495
8 j. Each judicial magistrate:		
9	\$	43,318
10 k. Each senior judge:		
11	\$	9,366
12 3. Persons receiving the salary rates established		

13 under this section shall not receive any additional salary
14 adjustments provided by this Act or any other Act of the
15 general assembly.

16 Sec. 7. Section 46.3, subsections 1 and 3, Code 2022, are
17 amended to read as follows:

18 1. The governor shall appoint ~~five~~ six eligible electors
19 of each judicial election district to the district judicial
20 nominating commission.

21 3. No more than ~~a simple majority~~ half of the commissioners
22 appointed shall be of the same gender.

23 Sec. 8. Section 46.6, subsection 2, Code 2022, is amended
24 to read as follows:

25 2. The judge of longest service in the district shall serve
26 as the chair of a particular district judicial nominating
27 commission. If the judges of longest service in the district
28 are of equal service, the eldest of such judges shall be
29 chairperson of the particular judicial nominating commission
30 commissioners of the district judicial nominating commission
31 shall elect a chairperson from their own number. The
32 chairperson shall serve a two-year term that expires on April
33 30 of even-numbered years. A commissioner may be reelected
34 for a second or third term as chairperson. If a chairperson
35 of a judicial nominating commission desires to be relieved

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1 of the duties of chairperson while retaining the status of
2 commissioner, the chairperson shall notify the governor and the
3 other commissioners of the commission. At the next meeting of
4 the commission, the commissioners shall elect a new chairperson
5 for the remainder of the two-year term.

6 Sec. 9. Section 602.1301, subsection 2, paragraph b, Code
7 2022, is amended to read as follows:

8 b. Before December 1, the supreme court shall submit to
9 the director of the department of management an estimate of
10 the total expenditure requirements of the judicial branch.
11 The director of the department of management shall submit
12 this estimate received from the supreme court to the governor
13 for inclusion without change in the governor's proposed
14 budget for the succeeding fiscal year. The estimate shall
15 also be submitted to the chairpersons of the committees on
16 appropriations.

17 Sec. 10. Section 602.9116, Code 2022, is amended by adding
18 the following new subsection:

19 NEW SUBSECTION. 3. The court administrator shall submit
20 to the general assembly a copy of each actuarial valuation and
21 annual actuarial update.>

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5150

1 Amend House File 2560, 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 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
7 GENERAL FUND APPROPRIATIONS

8 Section 1. GENERAL FUND — DEPARTMENT.

9 1. There is appropriated from the general fund of the state
10 to the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 2022, and ending June 30, 2023,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For purposes of supporting the department, including its
15 divisions, for administration, regulation, and programs; for
16 salaries, support, maintenance, and miscellaneous purposes; and
17 for not more than the following full-time equivalent positions:

18	\$	18,960,194
19	FTEs	395.00

20 2. Of the amount appropriated in subsection 1, the following
21 amount is transferred to Iowa state university of science and
22 technology, to be used for the university's midwest grape and
23 wine industry institute:

24	\$	325,000
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25 3. The department shall submit a report each quarter of the
26 fiscal year to the legislative services agency, the department
27 of management, the members of the joint appropriations
28 subcommittee on agriculture and natural resources, and the
29 chairpersons and ranking members of the senate and house
30 committees on appropriations. The report shall describe in
31 detail the expenditure of moneys appropriated in this section
32 to support the department's administration, regulation, and
33 programs.

34 DESIGNATED APPROPRIATIONS
35 MISCELLANEOUS FUNDS

Page 2

1 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING Winnings —
2 HORSE AND DOG RACING. There is appropriated from the moneys
3 available under section 99D.13 to the department of agriculture
4 and land stewardship for the fiscal year beginning July 1,
5 2022, and ending June 30, 2023, the following amount, or so
6 much thereof as is necessary, to be used for the purposes
7 designated:

8 For purposes of supporting the department's administration
9 and enforcement of horse and dog racing law pursuant to section
10 99D.22, including for salaries, support, maintenance, and
11 miscellaneous purposes:

12	\$	305,516
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13 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
14 FUEL INSPECTION. There is appropriated from the renewable
15 fuel infrastructure fund created in section 159A.16 to the
16 department of agriculture and land stewardship for the fiscal
17 year beginning July 1, 2022, and ending June 30, 2023, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For purposes of the inspection of motor fuel, including
21 salaries, support, maintenance, and miscellaneous purposes:
22, \$ 500,000

23 SPECIAL APPROPRIATIONS
24 GENERAL FUND

25 Sec. 4. DAIRY REGULATION.

26 1. There is appropriated from the general fund of the state
27 to the department of agriculture and land stewardship for the
28 fiscal year beginning July 1, 2022, and ending June 30, 2023,
29 the following amount, or so much thereof as is necessary, to be
30 used for the purposes designated:

31 For purposes of performing functions pursuant to section
32 192.109, including conducting a survey of grade "A" milk and
33 certifying the results to the secretary of agriculture:
34, \$ 189,196

35 2. Notwithstanding section 8.33, moneys appropriated in

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1 this section that remain unencumbered or unobligated at the
2 close of the fiscal year shall not revert but shall remain
3 available for expenditure for the purposes designated until the
4 close of the succeeding fiscal year.

5 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

6 1. There is appropriated from the general fund of the state
7 to the department of agriculture and land stewardship for the
8 fiscal year beginning July 1, 2022, and ending June 30, 2023,
9 the following amount, or so much thereof as is necessary, to be
10 used for the purposes designated:

11 For purposes of supporting the local food and farm program
12 pursuant to chapter 267A:
13, \$ 75,000

14 2. The department shall enter into a cost-sharing agreement
15 with Iowa state university of science and technology to support
16 the local food and farm program coordinator position as part of
17 the university's cooperative extension service in agriculture
18 and home economics pursuant to chapter 267A.

19 3. Notwithstanding section 8.33, moneys appropriated in
20 this section that remain unencumbered or unobligated at the
21 close of the fiscal year shall not revert but shall remain
22 available for expenditure for the purposes designated until the
23 close of the succeeding fiscal year.

24 Sec. 6. AGRICULTURAL EDUCATION.

25 1. There is appropriated from the general fund of the state
26 to the department of agriculture and land stewardship for the

27 fiscal year beginning July 1, 2022, and ending June 30, 2023,
28 the following amount, or so much thereof as is necessary, to be
29 used for the purposes designated:
30 For purposes of allocating moneys to an Iowa association
31 affiliated with a national organization which promotes
32 agricultural education providing for future farmers:
33 \$ 25,000
34 2. Notwithstanding section 8.33, moneys appropriated in
35 this section that remain unencumbered or unobligated at the

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1 close of the fiscal year shall not revert but shall remain
2 available for expenditure for the purposes designated until the
3 close of the succeeding fiscal year.
4 Sec. 7. FOREIGN ANIMAL DISEASES AFFLICTING LIVESTOCK.
5 There is appropriated from the general fund of the state to the
6 department of agriculture and land stewardship for the fiscal
7 year beginning July 1, 2022, and ending June 30, 2023, the
8 following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:
10 For deposit in the foreign animal disease preparedness and
11 response fund created in section 163.3B:
12 \$ 750,000
13 Sec. 8. FARMERS WITH DISABILITIES PROGRAM.
14 1. There is appropriated from the general fund of the state
15 to the department of agriculture and land stewardship for the
16 fiscal year beginning July 1, 2022, and ending June 30, 2023,
17 the following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:
19 For purposes of supporting a program for farmers with
20 disabilities:
21 \$ 180,000
22 2. The moneys appropriated in subsection 1 shall be used for
23 the public purpose of providing a grant to a national nonprofit
24 organization with over 80 years of experience in assisting
25 children and adults with disabilities and special needs. The
26 moneys shall be used to support a nationally recognized program
27 that began in 1986 and has been replicated in at least 30 other
28 states, but which is not available through any other entity
29 in this state, and that provides assistance to farmers with
30 disabilities in all 99 counties to allow the farmers to remain
31 in their own homes and be gainfully engaged in farming through
32 provision of agricultural worksite and home modification
33 consultations, peer support services, services to families,
34 information and referral, and equipment loan services.
35 3. Notwithstanding section 8.33, moneys appropriated in

Page 5

1 this section that remain unencumbered or unobligated at the
2 close of the fiscal year shall not revert but shall remain

3 available for expenditure for the purposes designated until the
4 close of the succeeding fiscal year.

5 Sec. 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

6 1. There is appropriated from the general fund of the state
7 to the department of agriculture and land stewardship for the
8 fiscal year beginning July 1, 2022, and ending June 30, 2023,
9 the following amount, or so much thereof as is necessary, to be
10 used for the purposes designated:

11 For deposit in the loess hills development and conservation
12 fund created pursuant to section 161D.2:

13 \$ 400,000

14 2. a. Of the amount appropriated to the loess hills
15 development and conservation fund in subsection 1, \$360,000
16 shall be allocated to the fund's hungry canyons account.

17 b. Not more than 10 percent of the moneys allocated to the
18 fund's hungry canyons account as provided in paragraph "a" may
19 be used for administrative costs.

20 3. a. Of the amount appropriated to the loess hills
21 development and conservation fund in subsection 1, \$40,000
22 shall be allocated to the fund's loess hills alliance account.

23 b. Not more than 10 percent of the moneys allocated to the
24 fund's loess hills alliance account as provided in paragraph
25 "a" may be used for administrative costs.

26 Sec. 10. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND.

27 1. There is appropriated from the general fund of the state
28 to the department of agriculture and land stewardship for the
29 fiscal year beginning July 1, 2022, and ending June 30, 2023,
30 the following amount, or so much thereof as is necessary, to be
31 used for the purposes designated:

32 For deposit in the southern Iowa development and
33 conservation fund created pursuant to section 161D.12:

34 \$ 250,000

35 2. Not more than 10 percent of the moneys appropriated

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1 to the fund as provided in subsection 1 may be used for
2 administrative costs.

3 Sec. 11. GRAIN REGULATION. There is appropriated from the
4 general fund of the state to the department of agriculture
5 and land stewardship for the fiscal year beginning July 1,
6 2022, and ending June 30, 2023, the following amount, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:

9 For the administration and enforcement of chapters 203
10 and 203C, including salaries, support, maintenance, and
11 miscellaneous purposes:

12 \$ 350,000

13 Sec. 12. VALUE ADDED AGRICULTURE GRANT PROGRAM.

14 1. There is appropriated from the general fund of the state
15 to the department of agriculture and land stewardship for the
16 fiscal year beginning July 1, 2022, and ending June 30, 2023,

17 the following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:

19 For the administration and execution of a value added
20 agriculture grant program to identify, evaluate, and support
21 programs and services which add value to agriculture products,
22 enable new technology, and support marketing strategies:

23 \$

463,000

24 2. The department shall adopt rules pursuant to chapter 17A
25 necessary to implement and administer this section.

26 3. Notwithstanding section 8.33, moneys appropriated in
27 this section that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure for the purposes designated until the
30 close of the succeeding fiscal year.

31 DIVISION II

32 DEPARTMENT OF NATURAL RESOURCES

33 Sec. 13. GENERAL FUND — DEPARTMENT.

34 1. There is appropriated from the general fund of the state
35 to the department of natural resources for the fiscal year

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1 beginning July 1, 2022, and ending June 30, 2023, the following
2 amount, or so much thereof as is necessary, to be used for the
3 purposes designated:

4 For purposes of supporting the department, including its
5 divisions, for administration, regulation, and programs; for
6 salaries, support, maintenance, and miscellaneous purposes; and
7 for not more than the following full-time equivalent positions:

8 \$

12,093,061

9 FTEs

1,145.95

10 2. Of the number of full-time equivalent positions
11 authorized to the department pursuant to subsection 1, 50.00
12 full-time equivalent positions shall be allocated by the
13 department for seasonal employees for purposes of providing
14 maintenance, upkeep, and sanitary services at state parks.
15 This subsection shall not impact conservation officer, park
16 ranger, or park manager positions within the department.

17 3. The department shall submit a report each quarter of the
18 fiscal year to the legislative services agency, the department
19 of management, the members of the joint appropriations
20 subcommittee on agriculture and natural resources, and the
21 chairpersons and ranking members of the senate and house
22 committees on appropriations. The report shall describe in
23 detail the expenditure of moneys appropriated under this
24 section to support the department's administration, regulation,
25 and programs.

26 Sec. 14. STATE FISH AND GAME PROTECTION FUND — REGULATION
27 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

28 1. There is appropriated from the state fish and game
29 protection fund created pursuant to section 456A.17 to the
30 department of natural resources for the fiscal year beginning

31 July 1, 2022, and ending June 30, 2023, the following amount,
32 or so much thereof as is necessary, to be used for the purposes
33 designated:

34 For purposes of supporting the regulation or advancement of
35 hunting, fishing, or trapping, or the protection, propagation,

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1 restoration, management, or harvest of fish or wildlife,
2 including for administration, regulation, law enforcement, and
3 programs; and for salaries, support, maintenance, equipment,
4 and miscellaneous purposes:

5 \$ 47,541,987

6 2. Notwithstanding section 455A.10, the department may use
7 the unappropriated balance remaining in the state fish and game
8 protection fund to provide for the funding of health and life
9 insurance premium payments from unused sick leave balances of
10 conservation peace officers employed in a protection occupation
11 who retire, pursuant to section 97B.49B.

12 3. Notwithstanding section 455A.10, the department of
13 natural resources may use the unappropriated balance remaining
14 in the state fish and game protection fund for the fiscal
15 year beginning July 1, 2022, and ending June 30, 2023, as is
16 necessary to fund salary adjustments for departmental employees
17 for which the general assembly has made an operating budget
18 appropriation in subsection 1.

19 Sec. 15. GROUNDWATER PROTECTION FUND — WATER
20 QUALITY. There is appropriated from the groundwater protection
21 fund created in section 455E.11 to the department of natural
22 resources for the fiscal year beginning July 1, 2022,
23 and ending June 30, 2023, from those moneys which are not
24 allocated pursuant to that section, the following amount, or
25 so much thereof as is necessary, to be used for the purposes
26 designated:

27 For purposes of supporting the department's protection
28 of the state's groundwater, including for administration,
29 regulation, and programs, and for salaries, support,
30 maintenance, equipment, and miscellaneous purposes:

31 \$ 3,455,850

32 DESIGNATED APPROPRIATIONS

33 MISCELLANEOUS FUNDS

34 Sec. 16. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
35 PROGRAM. There is appropriated from the special snowmobile

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1 fund created under section 321G.7 to the department of natural
2 resources for the fiscal year beginning July 1, 2022, and
3 ending June 30, 2023, the following amount, or so much thereof
4 as is necessary, to be used for the purposes designated:

5 For purposes of administering and enforcing the state
6 snowmobile programs:

7 \$ 100,000
8 Sec. 17. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
9 TANKS SECTION EXPENSES. There is appropriated from the
10 unassigned revenue fund administered by the Iowa comprehensive
11 petroleum underground storage tank fund board established
12 pursuant to section 455G.4 to the department of natural
13 resources for the fiscal year beginning July 1, 2022, and
14 ending June 30, 2023, the following amount, or so much thereof
15 as is necessary, to be used for the purposes designated:
16 For purposes of paying for administration expenses of the
17 department's underground storage tanks section:
18 \$ 200,000
19 SPECIAL APPROPRIATIONS
20 GENERAL FUND
21 Sec. 18. FLOODPLAIN MANAGEMENT AND DAM SAFETY.
22 1. There is appropriated from the general fund of the state
23 to the department of natural resources for the fiscal year
24 beginning July 1, 2022, and ending June 30, 2023, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purposes designated:
27 For purposes of supporting floodplain management and dam
28 safety:
29 \$ 1,510,000
30 2. Of the amount appropriated in subsection 1, up to
31 \$400,000 may be used by the department to acquire or install
32 stream gages for purposes of tracking and predicting flood
33 events and for compiling necessary data to improve flood
34 frequency analysis.
35 3. Notwithstanding section 8.33, moneys appropriated in

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1 subsection 1 that remain unencumbered or unobligated at the
2 close of the fiscal year shall not revert but shall remain
3 available for expenditure for the purposes designated until the
4 close of the succeeding fiscal year.
5 Sec. 19. FORESTRY HEALTH MANAGEMENT.
6 1. There is appropriated from the general fund of the state
7 to the department of natural resources for the fiscal year
8 beginning July 1, 2022, and ending June 30, 2023, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purposes designated:
11 For purposes of providing for forestry health management
12 programs:
13 \$ 500,000
14 2. Notwithstanding section 8.33, moneys appropriated in
15 this section that remain unencumbered or unobligated at the
16 close of the fiscal year shall not revert but shall remain
17 available for expenditure for the purposes designated until the
18 close of the succeeding fiscal year.
19 Sec. 20. STATE PARK OPERATIONS. There is appropriated from
20 the general fund of the state to the department of natural

21 resources for the fiscal year beginning July 1, 2022, and
22 ending June 30, 2023, the following amount, or so much thereof
23 as is necessary, to be used for the purposes designated:

24 For supporting operations at state parks, including
25 maintenance and repair of grounds and facilities:

26 \$ 1,000,000

27 DIVISION III

28 IOWA STATE UNIVERSITY

29 SPECIAL GENERAL FUND APPROPRIATIONS

30 Sec. 21. VETERINARY DIAGNOSTIC LABORATORY.

31 1. There is appropriated from the general fund of the state
32 to Iowa state university of science and technology for the
33 fiscal year beginning July 1, 2022, and ending June 30, 2023,
34 the following amount, or so much thereof as is necessary, to be
35 used for the purposes designated:

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1 For purposes of supporting the college of veterinary
2 medicine for the operation of the veterinary diagnostic
3 laboratory and for not more than the following full-time
4 equivalent positions:

5 \$ 4,400,000
6 FTEs 51.00

7 2. a. Iowa state university of science and technology
8 shall not reduce the amount that it allocates to support the
9 college of veterinary medicine from any other source due to the
10 appropriation made in this section.

11 b. Paragraph "a" does not apply to a reduction made to
12 support the college of veterinary medicine, if the same
13 percentage of reduction imposed on the college of veterinary
14 medicine is also imposed on all of Iowa state university of
15 science and technology's budget units.

16 3. If by June 30, 2023, Iowa state university of science and
17 technology fails to allocate the moneys appropriated in this
18 section to the college of veterinary medicine in accordance
19 with this section, the moneys appropriated in this section for
20 that fiscal year shall revert to the general fund of the state.

21 Sec. 22. LIVESTOCK DISEASE RESEARCH.

22 1. There is appropriated from the general fund of the state
23 to Iowa state university of science and technology for the
24 fiscal year beginning July 1, 2022, and ending June 30, 2023,
25 the following amount, or so much thereof as is necessary, to be
used for the purposes designated:

27 For deposit in the livestock disease research fund created
28 in section 267.8:

29 \$ 170,390

30 2. Moneys appropriated under subsection 1 shall be used
31 by Iowa state university of science and technology to support
32 animal disease research in areas of importance to livestock

33 producers.

34 DIVISION IV
35 STATE UNIVERSITY OF IOWA

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1 SPECIAL GENERAL FUND APPROPRIATION
2 AGRICULTURAL SAFETY AND HEALTH

3 Sec. 23. IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH
4 (I-CASH).

5 1. There is appropriated from the general fund of the state
6 to the state university of Iowa for the fiscal year beginning
7 July 1, 2022, and ending June 30, 2023, the following amount,
8 or so much thereof as is necessary, to be used for the purposes
9 designated:

10 For supporting the operations of Iowa's center for
11 agricultural safety and health, as part of the university's
12 college of public health, and in cooperation with the
13 department of agriculture and land stewardship, to anticipate,
14 recognize, and prevent occupational illness and injury among
15 members of the agricultural community:

16 \$ 128,154

17 2. a. As a condition of the appropriation made in
18 subsection 1, the state university of Iowa shall retain the
19 director of Iowa's center for agricultural safety and health
20 employed on the effective date of this division of this Act for
21 at least the same number of hours for the fiscal year beginning
22 July 1, 2022, as worked by the director during the fiscal year
23 beginning July 1, 2021.

24 b. As a condition of the appropriation made in subsection
25 1, the state university of Iowa shall not reduce the amount
26 allocated to support Iowa's center for agricultural safety from
27 any other source due to the appropriation made in subsection 1.

28 3. If by June 30, 2023, the state university of Iowa fails
29 to use the moneys appropriated in subsection 1 in accordance
30 with the purposes and conditions of subsections 1 and 2, any
31 unencumbered or unobligated moneys appropriated in subsection
32 1 for the fiscal year beginning July 1, 2022, and ending June
33 30, 2023, shall revert to the general fund of the state. In
34 addition, if moneys are required to be reverted pursuant to
35 section 8.33, the state university of Iowa shall transfer to

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1 the general fund of the state from any otherwise unencumbered
2 or unobligated moneys from any other general fund appropriation
3 or from any moneys available from other funding sources an
4 amount equal to the amount appropriated in subsection 1 less
5 any amount reverted to the general fund of the state pursuant
6 to section 8.33.

7 DIVISION V
8 ENVIRONMENT FIRST FUND

9 GENERAL APPROPRIATIONS

10 Sec. 24. DEPARTMENT OF AGRICULTURE AND LAND
11 STEWARDSHIP. There is appropriated from the environment first
12 fund created in section 8.57A to the department of agriculture
13 and land stewardship for the fiscal year beginning July 1,
14 2022, and ending June 30, 2023, the following amounts, or so
15 much thereof as is necessary, to be used for the purposes
16 designated:

17 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

18 a. For the conservation reserve enhancement program to
19 restore and construct wetlands for the purposes of intercepting
20 tile line runoff, reducing nutrient loss, improving water
21 quality, and enhancing agricultural production practices:

22 \$ 1,000,000

23 b. Not more than 10 percent of the moneys appropriated
24 in paragraph "a" may be used for costs of administration and
25 implementation of soil and water conservation practices.

26 c. Notwithstanding any other provision of law, the
27 department may use moneys appropriated in this subsection,
28 in combination with other appropriate environment first
29 fund appropriations, for cost sharing to match United States
30 department of agriculture, natural resources conservation
31 service, wetlands reserve enhancement program (WREP) funding
32 available to Iowa.

33 2. WATERSHED PROTECTION

34 a. For continuation of a program that provides
35 multiobjective resource protections for flood control, water

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1 quality, erosion control, and natural resource conservation:

2 \$ 900,000

3 b. Not more than 10 percent of the moneys appropriated
4 in paragraph "a" may be used for costs of administration and
5 implementation of soil and water conservation practices.

6 3. CONSERVATION RESERVE PROGRAM (CRP)

7 a. To encourage and assist farmers in enrolling in and the
8 implementation of the federal conservation reserve program and
9 to work with them to enhance their revegetation efforts to
10 improve water quality and habitat:

11 \$ 900,000

12 b. Not more than 10 percent of the moneys appropriated
13 in paragraph "a" may be used for costs of administration and
14 implementation of soil and water conservation practices.

15 4. SOIL AND WATER CONSERVATION

16 a. For use by the department in providing for soil and water
17 conservation:

18 \$ 8,325,000

19 b. (1) Of the amount appropriated in paragraph "a", for
20 transfer to the hungry canyons account of the loess hills
21 development and conservation fund created in section 161D.2:

22 \$ 140,000

23 (2) Not more than 10 percent of the moneys transferred to
24 the fund's hungry canyons account as provided in subparagraph
25 (1) may be used for administrative costs.
26 c. Of the remaining amount appropriated in paragraph "a",
27 for use by the department in providing for soil and water
28 conservation administration, the conservation of soil and
29 water resources, or the support of soil and water conservation
30 districts:
31 \$ 8,185,000
32 d. Of the amount appropriated in paragraph "c" that the
33 department allocates to a soil and water conservation district,
34 the first \$15,000 may be expended by the district for the
35 purpose of providing financial incentives under section 161A.73

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1 to establish management practices for the control of soil
2 erosion on land that is row-cropped, including but not limited
3 to nontill planting, ridge-till planting, and contouring
4 strip-cropping. Of any remaining amount of that appropriation
5 allocated by the department to a district, 30 percent may be
6 expended by the district for that same purpose.
7 e. Not more than 5 percent of the moneys appropriated in
8 paragraph "c" may be allocated for cost sharing to address
9 complaints filed under section 161A.47.
10 f. Of the moneys appropriated in paragraph "c", 5 percent
11 shall be allocated for financial incentives to establish
12 practices to protect watersheds above publicly owned lakes of
13 the state from soil erosion and sediment as provided in section
14 161A.73.
15 g. The state soil conservation and water quality committee
16 established by section 161A.4 may allocate moneys appropriated
17 in paragraph "c" to conduct research and demonstration projects
18 to promote conservation tillage and nonpoint source pollution
19 control practices.
20 h. The allocation of moneys as financial incentives as
21 provided in section 161A.73 may be used in combination with
22 moneys allocated by the department of natural resources.
23 i. Not more than 15 percent of the moneys appropriated
24 in paragraph "c" may be used for costs of administration and
25 implementation of soil and water conservation practices.
26 5. SOIL AND WATER CONSERVATION — ADMINISTRATION
27 a. For use by the department for costs of administration and
28 implementation of soil and water conservation practices:
29 \$ 3,800,000
30 b. Of the moneys appropriated in paragraph "a", \$150,000
31 is allocated to support field staff providing technical
32 assistance.
33 Sec. 25. DEPARTMENT OF NATURAL RESOURCES. There is
34 appropriated from the environment first fund created in section
35 8.57A to the department of natural resources for the fiscal

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1	year beginning July 1, 2022, and ending June 30, 2023, the	
2	following amounts, or so much thereof as is necessary, to be	
3	used for the purposes designated:	
4	1. STATE PARKS MAINTENANCE AND OPERATIONS	
5	For regular maintenance and operations of state parks and	
6	staff time associated with these activities:	
7	\$ 6,235,000
8	2. GEOGRAPHIC INFORMATION SYSTEM (GIS)	
9	To provide local watershed managers with geographic	
10	information system data for their use in developing,	
11	monitoring, and displaying results of their watershed work:	
12	\$ 195,000
13	3. WATER QUALITY MONITORING	
14	For continuing the establishment and operation of water	
15	quality monitoring stations:	
16	\$ 2,955,000
17	4. PUBLIC WATER SUPPLY SYSTEM ACCOUNT	
18	For deposit in the public water supply system account of the	
19	water quality protection fund created in section 455B.183A:	
20	\$ 500,000
21	5. REGULATION OF ANIMAL FEEDING OPERATIONS	
22	For the regulation of animal feeding operations, including	
23	as provided for in chapters 459, 459A, and 459B:	
24	\$ 1,320,000
25	6. AMBIENT AIR QUALITY	
26	For the abatement, control, and prevention of ambient	
27	air pollution in this state, including measures as necessary	
28	to assure attainment and maintenance of ambient air quality	
29	standards from particulate matter:	
30	\$ 425,000
31	7. FLOODPLAIN MANAGEMENT AND DAM SAFETY	
32	For supporting floodplain management and dam safety:	
33	\$ 375,000
34	Sec. 26. STATE UNIVERSITY OF IOWA — IOWA GEOLOGICAL	
35	SURVEY.	
	There is appropriated from the environment first	

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1	fund created in section 8.57A to the state university of Iowa	
2	for the fiscal year beginning July 1, 2022, and ending June	
3	30, 2023, the following amounts, or so much thereof as is	
4	necessary, to be used for the purposes designated:	
5	1. OPERATIONS	
6	For purposes of supporting the operations of the Iowa	
7	geological survey of the state as created within the state	
8	university of Iowa pursuant to section 456.1, including but not	
9	limited to providing analysis; data maintenance, collection,	
10	and compilation; investigative programs; and information for	
11	water supply development and protection:	
12	\$ 200,000

13 2. WATER RESOURCE MANAGEMENT

14 For purposes of supporting the Iowa geological survey in
15 measuring, assessing, and evaluating the quantity of water
16 sources in this state and assisting the department of natural
17 resources in regulating water quantity as provided in chapter
18 455B, subchapter III, part 4, pursuant to sections 455B.262B
19 and 456.14:

20 §

495,000

21 Sec. 27. REVERSION.

22 1. a. Except as provided in paragraph "b", and
23 notwithstanding section 8.33, moneys appropriated for the
24 fiscal year beginning July 1, 2022, in this division of this
25 Act that remain unencumbered or unobligated at the close of
26 the fiscal year shall not revert but shall remain available
27 for expenditure for the purposes designated until the close of
28 the succeeding fiscal year, or until the project for which the
29 appropriation was made is completed, whichever is earlier.

b. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2022, in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the establishment of permanent soil and water conservation practices that remain unencumbered or unobligated at the close of the fiscal year

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1 shall not revert but shall remain available for expenditure
2 for the purposes designated until the close of the fiscal year
3 beginning July 1, 2025.

4 2. Subsection 1 does not apply to moneys transferred
5 pursuant to this division of this Act to the loess hills
6 development and conservation fund created in section 161D.2
7 which shall not revert as provided in that section.

DIVISION VI

**ENVIRONMENT FIRST FUND
SPECIAL APPROPRIATIONS**

11 Sec. 28. WATER QUALITY INITIATIVE — DEPARTMENT OF
12 AGRICULTURE AND LAND STEWARDSHIP.

13 1. There is appropriated from the environment first fund
14 created in section 8.57A to the department of agriculture
15 and land stewardship for the fiscal year beginning July 1,
16 2022, and ending June 30, 2023, the following amount, or so
17 much thereof as is necessary, to be used for the purposes
18 designated:

19 For deposit in the water quality initiative fund created in
20 section 466B.45, for purposes of supporting the water quality
21 initiative administered by the division of soil conservation
22 and water quality as provided in section 466B.42, including
23 salaries, support, maintenance, and miscellaneous purposes;

23 salaries, support, maintenance, and miscellaneous purposes.
24

2 375 000

27 division that are part of high-priority watersheds identified
28 by the water resources coordinating council established
29 pursuant to section 466B.3.
30 b. The moneys appropriated in subsection 1 shall be used to
31 support projects in watersheds generally, including regional
32 watersheds, as designated by the division and high-priority
33 watersheds identified by the water resources coordinating
34 council established pursuant to section 466B.3.
35 3. In supporting projects in subwatersheds and watersheds

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1 as provided in subsection 2, all of the following apply:
2 a. The demonstration projects shall utilize water quality
3 practices as described in the Iowa nutrient reduction strategy
4 as defined in section 455B.171.
5 b. The division shall implement demonstration projects as
6 provided in paragraph "a" by providing for participation by
7 persons who hold a legal interest in agricultural land used in
8 farming. To every extent practical, the division shall provide
9 for collaborative participation by such persons who hold a
10 legal interest in agricultural land located within the same
11 subwatershed.
12 c. The division shall implement a demonstration project on
13 a cost-share basis as determined by the division. However,
14 except for edge-of-field practices, the state's share of the
15 amount shall not exceed 50 percent of the estimated cost of
16 establishing the practice as determined by the division or
17 50 percent of the actual cost of establishing the practice,
18 whichever is less.
19 d. The demonstration projects shall be used to educate other
20 persons about the feasibility and value of establishing similar
21 water quality practices. The division shall promote field day
22 events for purposes of allowing interested persons to establish
23 water quality practices on their agricultural land.
24 e. The division shall conduct water quality evaluations
25 within supported subwatersheds. Within a reasonable period
26 after accumulating information from such evaluations, the
27 division shall create an aggregated database of water quality
28 practices. Any information identifying a person holding a
29 legal interest in agricultural land or specific agricultural
30 land shall be a confidential record under section 22.7.
31 4. The moneys appropriated in subsection 1 shall be used
32 to support education and outreach in a manner that encourages
33 persons who hold a legal interest in agricultural land used for
34 farming to implement water quality practices, including the
35 establishment of such practices in watersheds generally, and

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1 not limited to subwatersheds or high-priority watersheds.
2 5. The moneys appropriated in subsection 1 may be used

3 to contract with persons to coordinate the implementation of
4 efforts provided in this section.

5 6. The moneys appropriated in subsection 1 may be used by
6 the department to support urban soil and water conservation
7 efforts, which may include but are not limited to management
8 practices related to bioretention, landscaping, the use of
9 permeable or pervious pavement, and soil quality restoration.
10 The moneys shall be allocated on a cost-share basis as provided
11 in chapter 161A.

12 7. Notwithstanding any other provision of law to the
13 contrary, the department may use moneys appropriated in
14 subsection 1 to carry out the provisions of this section on a
15 cost-share basis in combination with other moneys available to
16 the department from a state or federal source.

17 8. Not more than 10 percent of the moneys appropriated in
18 this section may be used to pay for the costs of administering
19 and implementing the water quality initiative by the
20 department's division of soil conservation and water quality as
21 provided in section 466B.42 and this section.

DIVISION VII

IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

23 Sec. 29. REAP — IN LIEU OF GENERAL FUND APPROPRIATION. In
24 lieu of the standing appropriation in section 455A.18, there is
25 appropriated from the environment first fund created in section
26 8.57A to the Iowa resources enhancement and protection fund
27 for the fiscal year beginning July 1, 2022, and ending June
28 30, 2023, the following amount, to be allocated as provided in
30 section 455A.19:

31	\$ 12,000,000
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32 Sec. 30. REAP — OPEN SPACES ACCOUNT — STATE PARK
33 MAINTENANCE AND REPAIR. Notwithstanding section 455A.19,
34 subsection 1, paragraph "a", subparagraph (1), of the moneys
35 allocated to the open spaces account of the Iowa resources

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1 enhancement and protection fund, up to \$1,000,000 may be
2 used by the department of natural resources for state park
3 maintenance and repair for the fiscal year beginning July 1,
4 2022, and ending on June 30, 2023.

DIVISION VIII

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP GENERAL FUND DEDICATED APPROPRIATIONS

Sec. 31. CHOOSE IOWA PROMOTION PROGRAM.

9 1. There is appropriated from the general fund of the state
10 to the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 2022, and ending June 30, 2023,
12 the following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For deposit in the choose Iowa fund established pursuant to
15 section 159.31A, if enacted in 2022 Iowa Acts, House File 2581:

16	\$ 500,000
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17 2. This section is contingent on the establishment of a
18 choose Iowa promotional program as provided in chapter 159, if
19 enacted in 2022 Iowa Acts, House File 2581.

DIVISION IX

STATUTORY PROVISIONS — DALS — VALUE ADDED AGRICULTURAL GRANT PROGRAM

23 Sec. 32. 2021 Iowa Acts, chapter 143, section 12, is amended
24 to read as follows:

SEC. 12. VALUE ADDED AGRICULTURE GRANT PROGRAM.

26 1. There is appropriated from the general fund of the state
27 to the department of agriculture and land stewardship for the
28 fiscal year beginning July 1, 2021, and ending June 30, 2022,
29 the following amount, or so much thereof as is necessary, to be
30 used for the purposes designated:

31 For the administration and execution of a value added
32 agriculture grant program to identify, evaluate, and support
33 programs and services which add value to agriculture products,
34 enable new technology, and support marketing strategies:

35 \$

250,000

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2. Notwithstanding section 8.33, moneys appropriated in
this section that remain unencumbered or unobligated at the
close of the fiscal year shall not revert but shall remain
available for expenditure for the purposes designated until the
close of the succeeding fiscal year.

6 Sec. 33. EFFECTIVE DATE. The section of this division of
7 this Act amending 2021 Iowa Acts, chapter 143, section 12,
8 takes effect upon enactment.

DIVISION X

STATUTORY PROVISIONS — STATE PARK HOUSING

11 Sec. 34. NEW SECTION. 456A.13B Occupancy of state housing
12 in state parks.

13 1. If an employee of the department occupies a state-owned
14 residence located within a state park on January 1, 2022, the
15 employee may continue to occupy that residence until December
16 31, 2023, under the same terms and conditions that applied on
17 the date that the employee first occupied the residence.

18 2. This section is repealed on January 1, 2024.

19 Sec. 35. EFFECTIVE DATE. The following, being deemed of
20 immediate importance, takes effect upon enactment:

²¹ The section of this division of this Act enacting section

22 456A.13B.>

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5151

1 Amend House File 2564, 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 **FY 2022–2023 APPROPRIATIONS**

7 Section 1. DEPARTMENT OF CULTURAL AFFAIRS.
 8 1. There is appropriated from the general fund of the state
 9 to the department of cultural affairs for the fiscal year
 10 beginning July 1, 2022, and ending June 30, 2023, the following
 11 amounts, or so much thereof as is necessary, to be used for the
 12 purposes designated:

13 a. ADMINISTRATION

14 For salaries, support, maintenance, and miscellaneous
 15 purposes, and for not more than the following full-time
 16 equivalent positions for the department:

17	\$	168,637
18	FTEs	55.24

19 The department of cultural affairs shall coordinate
 20 activities with the tourism office of the economic development
 21 authority to promote attendance at the state historical
 22 building and at the state's historic sites.

23 Full-time equivalent positions authorized under this
 24 paragraph are funded, in full or in part, using moneys
 25 appropriated under this paragraph and paragraphs "c" through
 26 "g".

27 b. COMMUNITY CULTURAL GRANTS

28 For planning and programming for the community cultural
 29 grants program established under section 303.3:

30	\$	172,090
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31 c. HISTORICAL DIVISION

32 For the support of the historical division:

33	\$	3,142,351
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34 d. HISTORIC SITES

35 For the administration and support of historic sites:

Page 2

1	\$	426,398
2 e. ARTS DIVISION		
3 For the support of the arts division:		
4	\$	1,317,188
5 Of the moneys appropriated in this paragraph, the department		
6 shall allocate \$300,000 for purposes of the film office.		
7 f. IOWA GREAT PLACES		
8 For the Iowa great places program established under section		
9 303.3C:		
10	\$	150,000
11 g. CULTURAL TRUST GRANTS		
12 For grant programs administered by the Iowa arts		
13 council including those programs supporting the long-term		
14 financial stability and sustainability of nonprofit cultural		
15 organizations:		
16	\$	150,000

17 2. Notwithstanding section 8.33, moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.

22 **Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.**

23 1. For the fiscal year beginning July 1, 2022, the goals
24 for the economic development authority shall be to expand and
25 stimulate the state economy, increase the wealth of Iowans, and
26 increase the population of the state.

27 2. To achieve the goals in subsection 1, the economic
28 development authority shall do all of the following for the
29 fiscal year beginning July 1, 2022:

30 a. Concentrate its efforts on programs and activities that
31 result in commercially viable products and services.

32 b. Adopt practices and services consistent with free
33 market, private sector philosophies.

34 c. Ensure economic growth and development throughout the
35 state.

Page 3

1 d. Work with businesses and communities to continually
2 improve the economic development climate along with the
3 economic well-being and quality of life for Iowans.
4 e. Coordinate with other state agencies to ensure that they
5 are attentive to the needs of an entrepreneurial culture.
6 f. Establish a strong and aggressive marketing image to
7 showcase Iowa's workforce, existing industry, and potential.
8 A priority shall be placed on recruiting new businesses,
9 business expansion, and retaining existing Iowa businesses.
10 Emphasis shall be placed on entrepreneurial development through
11 helping entrepreneurs secure capital, and developing networks
12 and a business climate conducive to entrepreneurs and small
13 businesses.

14 g. Encourage the development of communities and quality of
15 life to foster economic growth.

16 h. Prepare communities for future growth and development
17 through development, expansion, and modernization of
18 infrastructure.

19 i. Develop public-private partnerships with Iowa businesses
20 in the tourism industry, Iowa tour groups, Iowa tourism
21 organizations, and political subdivisions in this state to
22 assist in the development of advertising efforts.

23 j. Develop, to the fullest extent possible, cooperative
24 efforts for advertising with contributions from other sources.

25 **Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.**

26 **1. APPROPRIATION**

27 a. There is appropriated from the general fund of the state
28 to the economic development authority for the fiscal year
29 beginning July 1, 2022, and ending June 30, 2023, the following
30 amount, or so much thereof as is necessary, to be used for the

31 purposes designated in this subsection, and for not more than
32 the following full-time equivalent positions:
33 \$ 13,318,553
34 FTEs 105.85
35 b. (1) For salaries, support, miscellaneous purposes,

Page 4

1 programs, marketing, and the maintenance of an administration
2 division, a business development division, a community
3 development division, a small business development division,
4 and other divisions the authority may organize.
5 (2) The full-time equivalent positions authorized under
6 this section are funded, in whole or in part, by the moneys
7 appropriated under this subsection or by other moneys received
8 by the authority, including certain federal moneys.
9 (3) For business development operations and programs,
10 international trade, export assistance, workforce recruitment,
11 and the partner state program.
12 (4) For transfer to a fund created pursuant to section
13 15.313 for purposes of financing strategic infrastructure
14 projects.
15 (5) For community economic development programs, tourism
16 operations, community assistance, plans for Iowa green corps
17 and summer youth programs, the main street and rural main
18 street programs, the school-to-career program, the community
19 development block grant, and housing and shelter-related
20 programs.
21 (6) For achieving the goals and accountability, and
22 fulfilling the requirements and duties required under this Act.
23 c. Notwithstanding section 8.33, moneys appropriated in
24 this subsection that remain unencumbered or unobligated at the
25 close of the fiscal year shall not revert but shall remain
26 available for expenditure for the purposes designated in this
27 subsection until the close of the succeeding fiscal year.
28 2. FINANCIAL ASSISTANCE RESTRICTIONS
29 a. A business creating jobs through moneys appropriated in
30 subsection 1 shall be subject to contract provisions requiring
31 new and retained jobs to be filled by individuals who are
32 citizens of the United States who reside within the United
33 States, or any person authorized to work in the United States
34 pursuant to federal law, including legal resident aliens
35 residing in the United States.

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1 b. Any vendor who receives moneys appropriated in
2 subsection 1 shall adhere to such contract provisions and
3 provide periodic assurances as the state shall require that the
4 jobs are filled solely by citizens of the United States who
5 reside within the United States, or any person authorized to
6 work in the United States, pursuant to federal law, including

7 legal resident aliens residing in the United States.
8 c. A business that receives financial assistance from
9 the authority from moneys appropriated in subsection 1 shall
10 only employ individuals legally authorized to work in this
11 state. In addition to all other applicable penalties provided
12 by current law, all or a portion of the assistance received
13 by a business which is found to knowingly employ individuals
14 not legally authorized to work in this state is subject to
15 recapture by the authority.

16 3. USES OF APPROPRIATIONS

17 a. From the moneys appropriated in subsection 1, the
18 authority may provide financial assistance in the form of a
19 grant to a community economic development entity for conducting
20 a local workforce recruitment effort designed to recruit former
21 citizens of the state and former students at colleges and
22 universities in the state to meet the needs of local employers.

23 b. From the moneys appropriated in subsection 1, the
24 authority may provide financial assistance to early stage
25 industry companies being established by women entrepreneurs.

26 c. From the moneys appropriated in subsection 1, the
27 authority may provide financial assistance in the form of
28 grants, loans, or forgivable loans for advanced research and
29 commercialization projects involving value-added agriculture,
30 advanced technology, or biotechnology.

31 d. The authority shall not use any moneys appropriated in
32 subsection 1 for purposes of providing financial assistance for
33 the Iowa green streets pilot project or for any other program
34 or project that involves the installation of geothermal systems
35 for melting snow and ice from streets or sidewalks.

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1 4. WORLD FOOD PRIZE

2 In lieu of the standing appropriation in section 15.368,
3 there is appropriated from the general fund of the state to the
4 economic development authority for the fiscal year beginning
5 July 1, 2022, and ending June 30, 2023, the following amount
6 for the world food prize:

7 \$ 375,000

8 5. IOWA COMMISSION ON VOLUNTEER SERVICE

9 a. There is appropriated from the general fund of the state
10 to the economic development authority for the fiscal year
11 beginning July 1, 2022, and ending June 30, 2023, the following
12 amount for allocation to the Iowa commission on volunteer
13 service for purposes of the Iowa state commission grant
14 program, the Iowa's promise and Iowa mentoring partnership
15 programs, and for not more than the following full-time
16 equivalent positions:

17 \$ 168,201

18 FTEs 12.70

19 Of the moneys appropriated in this subsection, the
20 authority shall allocate \$75,000 for purposes of the Iowa state

21 commission grant program and \$93,201 for purposes of the Iowa's
22 promise and Iowa mentoring partnership programs.

23 b. Notwithstanding section 8.33, moneys appropriated in
24 this subsection that remain unencumbered or unobligated at the
25 close of the fiscal year shall not revert but shall remain
26 available for expenditure for the purposes designated until the
27 close of the succeeding fiscal year.

28 6. COUNCILS OF GOVERNMENTS — ASSISTANCE

29 There is appropriated from the general fund of the state
30 to the economic development authority for the fiscal year
31 beginning July 1, 2022, and ending June 30, 2023, the following
32 amount to be used for the purposes of providing financial
33 assistance to Iowa's councils of governments:

34 \$ 250,000

35 7. FUTURE READY IOWA REGISTERED APPRENTICESHIP DEVELOPMENT

Page 7

1 PROGRAM

2 a. There is appropriated from the general fund of the state
3 to the economic development authority for the fiscal year
4 beginning July 1, 2022, and ending June 30, 2023, the following
5 amount to be used for the funding of the future ready Iowa
6 registered apprenticeship development program under chapter
7 15C, to encourage small to midsize businesses to start or grow
8 registered apprenticeships:

9 \$ 760,000

10 b. Notwithstanding section 8.33, moneys appropriated in
11 this subsection 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 until the
14 close of the succeeding fiscal year.

15 8. BUTCHERY INNOVATION AND REVITALIZATION PROGRAM

16 a. There is appropriated from the general fund of the state
17 to the economic development authority for the fiscal year
18 beginning July 1, 2022, and ending June 30, 2023, the following
19 amount, or so much thereof as is necessary, for the purpose
20 designated:

21 For support of the butchery innovation and revitalization
22 program established in section 15E.370:

23 \$ 633,325

24 b. There is appropriated from the Iowa skilled worker and
25 job creation fund created in section 8.75 to the Iowa economic
26 development authority for the fiscal year beginning July 1,
27 2022, and ending June 30, 2023, the following amount, or so
28 much thereof as is necessary, to be used for the purposes
29 designated:

30 For support of the butchery innovation and revitalization
31 program established in section 15E.370:

32 \$ 366,675

33 9. TOURISM OFFICE

34 a. There is appropriated from the general fund of the state
35 to the economic development authority for the fiscal year

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1 beginning July 1, 2021, and ending June 30, 2022, the following
2 amount for the tourism office to be used for advertising,
3 promoting, placement, and implementation of the economic
4 development authority's strategic plan for tourism and travel:
5 \$ 1,100,000
6 b. Notwithstanding section 8.33, moneys appropriated in
7 this subsection that remain unencumbered or unobligated at the
8 close of the fiscal year shall not revert but shall remain
9 available for expenditure for the purposes designated until the
10 close of the succeeding fiscal year.
11 c. The economic development authority shall submit an
12 annual report on or before January 15 to the general assembly
13 regarding the tourism office's activities funded with moneys
14 appropriated under this subsection. The report shall be
15 provided in an electronic format and shall include metrics
16 and criteria that allow the general assembly to quantify
17 and evaluate the effectiveness and economic impact of the
18 tourism office's activities related to advertising, promoting,
19 placement, and implementation of the economic development
20 authority's strategic plan for tourism and travel.
21 10. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
22 INTERNSHIPS
23 a. There is appropriated from the Iowa skilled worker and
24 job creation fund created in section 8.75 to the Iowa economic
25 development authority for the fiscal year beginning July 1,
26 2022, and ending June 30, 2023, the following amount, or so
27 much thereof as is necessary, to be used for the purposes
28 designated:
29 For the funding of internships for students studying in the
30 fields of science, technology, engineering, and mathematics
31 with eligible Iowa employers as provided in section 15.411,
32 subsection 3, paragraph "c":
33 \$ 633,325
34 b. No more than 3 percent of the moneys appropriated in this
35 subsection may be used by the authority for costs associated

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1 with administration of the internship program.
2 c. Notwithstanding section 8.33, moneys appropriated in
3 this subsection that remain unencumbered or unobligated at the
4 close of the fiscal year shall not revert but shall remain
5 available for expenditure for the purposes designated in
6 subsequent fiscal years.
7 11. FUTURE READY IOWA — VOLUNTEER MENTORING PROGRAM
8 a. There is appropriated from the Iowa skilled worker and
9 job creation fund created in section 8.75 to the economic

10 development authority for the fiscal year beginning July 1,
 11 2022, and ending June 30, 2023, the following amount, or so
 12 much thereof as is necessary, to be used for the purposes
 13 designated:

14 For allocation to the Iowa commission on volunteer services
 15 to be used for establishing a volunteer mentor program to
 16 support implementation of the future ready Iowa skilled
 17 workforce last-dollar scholarship program in section 261.131
 18 and the future ready Iowa skilled workforce grant program
 19 created in section 261.132, and for not more than the following
 20 full-time equivalent positions:

21	\$	400,000
22	FTEs	1.15

23 b. Notwithstanding section 8.33, moneys appropriated in
 24 this subsection that remain unencumbered or unobligated at the
 25 close of the fiscal year shall not revert but shall remain
 26 available for expenditure for the purposes designated until the
 27 close of the succeeding fiscal year.

28 12. STEM BEST AND EMPOWER RURAL IOWA

29 a. There is appropriated from the Iowa skilled worker and
 30 job creation fund created in section 8.75 to the economic
 31 development authority for the fiscal year beginning July 1,
 32 2022, and ending June 30, 2023, the following amount, or so
 33 much thereof as is necessary, to be used for the purposes
 34 designated:

35 STEM best:

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1	\$	700,000
2 Empower rural Iowa program:		
3	\$	700,000

4 b. Notwithstanding section 8.33, moneys appropriated in
 5 this subsection that remain unencumbered or unobligated at the
 6 close of the fiscal year shall not revert but shall remain
 7 available for expenditure for the purposes designated until the
 8 close of the succeeding fiscal year.

9 c. The authority shall adopt rules pursuant to chapter
 10 17A to establish criteria for the distribution of the moneys
 11 appropriated in this subsection.

12 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 13 2022–2023. Notwithstanding the standing appropriations
 14 in the following designated sections for the fiscal year
 15 beginning July 1, 2022, and ending June 30, 2023, the amounts
 16 appropriated from the general fund of the state pursuant to
 17 those sections for the following purposes shall not exceed the
 18 following amounts:

19 1. For operational support grants and community cultural
 20 grants under section 99F.11, subsection 4, paragraph "d",
 21 subparagraph (1):

22	\$	448,403
23 2. For the purposes of regional tourism marketing under		

24 section 99F.11, subsection 4, paragraph "d", subparagraph (2): \$ 1,443,700
25
26 Sec. 5. FINANCIAL ASSISTANCE REPORTING — ECONOMIC
27 DEVELOPMENT AUTHORITY. The economic development authority
28 shall submit an annual report to the general assembly no later
29 than November 1, 2022, that details the amount of every direct
30 loan, forgivable loan, tax credit, tax exemption, tax refund,
31 grant, or any other financial assistance awarded to a person
32 during the prior fiscal year by the authority under an economic
33 development program administered by the authority. The report
34 shall identify the county where the project associated with
35 each such award is located.

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1 Sec. 6. INSURANCE ECONOMIC DEVELOPMENT. From the
2 moneys collected by the insurance division in excess of the
3 anticipated gross revenues under section 505.7, subsection
4 3, during the fiscal year beginning July 1, 2022, \$100,000
5 shall be transferred to the economic development authority for
6 insurance economic development and international insurance
7 economic development.

8 Sec. 7. IOWA FINANCE AUTHORITY.

9 1. There is appropriated from the general fund of the state
10 to the Iowa finance authority for the fiscal year beginning
11 July 1, 2022, and ending June 30, 2023, the following amount,
12 or so much thereof as is necessary, to be used to provide
13 reimbursement for rent expenses to eligible persons under
14 the home and community-based services rent subsidy program
15 established in section 16.55:

16 \$ 658,000
17

18 2. Of the moneys appropriated in this section, not more than
19 \$35,000 may be used for administrative costs.
20 3. Notwithstanding section 8.33, moneys appropriated in
21 this section that remain unencumbered or unobligated at the
22 close of the fiscal year shall not revert but shall remain
23 available for expenditure for the purposes designated until the
24 close of the succeeding fiscal year.

25 Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state
26 is requested to review the audit of the Iowa finance authority
27 performed by the auditor hired by the authority.

28 Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.

29 1. There is appropriated from the general fund of the state
30 to the public employment relations board for the fiscal year
31 beginning July 1, 2022, and ending June 30, 2023, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time
equivalent positions:

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1	\$	1,492,452
2	FTEs	10.00
3 2. Of the moneys appropriated in this section, the board		
4 shall allocate \$15,000 for maintaining an internet site that		
5 allows access to a searchable database of collective bargaining		
6 information.		

7 Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
 8 is appropriated from the general fund of the state to the
 9 department of workforce development for the fiscal year
 10 beginning July 1, 2022, and ending June 30, 2023, the following
 11 amounts, or so much thereof as is necessary, to be used for the
 12 purposes designated:

13 1. DIVISION OF LABOR SERVICES

14 a. For the division of labor services, including salaries,
 15 support, maintenance, and miscellaneous purposes, and for not
 16 more than the following full-time equivalent positions:

17	\$	3,491,252
18	FTEs	58.46

19 b. From the contractor registration fees, the division of
 20 labor services shall reimburse the department of inspections
 21 and appeals for all costs associated with hearings under
 22 chapter 91C, relating to contractor registration.

23 2. DIVISION OF WORKERS' COMPENSATION

24 a. For the division of workers' compensation, including
 25 salaries, support, maintenance, and miscellaneous purposes, and
 26 for not more than the following full-time equivalent positions:

27	\$	3,321,044
28	FTEs	26.15

29 b. The division of workers' compensation shall charge a
 30 \$100 filing fee for workers' compensation cases. The filing
 31 fee shall be paid by the petitioner of a claim. However,
 32 the fee can be taxed as a cost and paid by the losing party,
 33 except in cases where it would impose an undue hardship or be
 34 unjust under the circumstances. The moneys generated by the
 35 filing fee allowed under this paragraph are appropriated to the

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1 department of workforce development to be used for purposes of
 2 administering the division of workers' compensation.

3 3. WORKFORCE DEVELOPMENT OPERATIONS

4 a. For the operation of field offices, the workforce
 5 development board, and for not more than the following
 6 full-time equivalent positions:

7	\$	6,675,650
8	FTEs	188.63

9 b. Of the moneys appropriated in paragraph "a", the
 10 department shall allocate \$150,000 to the state library for the
 11 purpose of licensing an online resource which prepares persons
 12 to succeed in the workplace through programs which improve job

13 skills and vocational test-taking abilities.

14 4. OFFENDER REENTRY PROGRAM

15 a. For the development and administration of an offender
16 reentry program to provide offenders with employment skills,
17 and for not more than the following full-time equivalent
18 positions:

19	\$	387,158
20	FTEs	5.00

21 b. The department of workforce development shall partner
22 with the department of corrections to provide staff within
23 the correctional facilities resources to improve offenders'
24 abilities to find and retain productive employment.

25 5. INTEGRATED INFORMATION FOR IOWA SYSTEM

26 For the payment of services provided by the department of
27 administrative services related to the integrated information
28 for Iowa system:

29	\$	228,822
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30 6. SUMMER YOUTH INTERN PILOT PROGRAM

31 For the funding of a summer youth intern pilot program that
32 will help young people at risk of not graduating from high
33 school to explore and prepare for high-demand careers through
34 summer work experience, including the development of soft
35 skills:

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1	\$	250,000
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2 7. NONREVERSION

3 Notwithstanding section 8.33, moneys appropriated in this
4 section that remain unencumbered or unobligated at the close of
5 the fiscal year shall not revert but shall remain available for
6 expenditure for the purposes designated until the close of the
7 succeeding fiscal year.

8 Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION

9 PROGRAM. There is appropriated from the general fund of the
10 state to the department of workforce development for the fiscal
11 year beginning July 1, 2022, and ending June 30, 2023, the
12 following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For enhancing efforts to investigate employers that
15 misclassify workers, and for not more than the following
16 full-time equivalent positions:

17	\$	379,631
18	FTEs	3.15

19 Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

20 1. There is appropriated from the special employment
21 security contingency fund to the department of workforce
22 development for the fiscal year beginning July 1, 2022, and
23 ending June 30, 2023, the following amount, or so much thereof
24 as is necessary, to be used for field offices:

25	\$	2,416,084
26		

26 2. Any remaining additional penalty and interest revenue

27 collected by the department of workforce development is
28 appropriated to the department for the fiscal year beginning
29 July 1, 2022, and ending June 30, 2023, to accomplish the
30 mission of the department.

31 Sec. 13. UNEMPLOYMENT COMPENSATION RESERVE FUND —
32 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
33 paragraph “c”, there is appropriated from interest earned on
34 the unemployment compensation reserve fund to the department
35 of workforce development for the fiscal year beginning July

Page 15

1 1, 2022, and ending June 30, 2023, the following amount, or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

4 For the operation of field offices:

5 \$ 2,200,000

6 Sec. 14. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The
7 department of workforce development shall require a unique
8 identification login for all users of workforce development
9 centers operated through electronic means.

10 Sec. 15. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
11 section 96.9, subsection 4, paragraph “a”, moneys credited to
12 the state by the secretary of the treasury of the United
13 States pursuant to section 903 of the Social Security
14 Act are appropriated to the department of workforce
15 development and shall be used by the department for the
16 administration of the unemployment compensation program only.
17 This appropriation shall not apply to any fiscal year
18 beginning after December 31, 2022.

19 Sec. 16. IOWA SKILLED WORKER AND JOB CREATION FUND.

20 1. There is appropriated from the Iowa skilled worker and
21 job creation fund created in section 8.75 to the following
22 departments, agencies, and institutions for the fiscal year
23 beginning July 1, 2022, and ending June 30, 2023, the following
24 amounts, or so much thereof as is necessary, to be used for the
25 purposes designated:

26 a. ECONOMIC DEVELOPMENT AUTHORITY

27 (1) For the purposes of providing assistance as described in
28 section 15.335B for the high quality jobs program:

29 \$ 11,700,000

30 From the moneys appropriated in this subparagraph, the
31 economic development authority may use not more than \$1,000,000
32 for purposes of providing infrastructure grants to main street
33 communities under the main street Iowa program and may allocate
34 not more than \$300,000 for the purposes of supporting statewide
35 worker education and quality preapprenticeship programs.

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1 (2) As a condition of receiving moneys appropriated in
2 this lettered paragraph “a”, an entity shall testify upon the

3 request of the joint appropriations subcommittee on economic
4 development regarding the expenditure of such moneys.

5 b. STATE BOARD OF REGENTS AND REGENTS INSTITUTIONS

6 (1) STATE BOARD OF REGENTS. For capacity building

7 infrastructure in areas related to technology

8 commercialization, marketing and business development

9 efforts in areas related to technology commercialization,

10 entrepreneurship, and business growth, and infrastructure

11 projects and programs needed to assist in implementation of

12 activities under chapter 262B:

13 \$ 3,000,000

14 (a) Of the moneys appropriated pursuant to this
15 subparagraph (1), 35 percent shall be allocated for Iowa state
16 university of science and technology, 35 percent shall be
17 allocated for the state university of Iowa, and 30 percent
18 shall be allocated for the university of northern Iowa.

19 (b) The institutions shall provide a one-to-one match
20 of additional moneys for the activities funded with moneys
21 appropriated under this subparagraph (1).

22 (c) The state board of regents shall submit a report by
23 January 15, 2023, to the governor and the general assembly
24 regarding the activities, projects, and programs funded with
25 moneys appropriated under this subparagraph (1). The report
26 shall be provided in an electronic format and shall include a
27 list of metrics and criteria mutually agreed to in advance by
28 the board of regents and the economic development authority.
29 The metrics and criteria shall allow the governor's office and
30 the general assembly to quantify and evaluate the progress
31 of the board of regents institutions with regard to their
32 activities, projects, and programs in the areas of technology
33 commercialization, entrepreneurship, regional development, and
34 market research.

35 (2) IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY. For

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1 small business development centers, the research park, and the
2 center for industrial research and service, and for not more
3 than the following full-time equivalent positions:

4 \$ 2,424,302
5 FTEs 50.95

6 (a) Of the moneys appropriated in this subparagraph (2),
7 Iowa state university of science and technology shall allocate
8 at least \$735,728 for purposes of funding small business
9 development centers. Iowa state university of science and
10 technology may allocate the appropriated moneys to the various
11 small business development centers in any manner necessary to
12 achieve the purposes of this subparagraph.

13 (b) Iowa state university of science and technology shall
14 do all of the following:

15 (i) Direct expenditures for research toward projects that
16 will provide economic stimulus for Iowa.

17 (ii) Provide emphasis to providing services to Iowa-based
 18 companies.
 19 (c) It is the intent of the general assembly that the
 20 industrial incentive program focus on Iowa industrial sectors
 21 and seek contributions and in-kind donations from businesses,
 22 industrial foundations, and trade associations, and that moneys
 23 for the center for industrial research and service industrial
 24 incentive program shall be allocated only for projects which
 25 are matched by private sector moneys for directed contract
 26 research or for nondirected research. The match required of
 27 small businesses as defined in section 15.102 for directed
 28 contract research or for nondirected research shall be \$1
 29 for each \$3 of state funds. The match required for other
 30 businesses for directed contract research or for nondirected
 31 research shall be \$1 for each \$1 of state funds. The match
 32 required of industrial foundations or trade associations shall
 33 be \$1 for each \$1 of state funds.
 34 (d) Iowa state university of science and technology shall
 35 report annually to the general assembly the total amount of

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1 private contributions, the proportion of contributions from
 2 small businesses and other businesses, and the proportion for
 3 directed contract research and nondirected research of benefit
 4 to Iowa businesses and industrial sectors.

5 (3) STATE UNIVERSITY OF IOWA. For the state university of
 6 Iowa research park and for university of Iowa pharmaceuticals
 7 located at the research park, including salaries, support,
 8 maintenance, equipment, and miscellaneous purposes, and for not
 9 more than the following full-time equivalent positions:

10	\$	209,279
11	FTEs	6.00

12 The state university of Iowa shall do all of the following:

13 (a) Direct expenditures for research toward projects that
 14 will provide economic stimulus for Iowa.

15 (b) Provide emphasis to providing services to Iowa-based
 16 companies.

17 (4) STATE UNIVERSITY OF IOWA. For the purpose of
 18 implementing the entrepreneurship and economic growth
 19 initiative, and for not more than the following full-time
 20 equivalent positions:

21	\$	2,000,000
22	FTEs	8.00

23 (5) UNIVERSITY OF NORTHERN IOWA. For the metal casting
 24 center, the center for business growth and innovation, and the
 25 institute for decision making, including salaries, support,
 26 maintenance, and miscellaneous purposes, and for not more than
 27 the following full-time equivalent positions:

28	\$	1,066,419
29	FTEs	10.00

30 (a) Of the moneys appropriated in this subparagraph,

31 the university of northern Iowa shall allocate at least
32 \$617,638 for purposes of support of entrepreneurs through the
33 university's center for business growth and innovation and
34 advance Iowa program.
35 (b) The university of northern Iowa shall do all of the

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1 following:
2 (i) Direct expenditures for research toward projects that
3 will provide economic stimulus for Iowa.
4 (ii) Provide emphasis to providing services to Iowa-based
5 companies.
6 (6) As a condition of receiving moneys appropriated in
7 this lettered paragraph "b", an entity shall testify upon the
8 request of the joint appropriations subcommittee on economic
9 development regarding the expenditure of such moneys.
10 c. DEPARTMENT OF WORKFORCE DEVELOPMENT
11 To develop a long-term sustained program to train unemployed
12 and underemployed central Iowans with skills necessary to
13 advance to higher-paying jobs with full benefits:

14	\$	100,000
----------	----	---------

15 (1) The department of workforce development shall begin
16 a request for proposals process, issued for purposes of this
17 lettered paragraph "c", no later than September 1, 2022.

18 (2) As a condition of receiving moneys appropriated under
19 this lettered paragraph "c", an entity shall testify upon the
20 request of the joint appropriations subcommittee on economic
21 development regarding the expenditure of such moneys.

22 d. DEPARTMENT OF WORKFORCE DEVELOPMENT
23 For the funding of a future ready Iowa coordinator in the
24 department, and for not more than the following full-time
25 equivalent positions:

26	\$	150,000
----------	----	---------

27 FTEs 1.00

28 2. Notwithstanding section 8.33, moneys appropriated in
29 this section that remain unencumbered or unobligated at the
30 close of the fiscal year shall not revert but shall remain
31 available for expenditure for the purposes designated until the
32 close of the succeeding fiscal year.

33 Sec. 17. GENERAL FUND — CERTAIN REGENTS INSTITUTIONS.

34 1. There is appropriated from the general fund of the state
35 to the following institutions for the fiscal year beginning

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1 July 1, 2022, and ending June 30, 2023, the following amounts,
2 or so much thereof as is necessary, to be used for the purposes
3 designated:
4 a. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
5 In cooperation with the Iowa economic development authority,
6 for support of a biosciences innovation ecosystem, to

7 strengthen Iowa's leadership positions in the area of bio-based
 8 chemicals, digital agriculture, vaccines, and medical devices,
 9 including salaries, support, maintenance, and miscellaneous
 10 purposes, and for not more than the following full-time
 11 equivalent positions:

12	\$	2,623,481
13	FTEs	10.01

14 b. STATE UNIVERSITY OF IOWA
 15 In cooperation with the Iowa economic development authority,
 16 for support of a biosciences innovation ecosystem, to
 17 strengthen Iowa's leadership positions in the area of bio-based
 18 chemicals, digital agriculture, vaccines, and medical devices,
 19 including salaries, support, maintenance, and miscellaneous
 20 purposes:

21	\$	874,494
22	FTEs	4.35

23 c. UNIVERSITY OF NORTHERN IOWA
 24 For equipment and technology to expand the university's
 25 additive manufacturing capabilities related to investment
 26 castings technology and industry support, including salaries,
 27 support, maintenance, and miscellaneous purposes, and for not
 28 more than the following full-time equivalent positions:

29	\$	394,321
30	FTEs	2.73

31 The university of northern Iowa shall make a good-faith
 32 effort to coordinate with private entities to seek moneys to
 33 supplement this appropriation to support the expansion of the
 34 university's additive manufacturing capabilities.
 35 2. Notwithstanding section 8.33, moneys appropriated in

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1 subsection 1, paragraphs "a" and "b", that remain unencumbered
 2 or unobligated at the close of the fiscal year shall not revert
 3 but shall remain available for expenditure for the purposes
 4 designated until the close of the succeeding fiscal year.

DIVISION II

6 BEER AND LIQUOR CONTROL FUND — STATEWIDE TOURISM MARKETING
 7 SERVICES AND EFFORTS

8 Sec. 18. NEW SECTION. **15.275 Statewide tourism marketing services and efforts.**

10 1. From the moneys transferred to the authority from the
 11 beer and liquor control fund pursuant to section 123.17,
 12 subsection 7, the authority shall award contracts to one
 13 or more entities to conduct statewide tourism marketing
 14 services and efforts and to provide services to campaigns,
 15 workshops, and conferences that promote travel and tourism
 16 throughout the state. Each contract awarded by the authority
 17 shall specify that the entity must conduct statewide tourism
 18 marketing services and efforts that meet all of the following
 19 requirements:

20 a. The marketing services and efforts shall be of

21 professional quality and shall be coordinated with, and not
22 duplicate, existing programs or services conducted by the
23 authority that are related to tourism marketing.
24 b. The marketing services and efforts shall include hosting
25 and leveraging tourism advocacy events.
26 c. The marketing services and efforts shall be accessible to
27 tourism-focused organizations.
28 d. The marketing services and efforts shall advocate for the
29 travel and tourism industry and the sectors connected to Iowa's
30 visitor economy to leverage public and private partnerships to
31 market and promote the state as a travel destination.
32 2. The authority shall report to the general assembly on or
33 before September 1 of each fiscal year on the effectiveness of
34 each entity that conducted statewide tourism marketing services
35 and efforts in the immediately preceding fiscal year pursuant

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1 to a contract awarded under subsection 1. The report shall
2 be provided in an electronic format and shall include metrics
3 and criteria that allow the general assembly to quantify and
4 evaluate the effectiveness and economic impact of each entity's
5 statewide tourism marketing services and efforts.
6 Sec. 19. Section 123.17, subsection 7, Code 2022, is amended
7 by striking the subsection and inserting in lieu thereof the
8 following:
9 7. After any transfers provided for in subsections 3, 5,
10 and 6, and before any other transfer to the general fund,
11 the department of commerce shall transfer to the economic
12 development authority from the beer and liquor control fund
13 two million dollars annually for statewide tourism marketing
14 services and efforts pursuant to section 15.275.

DIVISION III

HOUSING RENEWAL PILOT PROGRAM

17 Sec. 20. HOUSING RENEWAL PILOT PROGRAM.
18 1. For purposes of this section, "nonprofit Iowa affiliate"
19 means a nonprofit Iowa affiliate of a nonprofit international
20 organization whose primary activity is the promotion of the
21 construction, remodeling, or rehabilitation of one-family or
22 two-family dwellings for use by low-income families.
23 2. a. A housing renewal program fund is created in the
24 state treasury under the control of the Iowa finance authority.
25 The fund shall consist of moneys appropriated to or deposited
26 in the fund. Moneys in the fund are appropriated to the
27 authority to establish and administer a housing renewal pilot
28 program.
29 b. For the fiscal year beginning July 1, 2022, and ending
30 June 30, 2023, there is appropriated from the general fund of
31 the state to the Iowa finance authority five hundred thousand
32 dollars for deposit in the housing renewal program fund.
33 c. Notwithstanding section 12C.7, subsection 2, interest or

34 earnings on moneys in the housing renewal program fund shall be
35 credited to the fund. Payment of interest, recaptures of grant

Page 23

1 awards, and other repayments under the housing renewal pilot
2 program shall be deposited in the fund.
3 3. a. The Iowa finance authority shall provide moneys from
4 the housing renewal program fund to a nonprofit Iowa affiliate
5 that shall use the moneys to award grants under the housing
6 renewal pilot program to eligible participants.
7 b. Eligible participants under paragraph "a" shall use
8 a grant awarded under the housing renewal pilot program only
9 for purposes of the acquisition, rehabilitation, and resale of
10 ownership units; the acquisition and demolition of blighted
11 structures; and the redevelopment of ownership units.
12 4. Twenty-five percent of moneys appropriated to the
13 housing renewal program fund shall be allocated to rural
14 communities in the eighty-eight least populated counties in the
15 state.
16 5. a. The nonprofit Iowa affiliate may partner with a city,
17 a county, a consortium of local governments, or an organization
18 exempt from taxation pursuant to section 501(c)(3) of the
19 Internal Revenue Code; however, the nonprofit Iowa affiliate
20 shall determine the geographic location of all projects for
21 which a grant is awarded.
22 b. The nonprofit Iowa affiliate shall not award a
23 grantee more than one hundred thousand dollars per ownership
24 unit. A grantee may use up to five percent of a grant for
25 administration expenses related to the grantee's project.
26 c. (1) A grantee shall have thirty-six months from the date
27 a contract is executed between the nonprofit Iowa affiliate and
28 the grantee for the grantee's project. The grantee's project
29 shall be considered complete when all grant funds awarded to
30 the grantee have been expended, and all ownership units that
31 are covered by the contract are finished and available for
32 sale.
33 (2) If a grantee has no project activity within thirty-six
34 months from the date a contract is executed between the
35 nonprofit Iowa affiliate and the grantee, the grant award shall

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1 be returned to the Iowa finance authority for deposit in the
2 housing renewal program fund.
3 d. A grantee shall sell each completed ownership unit
4 to a homebuyer whose income is under the one hundred twenty
5 percent area median income and who must occupy the ownership
6 unit as the homebuyer's primary residence. The deed to the
7 ownership unit must contain a restrictive resale requirement
8 that prohibits the homebuyer or a subsequent owner from selling
9 the ownership unit to a person with an income above the one

10 hundred twenty percent area median income for five calendar
11 years from the date the grantee sold the ownership unit to the
12 first homebuyer whose income is under the one hundred twenty
13 percent area median income.

14 6. A grantee may use income generated from the sale of an
15 ownership unit only for the purpose of additional eligible
16 expenses under the housing renewal pilot program.

17 7. The Iowa finance authority shall not use more than five
18 percent of moneys allocated to the housing renewal program fund
19 for administration and oversight of the housing renewal pilot
20 program.

21 8. The Iowa finance authority shall adopt rules pursuant to
22 chapter 17A to administer this division.

23 9. The Iowa finance authority, in coordination with
24 the nonprofit Iowa affiliate, shall submit a report to the
25 general assembly on or before December 31, 2023, describing
26 the community, economic, and financial impact of the housing
27 renewal pilot program.

DIVISION IV

HIGH QUALITY JOBS TAX CREDITS

30 Sec. 21. Section 15.119, subsection 2, paragraph a,
31 subparagraph (2), Code 2022, is amended to read as follows:

32 (2) In allocating tax credits pursuant to this subsection
33 for the fiscal year beginning July 1, ~~2021~~ 2022, and for each
34 fiscal year thereafter, the authority shall not allocate more
35 than ~~seventy sixty-eight~~ million dollars for purposes of this

Page 25

1 paragraph.

DIVISION V

EMPLOYER CHILD CARE TAX CREDIT

4 Sec. 22. NEW SECTION. **237A.31 Employer child care tax
5 credit.**

6 1. The taxes imposed under chapter 422, subchapter II or
7 III, the franchise tax imposed under chapter 422, subchapter
8 V, the gross premiums tax under chapter 432, or the moneys and
9 credits tax imposed under section 533.329 shall be reduced
10 by an employer child care tax credit equal to the amount of
11 the federal employer-provided child care tax credit provided
12 in section 45F of the Internal Revenue Code the taxpayer was
13 eligible for in the same tax year.

14 2. Any credit in excess of the tax liability is not
15 refundable but the excess for the tax year may be credited
16 to the tax liability for the following five years or until
17 depleted, whichever is earlier.

18 3. *a.* The aggregate amount of tax credits authorized
19 pursuant to this section shall not exceed an aggregate limit of
20 two million dollars annually.

21 *b.* To receive a tax credit, a taxpayer must submit an
22 application to the economic development authority in the form
23 and manner prescribed by the authority by rule. The economic

24 development authority shall issue certificates under this
25 section on a first-come, first-served basis, which certificates
26 may be redeemed for tax credits. The economic development
27 authority shall issue such certificates so that not more than
28 the amount authorized for such tax credits under paragraph "a"
29 may be claimed.

30 4. The department of revenue, in consultation with the
31 economic development authority, shall adopt rules pursuant to
32 chapter 17A to administer this section.

33 Sec. 23. **NEW SECTION. 422.12O Employer child care tax**
34 **credit.**

35 1. The taxes imposed under this subchapter, less the credits

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1 allowed under section 422.12, shall be reduced by an employer
2 child care tax credit allowed pursuant to section 237A.31.
3 2. An individual may claim the tax credit allowed a
4 partnership, S corporation, limited liability company, estate,
5 or trust electing to have the income taxed directly to the
6 individual. The amount claimed by the individual shall be
7 based upon the pro rata share of the individual's earnings of a
8 partnership, S corporation, limited liability company, estate,
9 or trust.

10 Sec. 24. Section 422.33, Code 2022, is amended by adding the
11 following new subsection:

12 **NEW SUBSECTION. 32.** The taxes imposed under this subchapter
13 shall be reduced by an employer child care tax credit allowed
14 pursuant to section 237A.31.

15 Sec. 25. Section 422.60, Code 2022, is amended by adding the
16 following new subsection:

17 **NEW SUBSECTION. 15.** The taxes imposed under this division
18 shall be reduced by an employer child care tax credit allowed
19 pursuant to section 237A.31.

20 Sec. 26. **NEW SECTION. 432.12O Employer child care tax**
21 **credit.**

22 The taxes imposed under this chapter shall be reduced by
23 an employer child care tax credit allowed pursuant to section
24 237A.31.

25 Sec. 27. Section 533.329, subsection 2, Code 2022, is
26 amended by adding the following new paragraph:

27 **NEW PARAGRAPH. m.** The moneys and credits tax imposed under
28 this section shall be reduced by an employer child care tax
29 credit allowed pursuant to section 237A.31.

30 Sec. 28. APPLICABILITY. This division of this Act applies
31 to tax years beginning on or after January 1, 2023.>

32 2. Title page, by striking lines 5 through 8 and inserting
33 <regents and certain regents institutions, providing for

34 properly related matters, and including applicability
35 provisions.>

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5152

1 Amend House File 2559, as amended, passed, and reprinted by
2 the House as follows:

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

<DIVISION I

FY 2022–2023 APPROPRIATIONS

7 Section 1. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund of the state
9 to the department of justice for the fiscal year beginning July
10 1, 2022, and ending June 30, 2023, the following amounts, or
11 so much thereof as is necessary, to be used for the purposes
12 designated:

13 a. For the general office of attorney general for
14 salaries, support, maintenance, and miscellaneous purposes,
15 including the prosecuting attorneys training program, matching
16 funds for federal violence against women grant programs,
17 victim assistance grants, the office of drug control policy
18 prosecuting attorney program, and odometer fraud enforcement,
19 and for not more than the following full-time equivalent
20 positions:

21	\$ 6,530,099
22	FTEs 217.00

23 As a condition of receiving the appropriation provided
24 in this lettered paragraph, the department of justice shall
25 maintain a record of the estimated time incurred representing
26 each agency or department.

27 The general office of attorney general may temporarily
28 exceed and draw more than the amount appropriated in this
29 lettered paragraph and incur a negative cash balance as long
30 as there are receivables equal to or greater than the negative
31 balances and the amount appropriated in this lettered paragraph
32 is not exceeded at the close of the fiscal year.

33 b. For victim assistance grants:

34	\$ 5,016,708
35 The moneys appropriated in this lettered paragraph shall be	

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1 used to provide grants to care providers providing services to
2 crime victims of domestic abuse or to crime victims of rape and
3 sexual assault.

4 The balance of the victim compensation fund established
5 in section 915.94 may be used to provide salary and support
6 of not more than 24.00 full-time equivalent positions and to

7 provide maintenance for the victim compensation functions
8 of the department of justice. In addition to the full-time
9 equivalent positions authorized pursuant to this paragraph,
10 7.00 full-time equivalent positions are authorized and shall
11 be used by the department of justice to employ one accountant
12 and four program planners. The department of justice may
13 employ the additional 7.00 full-time equivalent positions
14 authorized pursuant to this paragraph that are in excess of the
15 number of full-time equivalent positions authorized only if
16 the department of justice receives sufficient federal moneys
17 to maintain employment for the additional full-time equivalent
18 positions during the current fiscal year. The department
19 of justice shall only employ the additional 7.00 full-time
20 equivalent positions in succeeding fiscal years if sufficient
21 federal moneys are received during each of those succeeding
22 fiscal years.

23 The department of justice shall transfer at least \$150,000
24 from the victim compensation fund established in section 915.94
25 to the victim assistance grant program established in section
26 13.31.

27 Notwithstanding section 8.33, moneys appropriated in this
28 lettered paragraph that remain unencumbered or unobligated at
29 the close of the fiscal year shall not revert but shall remain
30 available for expenditure for the purposes designated until the
31 close of the succeeding fiscal year.

32 c. For legal services for persons in poverty grants as
33 provided in section 13.34:

34	\$	2,634,601
35 d. To improve the department of justice's cybersecurity and		

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1 technology infrastructure:
2 \$ 202,060
3 2. a. The department of justice, in submitting budget
4 estimates for the fiscal year beginning July 1, 2023, pursuant
5 to section 8.23, shall include a report of funding from sources
6 other than amounts appropriated directly from the general fund
7 of the state to the department of justice or to the office of
8 consumer advocate. These funding sources shall include but
9 are not limited to reimbursements from other state agencies,
10 commissions, boards, or similar entities, and reimbursements
11 from special funds or internal accounts within the department
12 of justice. The department of justice shall also report actual
13 reimbursements for the fiscal year beginning July 1, 2021,
14 and actual and expected reimbursements for the fiscal year
15 beginning July 1, 2022.
16 b. The department of justice shall include the report
17 required under paragraph "a", as well as information regarding
18 any revisions occurring as a result of reimbursements actually
19 received or expected at a later date, in a report to the
20 general assembly. The department of justice shall submit the

21 report on or before January 15, 2023.
22 3. a. The department of justice shall fully reimburse
23 the costs and necessary related expenses incurred by the Iowa
24 law enforcement academy to continue to employ one additional
25 instructor position who shall provide training for human
26 trafficking-related issues throughout the state.
27 b. The department of justice shall obtain the moneys
28 necessary to reimburse the Iowa law enforcement academy to
29 employ such an instructor from unrestricted moneys from either
30 the victim compensation fund established in section 915.94 or
31 the human trafficking victim fund established in section 915.95
32 or the human trafficking enforcement fund established in 2015
33 Iowa Acts, chapter 138, section 141.
34 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
35 from the department of commerce revolving fund created in

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1 section 546.12 to the office of consumer advocate of the
2 department of justice for the fiscal year beginning July 1,
3 2022, and ending June 30, 2023, the following amount, or so
4 much thereof as is necessary, to be used for the purposes
5 designated:

6 For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

9	\$ 3,199,004
10	FTEs 18.00

11 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

12 1. There is appropriated from the general fund of the state
13 to the department of corrections for the fiscal year beginning
14 July 1, 2022, and ending June 30, 2023, the following amounts,
15 or so much thereof as is necessary, to be used for the purposes
16 designated:

17 a. For the operation of the Fort Madison correctional
18 facility, including salaries, support, maintenance, and
19 miscellaneous purposes:

20	\$ 43,937,403
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21 b. For the operation of the Anamosa correctional facility,
22 including salaries, support, maintenance, and miscellaneous
23 purposes:

24	\$ 36,849,581
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25 c. For the operation of the Oakdale correctional facility,
26 including salaries, support, maintenance, and miscellaneous
27 purposes:

28	\$ 56,250,842
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29 d. For the Oakdale correctional facility for
30 department-wide institutional pharmaceuticals and miscellaneous
31 purposes:

32	\$ 8,556,620
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33 e. For the operation of the Newton correctional facility,

34 including salaries, support, maintenance, and miscellaneous
35 purposes:

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1	\$ 30,318,214
2 f. For the operation of the Mount Pleasant correctional	
3 facility, including salaries, support, maintenance, and	
4 miscellaneous purposes:	
5	\$ 28,464,947
6 g. For the operation of the Rockwell City correctional	
7 facility, including salaries, support, maintenance, and	
8 miscellaneous purposes:	
9	\$ 11,043,114
10 h. For the operation of the Clarinda correctional facility,	
11 including salaries, support, maintenance, and miscellaneous	
12 purposes:	
13	\$ 27,175,874
14 Moneys received by the department of corrections as	
15 reimbursement for services provided to the Clarinda youth	
16 corporation are appropriated to the department and shall be	
17 used for the purpose of operating the Clarinda correctional	
18 facility.	
19 i. For the operation of the Mitchellville correctional	
20 facility, including salaries, support, maintenance, and	
21 miscellaneous purposes:	
22	\$ 24,823,392
23 j. For the operation of the Fort Dodge correctional	
24 facility, including salaries, support, maintenance, and	
25 miscellaneous purposes:	
26	\$ 32,636,226
27 k. For reimbursement of counties for temporary confinement	
28 of prisoners, as provided in sections 901.7, 904.908, and	
29 906.17, and for offenders confined pursuant to section 904.513:	
30	\$ 1,195,319
31 l. For federal prison reimbursement, reimbursements for	
32 out-of-state placements, and miscellaneous contracts:	
33	\$ 234,411
34 2. The department of corrections shall use moneys	
35 appropriated in subsection 1 to continue to contract for the	

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1 services of a Muslim imam and a Native American spiritual
2 leader.

3 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

4 There is appropriated from the general fund of the state to the
5 department of corrections for the fiscal year beginning July
6 1, 2022, and ending June 30, 2023, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. For general administration, including salaries and the

10 adjustment of salaries throughout the department, support,
11 maintenance, employment of an education director to administer
12 a centralized education program for the correctional system,
13 and miscellaneous purposes:

14 \$ 6,321,190

15 a. It is the intent of the general assembly that each
16 lease negotiated by the department of corrections with a
17 private corporation for the purpose of providing private
18 industry employment of inmates in a correctional institution
19 shall prohibit the private corporation from utilizing inmate
20 labor for partisan political purposes for any person seeking
21 election to public office in this state and that a violation
22 of this requirement shall result in a termination of the lease
23 agreement.

24 b. It is the intent of the general assembly that as a
25 condition of receiving the appropriation provided in this
26 subsection the department of corrections shall not enter into
27 a lease or contractual agreement pursuant to section 904.809
28 with a private corporation for the use of building space for
29 the purpose of providing inmate employment without providing
30 that the terms of the lease or contract establish safeguards to
31 restrict, to the greatest extent feasible, access by inmates
32 working for the private corporation to personal identifying
33 information of citizens.

34 2. For educational programs for inmates at state penal
35 institutions:

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1 \$ 2,608,109

2 a. To maximize the funding for educational programs,
3 the department shall establish guidelines and procedures to
4 prioritize the availability of educational and vocational
5 training for inmates based upon the goal of facilitating an
6 inmate's successful release from the correctional institution.

7 b. The director of the department of corrections may
8 transfer moneys from Iowa prison industries and the canteen
9 operating funds established pursuant to section 904.310, for
10 use in educational programs for inmates.

11 c. Notwithstanding section 8.33, moneys appropriated in
12 this subsection that remain unencumbered or unobligated at the
13 close of the fiscal year shall not revert but shall remain
14 available to be used only for the purposes designated in this
15 subsection until the close of the succeeding fiscal year.

16 3. For the development and operation of the Iowa corrections
17 offender network (ICON) data system:

18 \$ 2,000,000

19 4. For offender mental health and substance abuse
20 treatment:

21 \$ 28,065

22 5. For department-wide duties, including operations, costs,
23 and miscellaneous purposes:

24 \$ 243,797
25 Notwithstanding section 8.33, moneys appropriated in this
26 section that remain unencumbered or unobligated at the close of
27 the fiscal year shall not revert but shall remain available for
28 expenditure for the purposes designated until the close of the
29 succeeding fiscal year.

30 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
31 SERVICES.

32 1. There is appropriated from the general fund of the state
33 to the department of corrections for the fiscal year beginning
34 July 1, 2022, and ending June 30, 2023, for salaries, support,
35 maintenance, and miscellaneous purposes, the following amounts,

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1 or so much thereof as is necessary, to be used for the purposes
2 designated:

3 a. For the first judicial district department of
4 correctional services:

5 \$ 16,207,339

6 It is the intent of the general assembly that the first
7 judicial district department of correctional services maintains
8 the drug courts operated by the district department.

9 b. For the second judicial district department of
10 correctional services:

11 \$ 12,789,649

12 It is the intent of the general assembly that the second
13 judicial district department of correctional services maintains
14 two drug courts to be operated by the district department.

15 c. For the third judicial district department of
16 correctional services:

17 \$ 7,710,790

18 d. For the fourth judicial district department of
19 correctional services:

20 \$ 6,193,805

21 e. For the fifth judicial district department of
22 correctional services, including funding for electronic
23 monitoring devices for use on a statewide basis:

24 \$ 23,440,024

25 It is the intent of the general assembly that the fifth
26 judicial district department of correctional services maintains
27 the drug court operated by the district department.

28 f. For the sixth judicial district department of
29 correctional services:

30 \$ 16,755,370

31 It is the intent of the general assembly that the sixth
32 judicial district department of correctional services maintains
33 the drug court operated by the district department.

34 g. For the seventh judicial district department of
35 correctional services:

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1	\$	9,672,851
2 It is the intent of the general assembly that the seventh		
3 judicial district department of correctional services maintains		
4 the drug court operated by the district department.		
5 h. For the eighth judicial district department of		
6 correctional services:		
7	\$	9,238,778
8 2. Each judicial district department of correctional		
9 services, within the moneys available, shall continue programs		
10 and plans established within that district to provide for		
11 intensive supervision, sex offender treatment, diversion of		
12 low-risk offenders to the least restrictive sanction available,		
13 job development, and expanded use of intermediate criminal		
14 sanctions.		
15 3. Each judicial district department of correctional		
16 services shall provide alternatives to prison consistent with		
17 chapter 901B. The alternatives to prison shall ensure public		
18 safety while providing maximum rehabilitation to the offender.		
19 A judicial district department of correctional services may		
20 also establish a day program.		
21 4. The governor's office of drug control policy shall		
22 consider federal grants made to the department of corrections		
23 for the benefit of each of the eight judicial district		
24 departments of correctional services as local government		
25 grants, as defined pursuant to federal regulations.		
26 5. The department of corrections shall continue to contract		
27 with a judicial district department of correctional services to		
28 provide for the rental of electronic monitoring equipment which		
29 shall be available statewide.		
30 6. The public safety assessment shall not be utilized		
31 in pretrial hearings when determining whether to detain or		
32 release a defendant before trial, and the use of the public		
33 safety assessment pilot program shall be terminated as of the		
34 effective date of this subsection, until such time the use of		
35 the public safety assessment has been specifically authorized		

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1 by the general assembly.
2 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
3 APPROPRIATIONS. Notwithstanding section 8.39, within
4 the moneys appropriated in this Act to the department of
5 corrections, the department may reallocate the moneys
6 appropriated and allocated as necessary to best fulfill the
7 needs of the correctional institutions, administration of
8 the department, and the judicial district departments of
9 correctional services. However, in addition to complying with
10 the requirements of sections 904.116 and 905.8 and providing
11 notice to the legislative services agency, the department
12 of corrections shall also provide notice to the department

13 of management, prior to the effective date of the revision
14 or reallocation of an appropriation made pursuant to this
15 section. The department of corrections shall not reallocate an
16 appropriation or allocation for the purpose of eliminating any
17 program.

18 Sec. 7. INTENT — REPORTS.

19 1. The department of corrections, in cooperation with
20 townships, the Iowa cemetery associations, and other nonprofit
21 or governmental entities, may use inmate labor during the
22 fiscal year beginning July 1, 2022, to restore or preserve
23 rural cemeteries and historical landmarks. The department, in
24 cooperation with the counties, may also use inmate labor to
25 clean up roads, major water sources, and other water sources
26 around the state.

27 2. On a quarterly basis, the department shall provide
28 a status report regarding private-sector employment to the
29 general assembly beginning on July 1, 2022. The report shall
30 include the number of offenders employed in the private sector,
31 the combined number of hours worked by the offenders, the
32 total amount of allowances, and the distribution of allowances
33 pursuant to section 904.702, including any moneys deposited in
34 the general fund of the state.

35 Sec. 8. ELECTRONIC MONITORING REPORT. The department of

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1 corrections shall submit a report on electronic monitoring
2 to the general assembly by January 15, 2023. The report
3 shall specifically address the number of persons being
4 electronically monitored and break down the number of persons
5 being electronically monitored by offense committed. The
6 report shall also include a comparison of any data from the
7 prior fiscal year with the current fiscal year.

8 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

9 1. As used in this section, unless the context otherwise
10 requires, "state agency" means the government of the state
11 of Iowa, including but not limited to all executive branch
12 departments, agencies, boards, bureaus, and commissions, the
13 judicial branch, the general assembly and all legislative
14 agencies, institutions within the purview of the state board of
15 regents, and any corporation whose primary function is to act
16 as an instrumentality of the state.

17 2. State agencies are encouraged to purchase products from
18 Iowa state industries, as defined in section 904.802, when
19 purchases are required and the products are available from
20 Iowa state industries. State agencies shall obtain bids from
21 Iowa state industries for purchases of office furniture during
22 the fiscal year beginning July 1, 2022, exceeding \$5,000 or
23 in accordance with applicable administrative rules related to
24 purchases for the agency.

25 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

26 1. There is appropriated from the general fund of the

27 state to the Iowa law enforcement academy for the fiscal year
28 beginning July 1, 2022, and ending June 30, 2023, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purposes designated:
31 a. For salaries, support, maintenance, and miscellaneous
32 purposes, including jailer training and technical assistance,
33 and for not more than the following full-time equivalent
34 positions:
35 \$ 1,239,824

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1	FTEs	30.25
2 b. The Iowa law enforcement academy may temporarily exceed		
3 and draw more than the amount appropriated in this subsection		
4 and incur a negative cash balance as long as there are		
5 receivables equal to or greater than the negative balance and		
6 the amount appropriated in this subsection is not exceeded at		
7 the close of the fiscal year.		
8 2. The Iowa law enforcement academy may select at least		
9 five automobiles of the department of public safety, division		
10 of state patrol, prior to turning over the automobiles to		
11 the department of administrative services to be disposed		
12 of by public auction, and the Iowa law enforcement academy		
13 may exchange any automobile owned by the academy for each		
14 automobile selected if the selected automobile is used in		
15 training law enforcement officers at the academy. However, any		
16 automobile exchanged by the academy shall be substituted for		
17 the selected vehicle of the department of public safety and		
18 sold by public auction with the receipts being deposited in the		
19 depreciation fund maintained pursuant to section 8A.365 to the		
20 credit of the department of public safety, division of state		
21 patrol.		
22 3. The Iowa law enforcement academy shall provide training		
23 for domestic abuse and human trafficking-related issues		
24 throughout the state. The training shall be offered at no		
25 cost to the attendees and the training shall not replace any		
26 existing domestic abuse or human trafficking training offered		
27 by the academy.		
28 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from		
29 the general fund of the state to the office of the state public		
30 defender of the department of inspections and appeals for the		
31 fiscal year beginning July 1, 2022, and ending June 30, 2023,		
32 the following amounts, or so much thereof as is necessary, to		
33 be used for the purposes designated:		
34 1. For salaries, support, maintenance, and miscellaneous		
35 purposes, and for not more than the following full-time		

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1	equivalent positions:			
2	\$	30,112,503	
3	FTEs	234.00	
4	Moneys received by the office of the state public defender			
5	pursuant to Tit. IV-E of the federal Social Security Act			
6	remaining unencumbered and unobligated at the end of the fiscal			
7	year shall not revert, but shall be transferred to the Tit.			
8	IV-E juvenile justice improvement fund to remain available for			
9	expenditures by the office of the state public defender in			
10	succeeding fiscal years for the purposes allowed by Tit. IV-E			
11	of the federal Social Security Act.			
12	2. For payments on behalf of eligible adults and juveniles			
13	from the indigent defense fund, in accordance with section			
14	815.11:			
15	\$	42,160,374	
16	Moneys received by the office of the state public defender			
17	pursuant to Tit. IV-E of the federal Social Security Act			
18	remaining unencumbered and unobligated at the end of the fiscal			
19	year shall not revert, but shall be transferred to the Tit.			
20	IV-E juvenile justice improvement fund to remain available for			
21	expenditures by the office of the state public defender in			
22	succeeding fiscal years for the purposes allowed by Tit. IV-E			
23	of the federal Social Security Act.			
24	3. TITLE IV-E JUVENILE JUSTICE IMPROVEMENT FUND — OFFICE			
25	OF THE STATE PUBLIC DEFENDER. A Tit. IV-E juvenile justice			
26	improvement fund is created in the state treasury. The fund			
27	shall consist of moneys received by the office of the state			
28	public defender pursuant to Tit. IV-E of the federal Social			
29	Security Act that remain unencumbered and unobligated at			
30	the end of a fiscal year. Moneys deposited in the fund are			
31	appropriated to and shall be administered by the office of the			
32	state public defender and shall be available for expenditure by			
33	the office of the state public defender in succeeding fiscal			
34	years for the purposes allowed by Tit. IV-E of the federal			
35	Social Security Act.			

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1	Sec. 12. BOARD OF PAROLE. There is appropriated from the			
2	general fund of the state to the board of parole for the fiscal			
3	year beginning July 1, 2022, and ending June 30, 2023, the			
4	following amount, or so much thereof as is necessary, to be			
5	used for the purposes designated:			
6	For salaries, support, maintenance, and miscellaneous			
7	purposes, and for not more than the following full-time			
8	equivalent positions:			
9	\$	1,308,724	
10	FTEs	10.53	
11	Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.			
12	1. There is appropriated from the general fund of the			

13 state to the department of public defense, for the fiscal year
14 beginning July 1, 2022, and ending June 30, 2023, the following
15 amounts, or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For salaries, support, maintenance, and miscellaneous
18 purposes, and for not more than the following full-time
19 equivalent positions:

20	\$	7,014,705
21	FTEs	248.00

22 2. The department of public defense may temporarily exceed
23 and draw more than the amount appropriated in this section and
24 incur a negative cash balance as long as there are receivables
25 of federal funds equal to or greater than the negative balance
26 and the amount appropriated in this section is not exceeded at
27 the close of the fiscal year.

28 Sec. 14. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
29 MANAGEMENT.

30 1. There is appropriated from the general fund of the state
31 to the department of homeland security and emergency management
32 for the fiscal year beginning July 1, 2022, and ending June
33 30, 2023, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

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1 purposes, and for not more than the following full-time
2 equivalent positions:

3	\$	2,289,389
4	FTEs	26.41

5 2. The department of homeland security and emergency
6 management may temporarily exceed and draw more than the amount
7 appropriated in this section and incur a negative cash balance
8 as long as there are receivables of federal funds equal to or
9 greater than the negative balance and the amount appropriated
10 in this section is not exceeded at the close of the fiscal
11 year.

12 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
13 from the general fund of the state to the department of public
14 safety for the fiscal year beginning July 1, 2022, and ending
15 June 30, 2023, the following amounts, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 1. For administrative functions, including salaries and the
18 adjustment of salaries throughout the department, the criminal
19 justice information system, and for not more than the following
20 full-time equivalent positions:

21	\$	5,946,368
22	FTEs	45.00

23 2. For the division of criminal investigation, including
24 the state's contribution to the peace officers' retirement,
25 accident, and disability system provided in chapter 97A in the
26 amount of the state's normal contribution rate, as defined in

27 section 97A.8, multiplied by the salaries for which the moneys
 28 are appropriated, to meet federal fund matching requirements,
 29 and for not more than the following full-time equivalent
 30 positions:

31	\$	19,712,633
32	FTEs	180.00
33 3. For the criminalistics laboratory fund created in		
34 section 691.9:		
35	\$	650,000

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1 Notwithstanding section 8.33, moneys appropriated in this
 2 subsection that remain unencumbered or unobligated at the close
 3 of the fiscal year shall not revert but shall remain available
 4 for expenditure for the purposes designated until the close of
 5 the succeeding fiscal year.

6 4. a. For the division of narcotics enforcement, including
 7 the state's contribution to the peace officers' retirement,
 8 accident, and disability system provided in chapter 97A in the
 9 amount of the state's normal contribution rate, as defined in
 10 section 97A.8, multiplied by the salaries for which the moneys
 11 are appropriated, to meet federal fund matching requirements,
 12 and for not more than the following full-time equivalent
 13 positions:

14	\$	8,613,894
15	FTEs	67.00

16 The division of narcotics enforcement is authorized an
 17 additional 1.00 full-time equivalent position pursuant to
 18 this lettered paragraph that is in excess of the number of
 19 full-time equivalent positions authorized for the previous
 20 fiscal year only if the division of narcotics enforcement
 21 receives sufficient federal moneys to maintain employment
 22 for the additional full-time equivalent positions during the
 23 current fiscal year. The division of narcotics enforcement
 24 shall only employ the additional full-time equivalent positions
 25 in succeeding fiscal years if sufficient federal moneys are
 26 received during each of those succeeding fiscal years.

27 b. For the division of narcotics enforcement for undercover
 28 purchases:

29	\$	209,042
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30 5. For the division of state fire marshal, for fire
 31 protection services as provided through the state fire service
 32 and emergency response council as created in the department,
 33 and for the state's contribution to the peace officers'
 34 retirement, accident, and disability system provided in chapter
 35 97A in the amount of the state's normal contribution rate,

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1 as defined in section 97A.8, multiplied by the salaries for
 2 which the moneys are appropriated, and for not more than the

3	following full-time equivalent positions:		
4	\$	5,602,778
5 FTEs		49.00
6	6. For the division of state patrol, for salaries, support,		
7	maintenance, workers' compensation costs, and miscellaneous		
8	purposes, including the state's contribution to the peace		
9	officers' retirement, accident, and disability system provided		
10	in chapter 97A in the amount of the state's normal contribution		
11	rate, as defined in section 97A.8, multiplied by the salaries		
12	for which the moneys are appropriated, and for not more than		
13	the following full-time equivalent positions:		
14	\$	71,409,788
15 FTEs		506.00
16	It is the intent of the general assembly that members of the		
17	state patrol be assigned to patrol the highways and roads in		
18	lieu of assignments for inspecting school buses for the school		
19	districts.		
20	7. For deposit in the sick leave benefits fund established		
21	in section 80.42 for all departmental employees eligible to		
22	receive benefits for accrued sick leave under the collective		
23	bargaining agreement:		
24	\$	279,517
25	8. For costs associated with the training and equipment		
26	needs of volunteer fire fighters:		
27	\$	1,025,520
28	Notwithstanding section 8.33, moneys appropriated in this		
29	subsection that remain unencumbered or unobligated at the		
30	close of the fiscal year shall not revert but shall remain		
31	available for expenditure only for the purpose designated in		
32	this subsection until the close of the succeeding fiscal year.		
33	9. For the public safety interoperable and broadband		
34	communications fund established in section 80.44:		
35	\$	115,661

Page 18

1	10. For the office to combat human trafficking established		
2	pursuant to section 80.45, including salaries, support,		
3	maintenance, and miscellaneous purposes, and for not more than		
4	the following full-time equivalent positions:		
5	\$	200,742
6 FTEs		2.00
7	11. For costs associated with the training and equipment		
8	needs of volunteer fire fighters:		
9	\$	50,000
10	12. For deposit in the public safety equipment fund		
11	established in section 80.48 for the purchase, maintenance, and		
12	replacement of equipment used by the department:		
13	\$	2,500,000
14	Notwithstanding section 8.39, the department of public		
15	safety may reallocate moneys appropriated in this section		
16	as necessary to best fulfill the needs provided for in the		

17 appropriation. However, the department shall not reallocate
18 moneys appropriated to the department in this section unless
19 notice of the reallocation is given to the legislative services
20 agency and the department of management prior to the effective
21 date of the reallocation. The notice shall include information
22 regarding the rationale for reallocating the moneys. The
23 department shall not reallocate moneys appropriated in this
24 section for the purpose of eliminating any program.

25 Sec. 16. GAMING ENFORCEMENT.

26 1. There is appropriated from the gaming enforcement
27 revolving fund created in section 80.43 to the department of
28 public safety for the fiscal year beginning July 1, 2022, and
29 ending June 30, 2023, the following amount, or so much thereof
30 as is necessary, to be used for the purposes designated:

31 For any direct support costs for agents and officers of
32 the division of criminal investigation's excursion gambling
33 boat, gambling structure, and racetrack enclosure enforcement
34 activities, including salaries, support, maintenance, and
35 miscellaneous purposes, and for not more than the following

Page 19

1 full-time equivalent positions:		
2	\$	10,556,268
3	FTEs	65.00

4 2. For each additional license to conduct gambling games on
5 an excursion gambling boat, gambling structure, or racetrack
6 enclosure issued during the fiscal year beginning July 1, 2022,
7 there is appropriated from the gaming enforcement fund to the
8 department of public safety for the fiscal year beginning July
9 1, 2022, and ending June 30, 2023, an additional amount of
10 not more than \$300,000 to be used for full-time equivalent
11 positions.

12 3. The department of public safety, with the approval of the
13 department of management, may employ no more than three special
14 agents for each additional riverboat or gambling structure
15 regulated after July 1, 2023, and three special agents for
16 each racing facility which becomes operational during the
17 fiscal year which begins July 1, 2023. Positions authorized
18 in this subsection are in addition to the full-time equivalent
19 positions otherwise authorized in this section.

20 Sec. 17. CIVIL RIGHTS COMMISSION.

21 1. There is appropriated from the general fund of the state
22 to the Iowa state civil rights commission for the fiscal year
23 beginning July 1, 2022, and ending June 30, 2023, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purposes designated:

26 For salaries, support, maintenance, and miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:

29	\$	1,343,051
30	FTEs	27.00

31 2. The Iowa state civil rights commission may enter into
32 a contract with a nonprofit organization to provide legal
33 assistance to resolve civil rights complaints.
34 Sec. 18. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.
35 1. There is appropriated from the general fund of the state

Page 20

1 to the criminal and juvenile justice planning division of the
2 department of human rights for the fiscal year beginning July
3 1, 2022, and ending June 30, 2023, the following amount or
4 so much thereof as is necessary, to be used for the purposes
5 designated:
6 a. For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:
9 \$ 1,318,547
10 FTEs 8.89
11 b. (1) For a single grant to a program located in a city
12 with a higher than average juvenile crime rate as determined
13 by the criminal and juvenile justice planning division and
14 a population greater than 80,000 as determined by the 2010
15 federal decennial census, which may be used for studying,
16 planning, programming, and capital, that is committed to
17 deterring juvenile delinquency through early intervention in
18 the criminal justice system by providing a comprehensive,
19 multifaceted delivery of social services and which shall meet
20 the guiding principles and standards for assessment centers set
21 forth by the national assessment center association:
22 \$ 140,000
23 (2) The program shall use no more than 5 percent of the
24 grant for administrative costs.
25 (3) A city shall not receive a grant under this paragraph,
26 or a similar grant from the state of Iowa, for more than
27 two consecutive fiscal years unless no other city meets the
28 requirements specified in subparagraph (1).
29 2. The justice advisory board and the juvenile justice
30 advisory council shall coordinate their efforts in carrying out
31 their respective duties relative to juvenile justice.
32 Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
33 MANAGEMENT. There is appropriated from the 911 emergency
34 communications fund created in section 34A.7A to the department
35 of homeland security and emergency management for the fiscal

Page 21

1 year beginning July 1, 2022, and ending June 30, 2023, the
2 following amount, or so much thereof as is necessary, to be
3 used for the purposes designated:
4 For implementation, support, and maintenance of the
5 functions of the administrator and program manager under
6 chapter 34A and to employ the auditor of the state to perform

7 an annual audit of the 911 emergency communications fund:
8 \$ 300,000
9 Sec. 20. CONSUMER EDUCATION AND LITIGATION — FARM
10 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.
11 Notwithstanding section 714.16C, there is appropriated from the
12 consumer education and litigation fund to the department of
13 justice for the fiscal year beginning July 1, 2022, and ending
14 June 30, 2023, the following amounts, or so much thereof as is
15 necessary, to be used for the purposes designated:
16 1. For farm mediation services as specified in section
17 13.13, subsection 2:
18 \$ 300,000
19 2. For salaries, support, maintenance, and miscellaneous
20 purposes for criminal prosecutions, criminal appeals, and
21 performing duties pursuant to chapter 669:
22 \$ 2,000,000

23 DIVISION II
24 INDIGENT DEFENSE

25 Sec. 21. Section 815.7, Code 2022, is amended by adding the
26 following new subsection:
27 NEW SUBSECTION. 6A. For appointments made on or after July
28 1, 2022, the reasonable compensation shall be calculated on the
29 basis of seventy-eight dollars per hour for class "A" felonies,
30 seventy-three dollars per hour for class "B" felonies, and
31 sixty-eight dollars per hour for all other cases.

32 DIVISION III

33 DEPARTMENT OF PUBLIC SAFETY

34 Sec. 22. Section 80.48, subsection 1, Code 2022, is amended
35 to read as follows:

Page 22

1 1. A public safety equipment fund is created in the state
2 treasury under the control of the department. The fund shall
3 consist of moneys appropriated to or deposited in the fund.
4 Moneys in the fund are appropriated to the department for
5 the purchase, maintenance, and replacement of equipment used
6 by the department, including any installation and licensing
7 costs. The department is authorized to designate moneys in the
8 fund for the future purchase, maintenance, and replacement of
9 equipment used by the department, including any installation
10 and licensing costs.>

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5153

1 Amend House File 2579, as amended, passed, and reprinted by
2 the House, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. REBUILD IOWA INFRASTRUCTURE FUND —
APPROPRIATIONS. There is appropriated from the rebuild Iowa
infrastructure fund to the following departments and agencies
for the following fiscal years, the following amounts, or so
much thereof as is necessary, to be used for the purposes
designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For safety and security on the state capitol complex,
notwithstanding section 8.57, subsection 5, paragraph "c":
FY 2022–2023:

.....	\$	1,000,000
-------	----	-----------

b. For deposit in the monument maintenance account created
in section 8A.321 for purposes of maintenance of state
monuments on the capitol complex grounds:

.....	\$	500,000
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2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

a. (1) For deposit in the water quality initiative fund
created in section 466B.45 for purposes of supporting the
water quality initiative administered by the division of soil
conservation and water quality as provided in section 466B.42,
including salaries, support, maintenance, and miscellaneous
purposes, notwithstanding section 8.57, subsection 5, paragraph
"c":

FY 2022–2023:

.....	\$	8,200,000
-------	----	-----------

(2) (a) The moneys appropriated in this lettered
paragraph shall be used to support demonstration projects in
subwatersheds as designated by the department that are part

Page 2

of high-priority watersheds identified by the water resources
coordinating council.

(b) The moneys appropriated in this lettered paragraph
shall be used to support demonstration projects in watersheds
generally, including regional watersheds, as designated by the
division and high-priority watersheds identified by the water
resources coordinating council.

(3) In supporting projects in watersheds and subwatersheds
as provided in subparagraph (2), all of the following shall
apply:

(a) The demonstration projects shall utilize water quality
practices as described in the latest revision of the document
entitled "Iowa Nutrient Reduction Strategy" initially presented
in November 2012 by the department of agriculture and land
stewardship, the department of natural resources, and Iowa
state university of science and technology.

(b) The division shall implement demonstration projects
as provided in subparagraph division (a) by providing

19 for participation by persons who hold a legal interest in
20 agricultural land used in farming. To every extent practical,
21 the division shall provide for collaborative participation by
22 such persons who hold a legal interest in agricultural land
23 located within the same subwatershed.

24 (c) The division shall implement demonstration projects on
25 a cost-share basis as determined by the division. Except for
26 edge-of-field practices, the state's share of the amount shall
27 not exceed 50 percent of the estimated cost of establishing the
28 practice as determined by the division or 50 percent of the
29 actual cost of establishing the practice, whichever is less.

30 (d) The demonstration projects shall be used to educate
31 other persons about the feasibility and value of establishing
32 similar water quality practices. The division shall promote
33 field day events for purposes of allowing interested persons to
34 establish water quality practices on their agricultural land.

35 (e) The division shall conduct water quality evaluations

Page 3

1 within supported subwatersheds. Within a reasonable period
2 after accumulating information from such evaluations, the
3 division shall create an aggregated database of water quality
4 practices. Any information identifying a person holding a
5 legal interest in agricultural land or specific agricultural
6 land shall be a confidential record.

7 (4) The moneys appropriated in this lettered paragraph
8 shall be used to support education and outreach in a manner
9 that encourages persons who hold a legal interest in
10 agricultural land used for farming to implement water quality
11 practices, including the establishment of such practices in
12 watersheds generally, and not limited to subwatersheds or
13 high-priority watersheds.

14 (5) The moneys appropriated in this lettered paragraph
15 may be used to contract with persons to coordinate the
16 implementation of efforts provided in this paragraph.

17 (6) The moneys appropriated in this lettered paragraph
18 may be used by the department to support urban soil and water
19 conservation efforts, which may include but are not limited
20 to management practices related to bioretention, landscaping,
21 the use of permeable or pervious pavement, and soil quality
22 restoration. The moneys shall be allocated on a cost-share
23 basis as provided in chapter 161A.

24 (7) Notwithstanding any other provision of law to the
25 contrary, the department may use moneys appropriated in
26 this lettered paragraph to carry out the provisions of this
27 paragraph on a cost-share basis in combination with other
28 moneys available to the department from a state or federal
29 source.

30 (8) Not more than 10 percent of the moneys appropriated in
31 this lettered paragraph may be used for costs of administration
32 and implementation of the water quality initiative administered

33 by the soil conservation division.
34 b. For deposit in the renewable fuels infrastructure fund
35 created in section 159A.16 for renewable fuel infrastructure

Page 4

1 programs:
2 FY 2022–2023: \$ 10,000,000
3
4 The appropriation made in this paragraph shall be in lieu of
5 the standing appropriation in section 159A.17 for the fiscal
6 year beginning July 1, 2022, and ending June 30, 2023.
7 c. For updating the maximum return to nitrogen modeling
8 system for fertilizer management notwithstanding section 8.57,
9 subsection 5, paragraph “c”:
10 FY 2022–2023: \$ 1,000,000
11
12 Any information received, collected, or held for purposes
13 of this paragraph is a confidential record exempt from public
14 release if the information identifies a person who holds a
15 legal interest in agricultural land or who has previously
16 held a legal interest in agricultural land, a person who is
17 involved or who has previously been involved in managing
18 the agricultural land or producing crops or livestock on
19 the agricultural land, or the identifiable location of the
20 agricultural land.
21 3. DEPARTMENT FOR THE BLIND
22 For building repairs for the building located at 524 Fourth
23 Street, Des Moines, Iowa:
24 FY 2022–2023: \$ 196,900
25
26 4. DEPARTMENT OF CORRECTIONS
27 a. For kitchen equipment at the Clarinda treatment complex:
28 FY 2022–2023: \$ 750,000
29
30 b. For various infrastructure projects at correctional
31 facilities:
32 FY 2022–2023: \$ 4,900,000
33
34 5. DEPARTMENT OF CULTURAL AFFAIRS
35 a. For deposit in the Iowa great places program fund created

Page 5

1 in section 303.3D for Iowa great places program projects that
2 meet the definition of “vertical infrastructure” in section
3 8.57, subsection 5, paragraph “c”:
4 FY 2022–2023: \$ 1,000,000
5
6 b. For grants to nonprofit organizations committed to
7 strengthening communities through youth development, healthy
8 living, and social responsibility for costs associated with

9 the renovation and maintenance of facility infrastructure at
 10 facilities located in cities with a population of less than
 11 28,000 as determined by the 2020 federal decennial census:
 12 FY 2022–2023: \$ 250,000

13 \$ 250,000

14 6. ECONOMIC DEVELOPMENT AUTHORITY

15 a. For deposit in the community attraction and tourism fund
 16 created in section 15F.204:
 17 FY 2022–2023: \$ 10,000,000

18 \$ 10,000,000

19 b. For deposit in the sports tourism infrastructure program
 20 fund created in section 15F.404 for financing sports tourism
 21 infrastructure projects:
 22 FY 2022–2023: \$ 12,000,000

23 \$ 12,000,000

24 Of the moneys appropriated in this paragraph, the authority
 25 shall provide financial assistance from the sports tourism
 26 program infrastructure fund for sports tourism infrastructure
 27 projects subject to the requirements of section 15F.401
 28 applicable to sports tourism infrastructure projects and
 29 this paragraph. Financial assistance shall not be provided
 30 to reimburse costs incurred prior to the approval of the
 31 financial assistance and shall not be provided until all
 32 financing for the sports tourism infrastructure project is
 33 secured and documented. An applicant for financial assistance
 34 from moneys appropriated in this paragraph shall demonstrate
 35 the availability of matching moneys for financing the sports

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1 tourism infrastructure project in the form of a private and
 2 public partnership with financing from city, county, and
 3 private sources. Financial assistance shall be provided for
 4 sports tourism infrastructure projects that draw a national
 5 and international audience and attract a significant number of
 6 visitors from outside the state. However, financial assistance
 7 shall not be provided for sports tourism infrastructure
 8 projects located in a reinvestment district as defined and
 9 approved by the authority pursuant to section 15J.4 or to
 10 applicants that have received a rebate of sales tax imposed and
 11 collected by retailers pursuant to section 423.4, subsection 5.
 12 c. For providing financial assistance to a city or
 13 nonprofit organization hosting the national junior olympics,
 14 notwithstanding section 8.57, subsection 5, paragraph "c":
 15 FY 2022–2023: \$ 150,000

16 \$ 150,000

17 d. For equal distribution to regional sports authority
 18 districts certified by the authority pursuant to section
 19 15E.321, notwithstanding section 8.57, subsection 5, paragraph
 20 "c":
 21 FY 2022–2023: \$ 500,000

22 \$ 500,000

23 **7. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT**

24 For costs associated with completing a study by the United
25 States army corps of engineers concerning flood prevention
26 improvements to a levee located in the largest city in a county
27 with a population between 45,000 and 50,000 as determined by
28 the 2020 federal decennial census, notwithstanding section
29 8.57, subsection 5, paragraph "c":
30 FY 2022–2023:

31 \$ 650,000

32 **8. DEPARTMENT OF HUMAN SERVICES**

33 a. For renovation and repair at department facilities:

34 FY 2022–2023:

35 \$ 3,161,000

Page 7

1 b. For a grant to a nonprofit agency that provides expert
2 care for children with medical complexity by providing
3 infrastructure funding for expanding its facilities to provide
4 behavioral analysis treatment for eligible individuals:

5 FY 2022–2023:

6 \$ 750,000

7 c. For a grant to a nonprofit organization specializing in
8 brain injury rehabilitation by providing post-acute inpatient
9 and outpatient rehabilitation, as well as long-term skilled,
10 supported, and independent living services for people who have
11 sustained a traumatic brain injury due to a stroke, tumor,
12 aneurysm, or other brain injury, in a city with a population
13 between 67,500 and 68,500 as determined by the 2020 federal
14 decennial census, for costs associated with the construction of
15 an outpatient therapy center:

16 FY 2022–2023:

17 \$ 1,000,000

18 **9. DEPARTMENT OF NATURAL RESOURCES**

19 a. For implementation of lake projects that have
20 established watershed improvement initiatives and community
21 support in accordance with the department's annual lake
22 restoration plan and report, notwithstanding section 8.57,
23 subsection 5, paragraph "c":
24 FY 2022–2023:

25 \$ 9,600,000

26 b. For state park infrastructure improvements:

27 FY 2022–2023:

28 \$ 5,000,000

29 c. For water trails and low head dam safety grants:

30 FY 2022–2023:

31 \$ 1,500,000

32 d. For costs associated with renovation and improvements at
33 the Fort Atkinson state preserve:
34 FY 2022–2023:

35 \$ 350,000

Page 8

1	e. For deposit in the on-stream impoundment restoration	
2	fund created in section 456A.33C, notwithstanding section 8.57,	
3	subsection 5, paragraph "c":	
4	FY 2022–2023:	
5 \$ 500,000	
6	f. For grants to communities or organizations for tree	
7	planting projects through the community forestry grant program,	
8	notwithstanding section 8.57, subsection 5, paragraph "c":	
9	FY 2022–2023:	
10 \$ 250,000	
11	10. DEPARTMENT OF PUBLIC DEFENSE	
12	a. For major maintenance projects at national guard	
13	armories and facilities:	
14	FY 2022–2023:	
15 \$ 2,100,000	
16	b. For improvement projects for Iowa national guard	
17	installations and readiness centers to support operations and	
18	training requirements:	
19	FY 2022–2023:	
20 \$ 2,100,000	
21	c. For construction improvement projects at the Camp Dodge	
22	facility:	
23	FY 2022–2023:	
24 \$ 550,000	
25	d. The department of public defense shall report to the	
26	general assembly by December 15, 2022, regarding the projects	
27	the department has funded or intends to fund from moneys	
28	appropriated to the department pursuant to this subsection.	
29	11. DEPARTMENT OF PUBLIC SAFETY	
30	a. For payments and other costs due under a financing	
31	agreement entered into by the treasurer of state for building	
32	the statewide interoperable communications system pursuant to	
33	section 29C.23, subsection 2, notwithstanding section 8.57,	
34	subsection 5, paragraph "c":	
35	FY 2022–2023:	

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1 \$ 4,330,150	
2	b. For deposit in the public safety equipment fund created	
3	in section 80.48, notwithstanding section 8.57, subsection 5,	
4	paragraph "c":	
5	FY 2022–2023:	
6 \$ 2,500,000	
7	c. For construction of a new facility for fire fighter	
8	training:	
9	FY 2022–2023:	
10 \$ 2,100,000	
11	12. BOARD OF REGENTS	
12	For allocation by the state board of regents to the state	

13 university of Iowa, Iowa state university of science and
14 technology, and the university of northern Iowa to reimburse
15 the institutions for deficiencies in the operating funds
16 resulting from the pledging of tuition, student fees and
17 charges, and institutional income to finance the cost of
18 providing academic and administrative buildings and facilities
19 and utility services at the institutions:

20 FY 2022–2023:

21 \$ 27,900,000

22 13. STATE FAIR AUTHORITY

23 For the renovation and repair of the state fair barns:

24 FY 2022–2023:

25 \$ 6,000,000

26 FY 2023–2024:

27 \$ 6,000,000

28 14. DEPARTMENT OF TRANSPORTATION

29 a. For acquiring, constructing, and improving recreational

30 trails within the state:

31 FY 2022–2023:

32 \$ 2,500,000

33 b. For deposit in the public transit infrastructure grant

34 fund created in section 324A.6A, for projects that meet

35 the definition of vertical infrastructure in section 8.57,

Page 10

1 subsection 5, paragraph “c”:

2 FY 2022–2023:

3 \$ 1,500,000

4 c. For deposit in the railroad revolving loan and grant

5 fund created in section 327H.20A, notwithstanding section 8.57,

6 subsection 5, paragraph “c”:

7 FY 2022–2023:

8 \$ 2,000,000

9 d. For vertical infrastructure improvements at the

10 commercial service airports within the state:

11 FY 2022–2023:

12 \$ 1,900,000

13 e. For vertical infrastructure improvements at general

14 aviation airports within the state:

15 FY 2022–2023:

16 \$ 1,000,000

17 15. TREASURER OF STATE

18 For distribution in accordance with chapter 174 to qualified

19 fairs that belong to the association of Iowa fairs for county

20 fair vertical infrastructure improvements:

21 FY 2022–2023:

22 \$ 1,060,000

23 16. JUDICIAL BRANCH

24 a. For construction projects at the Woodbury county law

25 enforcement center:

26 FY 2022–2023:

27 \$ 165,000
 28 b. For renovations and furniture at justice centers:
 29 FY 2022–2023: \$ 624,518
 30
 31 Sec. 2. REVERSION. For purposes of section 8.33, unless
 32 specifically provided otherwise, unencumbered or unobligated
 33 moneys from an appropriation made in this division of this Act
 34 shall not revert but shall remain available for expenditure for
 35 the purposes designated until the close of the fiscal year that

Page 11

1 ends two years after the end of the fiscal year for which the
 2 appropriation is made. However, if the project or projects for
 3 which such appropriation was made are completed in an earlier
 4 fiscal year, unencumbered or unobligated moneys shall revert at
 5 the close of that same fiscal year.

DIVISION II

TECHNOLOGY REINVESTMENT FUND

8 Sec. 3. TECHNOLOGY REINVESTMENT FUND. There is
 9 appropriated from the technology reinvestment fund created in
 10 section 8.57C to the following departments and agencies for the
 11 fiscal year beginning July 1, 2022, and ending June 30, 2023,
 12 the following amounts, or so much thereof as is necessary, to
 13 be used for the purposes designated:

1. DEPARTMENT OF CORRECTIONS

14 a. For software upgrades to emergency response radios:
 15 \$ 350,000
 16 b. For security cameras, staff phone systems, and
 17 automation systems at correctional facilities:
 18 \$ 2,415,954

2. DEPARTMENT OF EDUCATION

21 a. For the continued development and implementation of an
 22 educational data warehouse that will be utilized by teachers,
 23 parents, school district administrators, area education agency
 24 staff, department of education staff, and policymakers:
 25 \$ 600,000

26 Of the moneys appropriated in this lettered paragraph, the
 27 department may use a portion for an e-transcript data system
 28 capable of tracking students throughout their education via
 29 interconnectivity with multiple schools.

30 b. For maintenance and lease costs associated with
 31 connections for part III of the Iowa communications network:
 32 \$ 2,727,000

33 c. To the public broadcasting division for the replacement
 34 of equipment:
 35 \$ 1,000,000

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1 3. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 2 For the continuing implementation of a statewide mass

3 notification and emergency messaging system: \$ 400,000
4
5 **4. DEPARTMENT OF HUMAN RIGHTS**
6 a. For the cost of equipment and computer software for the
7 continued development and implementation of Iowa's criminal
8 justice information system: \$ 1,400,000
9
10 b. For the costs associated with the justice enterprise data
11 warehouse: \$ 187,980
12
13 **5. DEPARTMENT OF HUMAN SERVICES**
14 For technology costs associated with the state poison
15 control center: \$ 34,000
16
17 **6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION**
18 For firewall and distributed denial-of-service attack
19 protection for the Iowa communications network: \$ 1,510,724
20
21 **7. DEPARTMENT OF INSPECTIONS AND APPEALS**
22 a. For costs associated with the enhancement of the health
23 facilities database: \$ 250,000
24
25 b. For costs associated with the implementation of the
26 food safety data system enhancement and integration with the
27 govconnectiowa portal: \$ 410,000
28
29 c. For costs associated with the creation of electronic
30 forms within the e-filing system: \$ 100,000
31
32 **8. DEPARTMENT OF MANAGEMENT**
33 a. For the continued development and implementation of
34 a searchable database that can be placed on the internet for
35 budget and financial information:

Page 13

1 \$ 45,000
2 b. For the continued development and implementation of the
3 comprehensive electronic grant management system: \$ 70,000
4
5 c. For the upgrade of the local government budget and
6 property tax system: \$ 120,000
7
8 d. For the annual licensing of a searchable database that is
9 placed on the internet for budget and financial information: \$ 382,131
10
11 **9. DEPARTMENT OF PUBLIC DEFENSE**
12 For technology projects: \$ 500,000
13
14 **10. DEPARTMENT OF PUBLIC SAFETY**
15 For costs associated with the implementation of body-worn
16 cameras and licensing:

17	\$	385,000
18 11. DEPARTMENT OF REVENUE		
19 For tax system modernization:		
20	\$	4,070,460
21 12. JUDICIAL BRANCH		
22 a. For costs associated with the connection of district		
23 phone systems to the judicial branch building system:		
24	\$	40,464
25 b. For costs associated with installation and repurpose of		
26 courtroom sound systems:		
27	\$	610,000
28 Sec. 4. REVERSION. For purposes of section 8.33, unless		
29 specifically provided otherwise, unencumbered or unobligated		
30 moneys from an appropriation made in this division of this Act		
31 shall not revert but shall remain available for expenditure for		
32 the purposes designated until the close of the fiscal year that		
33 ends two years after the end of the fiscal year for which the		
34 appropriation is made. However, if the project or projects for		
35 which such appropriation was made are completed in an earlier		

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1 fiscal year, unencumbered or unobligated moneys shall revert at
 2 the close of that same fiscal year.

DIVISION III

CHANGES TO PRIOR APPROPRIATIONS

5 Sec. 5. 2018 Iowa Acts, chapter 1162, section 1, subsection
 6 10, paragraph b, as amended by 2020 Iowa Acts, chapter 1120,
 7 section 8, is amended to read as follows:

8 b. For construction of a new veterinary diagnostic
 9 laboratory at Iowa state university of science and technology,
 10 to include reimbursement of infrastructure costs incurred by
 11 the university for construction of the laboratory in prior
 12 fiscal years:

13 FY 2018–2019:

14	\$	1,000,000
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15 FY 2019–2020:

16	\$	12,500,000
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17 FY 2020–2021:

18	\$	8,900,000
----------	----	-----------

19 FY 2021–2022:

20	\$	\$12,500,000
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21 FY 2022–2023:

22	\$	\$12,500,000
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23	\$	<u>28,600,000</u>
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24 FY 2023–2024:

25	\$	\$16,100,000
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26 Sec. 6. 2018 Iowa Acts, chapter 1162, section 4, is amended
 27 to read as follows:

28 SEC. 4. REVERSION.

29 1. For Except as provided in subsection 2, for purposes
 30 of section 8.33, unless specifically provided otherwise,

31 unencumbered or unobligated moneys made from an appropriation
32 in this division of this Act shall not revert but shall remain
33 available for expenditure for the purposes designated until the
34 close of the fiscal year that ends three years after the end of
35 the fiscal year for which the appropriation is made. However,

Page 15

1 if the project or projects for which such appropriation was
2 made are completed in an earlier fiscal year, unencumbered
3 or unobligated moneys shall revert at the close of that same
4 fiscal year.
5 2. For purposes of section 8.33, unless specifically
6 provided otherwise, unencumbered or unobligated moneys from an
7 appropriation made in section 3, subsection 4, of this division
8 of this 2018 Act shall not revert but shall remain available
9 for expenditure for the purposes designated until the close
10 of the fiscal year that ends four years after the end of the
11 fiscal year for which the appropriation is made, or until the
12 project for which the appropriation was made is completed,
13 whichever is earlier.

14 Sec. 7. 2019 Iowa Acts, chapter 137, section 2, is amended
15 to read as follows:

16 SEC. 2. REVERSION.

17 1. For Except as provided in subsection 2, for purposes
18 of section 8.33, unless specifically provided otherwise,
19 unencumbered or unobligated moneys from an appropriation made
20 in this division of this Act shall not revert but shall remain
21 available for expenditure for the purposes designated until the
22 close of the fiscal year that ends two years after the end of
23 the fiscal year for which the appropriation is made. However,
24 if the project or projects for which such appropriation was
25 made are completed in an earlier fiscal year, unencumbered
26 or unobligated moneys shall revert at the close of that same
27 fiscal year.

28 2. For purposes of section 8.33, unless specifically
29 provided otherwise, unencumbered or unobligated moneys from
30 an appropriation made in section 1, subsection 14, of this
31 division of this 2019 Act shall not revert but shall remain
32 available for expenditure for the purpose designated until the
33 close of the fiscal year that begins July 1, 2022.

34 Sec. 8. 2019 Iowa Acts, chapter 137, section 4, is amended
35 to read as follows:

Page 16

1 SEC. 4. REVERSION.
2 1. For Except as otherwise provided in subsections 2
3 and 3, for purposes of section 8.33, unless specifically
4 provided otherwise, unencumbered or unobligated moneys from
5 an appropriation made in this division of this Act shall not
6 revert but shall remain available for expenditure for the

7 purposes designated until the close of the fiscal year that
8 ends two years after the end of the fiscal year for which the
9 appropriation is made. However, if the project or projects for
10 which such appropriation was made are completed in an earlier
11 fiscal year, unencumbered or unobligated moneys shall revert at
12 the close of that same fiscal year.

13 2. For purposes of section 8.33, unless specifically
14 provided otherwise, unencumbered or unobligated moneys from an
15 appropriation made in section 3, subsection 6, of this division
16 of this 2019 Act shall not revert but shall remain available
17 for expenditure for the purposes designated until the close of
18 the fiscal year that begins July 1, 2023, or until the project
19 for which the appropriation was made is completed, whichever
20 is earlier.

21 3. For purposes of section 8.33, unless specifically
22 provided otherwise, unencumbered or unobligated moneys from an
23 appropriation made in section 3, subsection 11, paragraph c,
24 of this division of this 2019 Act shall not revert but shall
25 remain available for expenditure for the purposes designated
26 until the close of the fiscal year that begins July 1, 2022,
27 or until the project for which the appropriation was made is
28 completed, whichever is earlier.

29 Sec. 9. 2020 Iowa Acts, chapter 1120, section 1, subsection
30 10, paragraph b, is amended to read as follows:
31 b. For the renovation and construction of an industrial
32 technology center at the university of northern Iowa to
33 include reimbursement of infrastructure costs incurred by the
34 university for construction of the facility in the prior fiscal
35 year:

Page 17

1	FY 2021–2022:	\$	13,000,000
2	\$	
3	FY 2022–2023:	\$	18,000,000
4	\$	
5	\$	26,500,000
6	<u>FY 2023–2024:</u>	\$	
7	\$	8,500,000
8	Sec. 10. 2021 Iowa Acts, chapter 167, section 1, subsection		
9	7, is amended to read as follows:		
10	7. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT		
11	For costs associated with school safety, flood mitigation,		
12	or other emergency services programs, notwithstanding section		
13	8.57, subsection 5, paragraph “c”:		
14	FY 2021–2022	\$	
15	\$	2,500,000
16	<u>FY 2022–2023</u>	\$	
17	\$	2,000,000
18	Sec. 11. 2021 Iowa Acts, chapter 167, section 1, subsection		
19	10, paragraph d, is amended to read as follows:		
20	d. For costs associated with the construction of a readiness		

21 center in West Des Moines:
22 FY 2021–2022: \$ 1,800,000
23
24 FY 2022–2023: \$ 1,850,000
25
26 3,700,000
27 FY 2023–2024: \$ 1,850,000
28

Sec. 12. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV

DIVISION IV
MISCELLANEOUS PROVISIONS

Sec. 13. Section 8.57C, subsection 3, paragraph a,
subparagraph (3), Code 2022, is amended to read as follows:
(3) For the fiscal year beginning July 1, ~~2022~~ 2023, and for

Page 10

1 each subsequent fiscal year thereafter, the sum of seventeen
2 million five hundred thousand dollars.
3 Sec. 14. Section 8.57C, subsection 3, Code 2022, is amended
4 by adding the following new paragraph:
5 NEW PARAGRAPH. j. There is appropriated from the rebuild
6 Iowa infrastructure fund for the fiscal year beginning July 1,
7 2022, and ending June 30, 2023, the sum of twenty million five
8 hundred thousand dollars to the technology reinvestment fund,
9 notwithstanding section 8.57, subsection 5, paragraph "c".
10 Sec. 15. Section 15.801, Code 2022, is amended as follows:

10 Sec. 15. Section 15.261, Code 2022, is amended to read as
11 follows:

12 15.261 Vacant state buildings demolition fund.

13 1. A vacant state buildings demolition fund is created in
14 the state treasury under the control of the authority. The
15 fund shall consist of all moneys appropriated to the fund.

16 2. Moneys in the vacant state buildings demolition fund
17 are appropriated to the authority for purposes of funding a
18 grant program for the demolition of vacant buildings owned by
19 the state or by a county that has purchased real property from
20 the federal government which are no longer used for a state or
21 federal purpose. Grant program criteria shall provide that
22 no more than fifty percent of the cost of a project for the
23 demolition of vacant buildings shall be funded from a grant
24 under the program. The authority shall give preference to
25 applicants that have not previously been awarded money from
26 this fund.

27 3. Notwithstanding section 12C.7, subsection 2, interest
28 or earnings on moneys deposited in the vacant state buildings
29 demolition fund shall be credited to the vacant state buildings
30 demolition fund. Notwithstanding section 8.33, moneys credited
31 to the vacant state buildings demolition fund shall not revert
32 at the close of a fiscal year.
33 Sec. 16. Section 15.262, Code 2022, is amended to read as
34 follows:

35 **15.262 Vacant state buildings rehabilitation fund.**

Page 19

1 1. A vacant state buildings rehabilitation fund is created
2 in the state treasury under the control of the authority. The
3 fund shall consist of all moneys appropriated to the fund.
4 2. Moneys in the vacant state buildings rehabilitation fund
5 are appropriated to the authority for purposes of funding a
6 loan program for the rehabilitation or redevelopment of vacant
7 buildings owned by the state or by a county that has purchased
8 real property from the federal government which are no longer
9 used for a state or federal purpose. The authority shall give
10 preference to applicants that have not previously been awarded
11 money from this fund.

12 3. Notwithstanding section 12C.7, subsection 2, interest
13 or earnings on moneys deposited in the vacant state buildings
14 rehabilitation fund shall be credited to the vacant state
15 buildings rehabilitation fund. Notwithstanding section 8.33,
16 moneys credited to the vacant state buildings rehabilitation
17 fund shall not revert at the close of a fiscal year.

18 Sec. 17. Section 159A.16, subsection 3, Code 2022, is
19 amended to read as follows:

20 3. Moneys in the renewable fuel infrastructure fund are
21 appropriated to the department exclusively to support and
22 market the renewable fuel infrastructure programs as provided
23 in sections 159A.14 and 159A.15, and as allocated in financial
24 incentives by the renewable fuel infrastructure board created
25 in section 159A.13. Up to fifty

26 a. For each fiscal year, not more than one million
27 two hundred fifty thousand dollars shall be allocated to
28 support the renewable fuel infrastructure program for retail
29 motor fuel sites as provided in section 159A.14 to finance
30 the installation, replacement, or conversion of biodiesel
31 infrastructure as provided in that section.

32 b. For each fiscal year, not more than one hundred thousand
33 dollars shall be allocated each fiscal year to the department
34 to support the administration of the programs. The

35 c. For each fiscal year, the department may use up to

Page 20

1 three quarters of one and one half percent of the program
2 funds to market the programs. Otherwise the moneys shall not
3 be transferred, used, obligated, appropriated, or otherwise
4 encumbered except to allocate as financial incentives under the
5 programs.

6 Sec. 18. Section 602.11101, subsection 1, paragraph e,
7 subparagraph (2), Code 2022, is amended to read as follows:
8 (2) Until July 1, 1986, the county shall remain responsible
9 for the compensation of and operating costs for court
10 employees not presently designated for state financing and

11 for miscellaneous costs of the judicial branch related to
12 furnishings, supplies, and equipment purchased, leased, or
13 maintained for the use of judicial officers, referees, and
14 their staff. Effective July 1, 1986, the state shall assume
15 the responsibility for the compensation of and operating costs
16 for court employees presently designated for state financing
17 and for miscellaneous costs of the judicial branch related to
18 furnishings, supplies, and equipment purchased, leased, or
19 maintained for the use of judicial officers, referees, and
20 their staff. However, the county shall at all times remain
21 responsible for the provision of suitable courtrooms, offices,
22 and other physical facilities pursuant to section 602.1303,
23 subsection 1, including paint, wall covering, and fixtures in
24 the facilities. In addition, however, effective July 1, 2023,
25 if a county expends moneys for the renovation or construction
26 of suitable courtrooms, offices, and other physical facilities
27 pursuant to section 602.1303, that requires the purchase of
28 furnishings, supplies, and equipment for the use of judicial
29 officers, referees, and their staff as a result of that
30 renovation or construction, the state shall be responsible for
31 only seventy-five percent of the cost of the purchase.

32 Sec. 19. DES MOINES AREA REGIONAL TRANSIT AUTHORITY
33 ALTERNATIVE FUNDING ADVISORY COMMITTEE — REPORT.
34 1. The department of transportation shall establish a Des
35 Moines area regional transit authority alternative funding

Page 21

1 advisory committee to study the most effective and efficient
2 methods to increase funding for the Des Moines area regional
3 transit authority that are alternative to an increase in
4 property taxes.
5 2. The committee shall consist of five voting members and
6 four ex officio, nonvoting members.
7 a. The voting members of the committee shall be composed of
8 all of the following:
9 (1) The director of the department of transportation or a
10 designee.
11 (2) The director of the department of revenue or a designee.
12 (3) A Polk county supervisor appointed by the governor.
13 (4) A member of a city council or mayor of a city in Polk
14 county in which the Des Moines area regional transit authority
15 operates, appointed by the governor.
16 (5) A representative of the Des Moines area regional transit
17 authority appointed by the Des Moines area regional transit
18 authority.
19 b. The ex officio, nonvoting members of the committee shall
20 be two state representatives, one appointed by the speaker of
21 the house of representatives and one by the minority leader
22 of the house of representatives, and two state senators, one
23 appointed by the majority leader of the senate and one by the
24 minority leader of the senate.

25 3. Staffing services shall be provided by the department of
26 transportation in coordination with the department of revenue.
27 4. The committee shall submit a report containing its
28 findings and recommendations to the general assembly on or
29 before December 15, 2022.
30 5. This section is repealed January 1, 2023.

31 Sec. 20. EFFECTIVE DATE. The following, being deemed of
32 immediate importance, take effect upon enactment:

33 The sections of this division of this Act amending sections
34 15.261 and 15.262.

35 Sec. 21. RETROACTIVE APPLICABILITY. The following apply

Page 22

1 retroactively to June 1, 2020:
2 The sections of this division of this Act amending sections
3 15.261 and 15.262.

DIVISION V

SPORTS TOURISM PROGRAM

6 Sec. 22. Section 15F.401, subsection 1, paragraph a, Code
7 2022, is amended to read as follows:

7 2022, is amended to read as follows.

8 a. The authority shall establish, and, at the direction
9 of the board, shall administer a sports tourism marketing and
10 infrastructure program to provide financial assistance for
11 projects that promote sporting events or for infrastructure
12 projects supporting sporting events for organizations of
13 accredited colleges and universities, professional sporting
14 events, and other sporting events in the state.

15 Sec. 23. Section 15F.401, subsection 2, paragraph a, Code
16 2022, is amended to read as follows:

17 a. (1) A city or county in the state or a public entity,
18 including a convention and visitors bureau or a district, may
19 apply to the authority for financial assistance from the sports
20 tourism marketing program fund created in section 15F.403 for
21 a project that actively and directly promotes sporting events
22 for accredited colleges and universities, professional sporting
23 events, and other sporting events in the area served by the
24 city, county, or public entity.

(2) A city or county in the state or a public entity, including a convention and visitors bureau or a district, may apply to the authority for financial assistance from the sports tourism infrastructure program fund created in section 15F.404 for an infrastructure project that actively and directly supports sporting events for accredited colleges and universities, professional sporting events, and other sporting events in the area served by the city, county, or public entity.

34 Sec. 24. Section 15F.401, subsections 5 and 6, Code 2022,
35 are amended to read as follows:

Page 23

1 5. The board shall make final funding decisions on
2 each application and may approve, deny, defer, or modify
3 applications for financial assistance under the sports tourism
4 marketing and infrastructure program, in its discretion, in
5 order to fund as many projects with the moneys available as
6 possible. The board and the authority may negotiate with
7 applicants regarding the details of projects and the amount and
8 terms of any award. The total amount of financial assistance
9 provided to an applicant from the sports tourism marketing
10 program fund created in section 15F.403 in any one fiscal year
11 shall not exceed five hundred thousand dollars. In making
12 final funding decisions pursuant to this subsection, the board
13 and the authority are exempt from chapter 17A.

14 6. *a.* A city, county, or public entity may use financial
15 assistance received under the program from the sports tourism
16 marketing fund created in section 15F.403 for marketing and
17 promotions. Whether an activity or individual cost item is
18 directly related to the promotion of the sporting event shall
19 be within the discretion of the authority.

20 *b.* All applications to the authority for financial
21 assistance from the sports tourism marketing fund created in
22 section 15F.403 shall be made at least ninety days prior to an
23 event's scheduled date.

24 *c.* A city, county, or public entity shall not use financial
25 assistance received under the program from the sports tourism
26 marketing fund created in section 15F.403 or the sports tourism
27 infrastructure fund created in section 15F.404 as reimbursement
28 for completed projects.

29 Sec. 25. Section 15F.402, subsections 1 and 2, Code 2022,
30 are amended to read as follows:

31 1. Applications for assistance under the sports tourism
32 marketing and infrastructure program established in section
33 15F.401 shall be submitted to the authority. For those
34 applications that meet the eligibility criteria, the authority
35 shall forward the applications to the board and provide a staff

Page 24

1 review analysis and evaluation to the sports tourism program
2 review committee referred to in subsection 2 and to the board.
3 2. A review committee composed of five members of the
4 board shall review sports tourism marketing and infrastructure
5 program applications forwarded to the board and make
6 recommendations regarding the applications to the authority.
7 The review committee shall consist of members of the board,
8 with one member from each congressional district under section
9 15F.102, subsection 2, paragraph "a", and one member from the
10 state at large under section 15F.102, subsection 2, paragraph
11 "b".
12 Sec. 26. Section 15F.403, subsection 1, paragraph a, Code

13 2022, is amended to read as follows:

14 a. The authority shall establish a fund pursuant to
15 section 15.106A, subsection 1, paragraph "o", for purposes of
16 financing sports tourism marketing projects as described in
17 this subchapter. The fund established for purposes of this
18 section may be administered as a revolving fund and may consist
19 of any moneys appropriated by the general assembly for purposes
20 of this section.

21 Sec. 27. Section 15F.403, subsection 2, paragraph a, Code
22 2022, is amended to read as follows:

23 a. Moneys in the fund are appropriated to the authority for
24 purposes of providing financial assistance to cities, counties,
25 and public entities under the sports tourism marketing program
26 established and administered pursuant to this subchapter.

27 Sec. 28. NEW SECTION. **15F.404 Sports tourism infrastructure
28 program fund.**

29 1. a. The authority shall establish a fund pursuant to
30 section 15.106A, subsection 1, paragraph "o", for purposes of
31 financing sports tourism infrastructure projects as described
32 in this subchapter. The fund established for purposes of this
33 section may be administered as a revolving fund and may consist
34 of any moneys appropriated by the general assembly for purposes
35 of this section.

Page 25

1 b. Notwithstanding section 8.33, moneys in a fund
2 established for purposes of this section at the end of each
3 fiscal year shall not revert to any other fund but shall remain
4 in the fund for expenditure for subsequent fiscal years.

5 c. Notwithstanding section 12C.7, subsection 2, interest or
6 earnings on moneys in the fund shall be credited to the fund.

7 2. a. Moneys in the fund are appropriated to the
8 authority for purposes of providing financial assistance
9 to cities, counties, and public entities under the sports
10 tourism marketing and infrastructure program established and
11 administered pursuant to this subchapter.

12 b. The board in its discretion shall allocate the available
13 moneys in the fund among the programs described in paragraph "a"
14 in the amounts determined by the board.

15 c. The authority may use not more than five percent of the
16 moneys in the fund at the beginning of each fiscal year for
17 purposes of administrative costs, technical assistance, and
18 other program support.

19 Sec. 29. SPORTS TOURISM MARKETING PROGRAM — SPORTS
20 WAGERING RECEIPTS FUND. There is appropriated from the sports
21 wagering receipts fund created in section 8.57, subsection
22 6, to the economic development authority for the fiscal year
23 beginning July 1, 2022, and ending June 30, 2023, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purposes designated:

26 For deposit in the sports tourism marketing program fund

27 created in section 15F.403 for financing sports tourism
28 marketing projects:
29 \$ 1,500,000>
30 2. Title page, line 3, by striking <fund and> and inserting
31 <fund,>
32 3. Title page, line 3, after <reinvestment fund,> by
33 inserting <and the sports wagering receipts fund,>

COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-5154

1 Amend House File 2575, as amended, passed, and reprinted by
2 the House, as follows:
3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

FY 2022–2023 APPROPRIATIONS
DEPARTMENT FOR THE BLIND

8 Section 1. ADMINISTRATION. There is appropriated from
9 the general fund of the state to the department for the blind
10 for the fiscal year beginning July 1, 2022, and ending June
11 30, 2023, the following amounts, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16	\$ 2,893,503
17	FTEs 87.98

COLLEGE STUDENT AID COMMISSION

19 Sec. 2. There is appropriated from the general fund of the
20 state to the college student aid commission for the fiscal year
21 beginning July 1, 2022, and ending June 30, 2023, the following
22 amounts, or so much thereof as is necessary, to be used for the
23 purposes designated:

24 1. ADMINISTRATION

25 For general administration salaries, support, maintenance,
26 and miscellaneous purposes, and for the administration of the
27 future ready Iowa skilled workforce last-dollar scholarship
28 program in accordance with section 261.131, including salaries,
29 support, maintenance, and miscellaneous purposes related to the
30 future ready Iowa skilled workforce last-dollar scholarship
31 program, and for not more than the following full-time
32 equivalent positions:

33	\$ 591,533
34	FTEs 4.95

35 2. HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM

Page 2

1	For the loan repayment program for health care professionals	
2	established pursuant to section 261.115:	
3\$	500,973
4	3. NATIONAL GUARD SERVICE SCHOLARSHIP PROGRAM	
5	For purposes of providing national guard service	
6	scholarships under the program established in section 261.86:	
7\$	4,700,000
8	4. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM	
9	a. For purposes of the all Iowa opportunity scholarship	
10	program established pursuant to section 261.87:	
11\$	3,229,468
12	b. For the fiscal year beginning July 1, 2022, if the moneys	
13	appropriated by the general assembly to the college student aid	
14	commission for purposes of the all Iowa opportunity scholarship	
15	program exceed \$500,000, "eligible institution" as defined in	
16	section 261.87 shall, during the fiscal year beginning July 1,	
17	2022, include accredited private institutions as defined in	
18	section 261.9.	
19	5. TEACH IOWA SCHOLAR PROGRAM	
20	For purposes of the teach Iowa scholar program established	
21	pursuant to section 261.110:	
22\$	650,000
23	6. RURAL IOWA PRIMARY CARE LOAN REPAYMENT PROGRAM	
24	For purposes of the rural Iowa primary care loan repayment	
25	program established pursuant to section 261.113:	
26\$	2,504,933
27	7. HEALTH CARE LOAN REPAYMENT PROGRAM	
28	For purposes of the health care loan repayment program	
29	established pursuant to section 261.116:	
30\$	500,000
31	8. RURAL VETERINARIAN LOAN REPAYMENT PROGRAM	
32	For purposes of the rural veterinarian loan repayment	
33	program established pursuant to section 261.120:	
34\$	700,000
35	9. FUTURE READY IOWA SKILLED WORKFORCE LAST-DOLLAR	

Page 3

1	SCHOLARSHIP PROGRAM	
2	For deposit in the future ready Iowa skilled workforce	
3	last-dollar scholarship fund established pursuant to section	
4	261.131:	
5\$	23,927,005
6	10. MENTAL HEALTH PRACTITIONER LOAN REPAYMENT PROGRAM	
7	a. For deposit in the mental health practitioner loan	
8	repayment program trust fund established pursuant to section	
9	261.117, as enacted by 2022 Iowa Acts, House File 2549, or	
10	Senate File 2195, if enacted:	
11\$	520,000
12	b. Moneys appropriated in this subsection are contingent	

13 upon the enactment of 2022 Iowa Acts, House File 2549, if
14 enacted.

15 Sec. 3. CHIROPRACTIC LOAN FUNDS. Notwithstanding section
16 261.72, the moneys deposited in the chiropractic loan revolving
17 fund created pursuant to section 261.72, for the fiscal year
18 beginning July 1, 2022, and ending June 30, 2023, may be used
19 for purposes of the chiropractic loan forgiveness program
20 established in section 261.73.

21 Sec. 4. WORK-STUDY APPROPRIATION. Notwithstanding section
22 261.85, for the fiscal year beginning July 1, 2022, and ending
23 June 30, 2023, the amount appropriated from the general fund
24 of the state to the college student aid commission for the
25 work-study program under section 261.85 shall be zero.

26 DEPARTMENT OF EDUCATION

27 Sec. 5. There is appropriated from the general fund of
28 the state to the department of education for the fiscal year
29 beginning July 1, 2022, and ending June 30, 2023, the following
30 amounts, or so much thereof as is necessary, to be used for the
31 purposes designated:

32 1. GENERAL ADMINISTRATION

33 a. For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

Page 4

1	\$	5,975,526
2	FTEs	65.00
3 b. By January 15, 2023, the department shall submit		
4 a written report to the general assembly detailing the		
5 department's antibullying programming and current and projected		
6 expenditures for such programming for the fiscal year beginning		
7 July 1, 2022.		
8 2. CAREER AND TECHNICAL EDUCATION ADMINISTRATION		
9 For salaries, support, maintenance, and miscellaneous		
10 purposes, and for not more than the following full-time		
11 equivalent positions:		
12	\$	598,197
13	FTEs	9.21
14 3. VOCATIONAL REHABILITATION SERVICES DIVISION		
15 a. For salaries, support, maintenance, and miscellaneous		
16 purposes, and for not more than the following full-time		
17 equivalent positions:		
18	\$	6,116,328
19	FTEs	249.00
20 For purposes of optimizing the job placement of individuals		
21 with disabilities, the division shall make its best efforts		
22 to work with community rehabilitation program providers for		
23 job placement and retention services for individuals with		
24 significant disabilities and most significant disabilities. By		
25 January 15, 2023, the division shall submit a written report to		
26 the general assembly regarding the division's outreach efforts		

27 with community rehabilitation program providers.
 28 b. For matching moneys for programs to enable persons
 29 with severe physical or mental disabilities to function more
 30 independently, including salaries and support, and for not more
 31 than the following full-time equivalent positions:
 32 \$ 84,823
 33 FTEs 1.00
 34 c. For the entrepreneurs with disabilities program
 35 established pursuant to section 259.4, subsection 9:

Page 5

1	\$	138,506
2	d. For costs associated with centers for independent		
3	living:		
4	\$	86,457
5	4. STATE LIBRARY		
6	a. For salaries, support, maintenance, and miscellaneous		
7	purposes, and for not more than the following full-time		
8	equivalent positions:		
9	\$	2,532,594
10	FTEs	21.00
11	b. For the enrich Iowa program established under section		
12	256.57:		
13	\$	2,464,823
14	5. PUBLIC BROADCASTING DIVISION		
15	For salaries, support, maintenance, capital expenditures,		
16	and miscellaneous purposes, and for not more than the following		
17	full-time equivalent positions:		
18	\$	7,870,316
19	FTEs	58.36
20	6. CAREER AND TECHNICAL EDUCATION		
21	For reimbursement for career and technical education		
22	expenditures made by regional career and technical education		
23	planning partnerships in accordance with section 258.14:		
24	\$	2,952,459
25	7. SCHOOL FOOD SERVICE		
26	For use as state matching moneys for federal programs that		
27	shall be disbursed according to federal regulations, including		
28	salaries, support, maintenance, and miscellaneous purposes, and		
29	for not more than the following full-time equivalent positions:		
30	\$	2,176,797
31	FTEs	24.48
32	8. EARLY CHILDHOOD IOWA FUND — GENERAL AID		
33	For deposit in the school ready children grants account of		
34	the early childhood Iowa fund created in section 256I.11:		
35	\$	23,406,799

Page 6

1 a. From the moneys deposited in the school ready children
 2 grants account for the fiscal year beginning July 1, 2022, and

3 ending June 30, 2023, not more than \$265,950 is allocated for
4 the early childhood Iowa office and other technical assistance
5 activities. Moneys allocated under this lettered paragraph
6 may be used by the early childhood Iowa state board for the
7 purpose of skills development and support for ongoing training
8 of staff. However, except as otherwise provided in this
9 subsection, moneys shall not be used for additional staff or
10 for the reimbursement of staff.

11 b. Of the amount appropriated in this subsection for
12 deposit in the school ready children grants account of the
13 early childhood Iowa fund, \$2,318,018 shall be used for efforts
14 to improve the quality of early care, health, and education
15 programs. Moneys allocated pursuant to this lettered paragraph
16 may be used for additional staff and for the reimbursement
17 of staff. The early childhood Iowa state board may reserve
18 a portion of the allocation, not to exceed \$88,650, for the
19 technical assistance expenses of the early childhood Iowa
20 state office, including the reimbursement of staff, and
21 shall distribute the remainder to early childhood Iowa areas
22 for local quality improvement efforts through a methodology
23 identified by the early childhood Iowa state board to make the
24 most productive use of the funding, which may include use of
25 the distribution formula, grants, or other means.

26 c. Of the amount appropriated in this subsection for
27 deposit in the school ready children grants account of
28 the early childhood Iowa fund, \$825,030 shall be used for
29 support of professional development and training activities
30 for persons working in early care, health, and education by
31 the early childhood Iowa state board in collaboration with
32 the professional development component groups maintained by
33 the early childhood Iowa stakeholders alliance pursuant to
34 section 256I.12, subsection 7, paragraph "b", and the early
35 childhood Iowa area boards. Expenditures shall be limited to

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1 professional development and training activities agreed upon by
2 the parties participating in the collaboration as approved by
3 the early childhood Iowa state board.
4 d. Of the amount appropriated in this subsection for deposit
5 in the school ready children grants account of the early
6 childhood Iowa fund, \$200,000 shall be used to invest in this
7 state's early childhood database system that integrates state
8 administrative data to provide results that inform and improve
9 the early childhood system of programs and services in this
10 state.

11 9. BIRTH TO AGE THREE SERVICES

12 a. For expansion of the federal Individuals with
13 Disabilities Education Improvement Act of 2004, Pub. L. No.
14 108-446, as amended to January 1, 2018, birth through age three
15 services due to increased numbers of children qualifying for
16 those services:

17	\$	1,721,400
18 b. From the moneys appropriated in this subsection,		
19 \$383,769 shall be allocated to the child health specialty		
20 clinics administered by the state university of Iowa in order		
21 to provide additional support for infants and toddlers who are		
22 born prematurely, drug-exposed, or medically fragile.		
23 10. EARLY HEAD START PROJECTS		
24 a. For early head start projects:		
25	\$	574,500
26 b. The moneys appropriated in this subsection shall be		
27 used for implementation and expansion of early head start		
28 pilot projects addressing the comprehensive cognitive, social,		
29 emotional, and developmental needs of children from birth to		
30 age three, including prenatal support for qualified families.		
31 The projects shall promote healthy prenatal outcomes and		
32 healthy family functioning, and strengthen the development of		
33 infants and toddlers in low-income families. Priority shall be		
34 given to those organizations that have previously qualified for		
35 and received state funding to administer an early head start		

Page 8

1 project.		
2 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS		
3 a. To provide moneys for costs of providing textbooks		
4 to each resident pupil who attends a nonpublic school as		
5 authorized by section 301.1:		
6	\$	852,000
7 b. Funding under this subsection is limited to \$30 per		
8 pupil and shall not exceed the comparable services offered to		
9 resident public school pupils.		
10 12. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM		
11 For purposes of the student achievement and teacher quality		
12 program established pursuant to chapter 284, and for not more		
13 than the following full-time equivalent positions:		
14	\$	2,965,467
15	FTEs	6.00
16 13. STATEWIDE STUDENT ASSESSMENT		
17 For distribution to the Iowa testing program by the		
18 department of education on behalf of school districts and		
19 accredited nonpublic schools to offset the costs associated		
20 with a statewide student assessment administered in accordance		
21 with section 256.7, subsection 21, paragraph "b":		
22	\$	3,000,000
23 From the moneys appropriated in this subsection, not more		
24 than \$300,000 shall be distributed to the Iowa testing programs		
25 within the university of Iowa college of education to offset		
26 the costs of administering the statewide student assessment at		
27 accredited nonpublic schools.		
28 14. STATEWIDE CLEARINGHOUSE TO EXPAND WORK-BASED LEARNING		
29 For support costs associated with the creation of a		
30 statewide clearinghouse to expand work-based learning as a part		

31 of the future ready Iowa initiative:
32 \$ 300,000
33 15. POSTSECONDARY SUMMER CLASSES FOR HIGH SCHOOL STUDENTS
34 PROGRAM
35 For support costs associated with the creation of a program

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1 to provide additional moneys for resident high school pupils
2 enrolled in grades 9 through 12 to attend a community college
3 for college-level classes or attend a class taught by a
4 community college-employed instructor during the summer and
5 outside of the regular school year through a contractual
6 agreement between a community college and a school district
7 under the future ready Iowa initiative:
8 \$ 600,000
9 Notwithstanding section 8.33, moneys received by the
10 department pursuant to this subsection that remain unencumbered
11 or unobligated at the close of the fiscal year shall not revert
12 but shall remain available for expenditure for the purposes
13 specified in this subsection until the close of the succeeding
14 fiscal year.
15 16. JOBS FOR AMERICA'S GRADUATES
16 For school districts to reinforce combined efforts and
17 regional initiatives that accelerate paraeducator and teacher
18 credential attainment and to provide direct services to the
19 most at-risk middle school or high school students enrolled
20 in school districts through direct intervention by a jobs for
21 America's graduates specialist:
22 \$ 8,146,450
23 17. ATTENDANCE CENTER PERFORMANCE/GENERAL INTERNET SITE AND
24 DATA SYSTEM SUPPORT
25 For administration of a process for school districts to
26 establish specific performance goals and to evaluate the
27 performance of each attendance center operated by the district
28 in order to arrive at an overall school performance grade and
29 report card for each attendance center, for internet site
30 and data system support, and for not more than the following
31 full-time equivalent positions:
32 \$ 250,000
33 FTEs 1.85
34 18. ONLINE STATE JOB POSTING SYSTEM
35 For purposes of administering the online state job posting

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1 system in accordance with section 256.27:
2 \$ 230,000
3 19. SUCCESSFUL PROGRESSION FOR EARLY READERS
4 For distribution to school districts for implementation
5 of section 279.68, subsection 2, relating to successful
6 progression for early readers:

7	\$	7,824,782
8 20. EARLY WARNING SYSTEM FOR LITERACY		
9 For purposes of purchasing a statewide license for an early 10 warning assessment and administering the early warning system 11 for literacy established in accordance with section 279.68 and 12 rules adopted in accordance with section 256.7, subsection 31: 13		
14	\$	1,915,000
14 The department shall administer and distribute to school 15 districts and accredited nonpublic schools the early warning 16 assessment system that allows teachers to screen and monitor 17 student literacy skills from prekindergarten through grade 18 six. The department may charge school districts and accredited 19 nonpublic schools a fee for the system not to exceed the actual 20 costs to purchase a statewide license for the early warning 21 assessment minus the moneys received by the department under 22 this subsection. The fee shall be determined by dividing the 23 actual remaining costs to purchase the statewide license for 24 the school year by the number of pupils assessed under the 25 system in the current fiscal year. School districts may use 26 moneys received pursuant to section 257.10, subsection 11, and 27 moneys received for purposes of implementing section 279.68, 28 subsection 2, to pay the early warning assessment system fee.		
29 21. IOWA READING RESEARCH CENTER		
30 a. For purposes of the Iowa reading research center in 31 order to implement, in collaboration with the area education 32 agencies, the provisions of section 256.9, subsection 49, 33 paragraph "c": 34	\$	600,000
35 b. From moneys appropriated in this subsection, not more		

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1 than \$250,000 shall be used for collaborations with the state
2 board of education relating to the approval of practitioner
3 preparation programs pursuant to section 256.7, subsection 3,
4 paragraph "c", and with the board of educational examiners for
5 the establishment and continuing oversight of the advanced
6 dyslexia specialist endorsement pursuant to section 272.2,
7 subsection 23. For the fiscal year beginning July 1, 2022, and
8 ending June 30, 2023, the center shall submit a report to the
9 general assembly and the legislative services agency detailing
10 the expenditures of moneys used for purposes of this paragraph
11 "b".
12 c. Notwithstanding section 8.33, moneys received by the
13 department pursuant to this subsection that remain unencumbered
14 or unobligated at the close of the fiscal year shall not revert
15 but shall remain available for expenditure for the purposes
16 specified in this subsection until the close of the succeeding
17 fiscal year.
18 22. COMPUTER SCIENCE PROFESSIONAL DEVELOPMENT INCENTIVE
19 FUND
20 For deposit in the computer science professional development

21 incentive fund established under section 284.6A:
22 \$ 500,000
23 23. CHILDREN'S MENTAL HEALTH SCHOOL-BASED TRAINING AND
24 SUPPORT
25 a. For distribution to area education agencies for
26 school-based children's mental health services, including
27 mental health awareness training for educators:
28 \$ 3,383,936
29 b. Of the moneys appropriated in this subsection for
30 distribution to area education agencies, \$200,000 shall be
31 used for purposes of implementing a children's grief and loss
32 rural pilot program to serve Iowa children in rural school
33 districts or accredited nonpublic schools. The pilot program
34 shall be administered by, and the moneys allocated pursuant to
35 this paragraph shall be distributed to, an existing statewide

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1 not-for-profit health care organization that currently provides
2 grief and loss services to children. For the fiscal year
3 beginning July 1, 2022, and ending June 30, 2023, the health
4 care organization receiving moneys pursuant to this paragraph
5 shall prepare a report, in collaboration with the department
6 of education, detailing the expenditures of moneys used for
7 the purposes of this program and its outcomes, which shall be
8 submitted to the general assembly by September 30, 2023.

9 24. BEST BUDDIES IOWA
10 For school districts to create opportunities for one-to-one
11 friendships, integrated employment, and leadership development
12 for students with intellectual and developmental disabilities:
13 \$ 35,000

14 The department of education shall establish criteria for
15 the distribution of moneys appropriated under this subsection
16 and shall require an organization receiving moneys under this
17 subsection to annually report student identifying data for
18 students participating in the program to the department in the
19 manner prescribed by the department as a condition of receiving
20 such moneys.

21 25. ADULT EDUCATION AND LITERACY PROGRAMS
22 For distribution as grants to community colleges for
23 the purpose of adult basic education programs for students
24 requiring instruction in English as a second language:
25 \$ 500,000

26 In issuing grants under this subsection, the department
27 shall use the same application process and criteria as are
28 used for purposes of awarding grants to community colleges for
29 the purpose of adult basic education programs for students
30 requiring instruction in English as a second language using
31 moneys that are appropriated to the department from the Iowa
32 skilled worker and job creation fund.

33 26. MIDWESTERN HIGHER EDUCATION COMPACT

34 a. For distribution to the midwestern higher education
 35 compact to pay Iowa's member state annual obligation:

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1	\$	115,000
2 b. Notwithstanding section 8.33, moneys appropriated		
3 for distribution to the midwestern higher education compact		
4 pursuant to this subsection that remain unencumbered or		
5 unobligated at the close of the fiscal year shall not revert		
6 but shall remain available for expenditure for the purpose		
7 designated until the close of the succeeding fiscal year.		
8 27. NONPUBLIC SCHOOL CONCURRENT ENROLLMENT PAYMENTS TO		
9 COMMUNITY COLLEGES		
10 For payments to community colleges for the concurrent		
11 enrollment of accredited nonpublic school students under		
12 section 261E.8, subsection 2, paragraph "b":		
13	\$	1,000,000
14 Notwithstanding section 8.33, moneys received by the		
15 department pursuant to this subsection that remain unencumbered		
16 or unobligated at the close of the fiscal year shall not revert		
17 but shall remain available for expenditure for the purposes		
18 specified in this subsection until the close of the succeeding		
19 fiscal year.		
20 28. COMMUNITY COLLEGES		
21 For general state financial aid to merged areas as defined in		
22 section 260C.2 in accordance with chapters 258 and 260C:		
23	\$	221,658,161
24 Notwithstanding the allocation formula in section 260C.18C,		
25 the moneys appropriated in this subsection shall be allocated		
26 as follows:		
27 a. Merged Area I		
28	\$	10,901,112
29 b. Merged Area II		
30	\$	10,991,321
31 c. Merged Area III		
32	\$	10,128,121
33 d. Merged Area IV		
34	\$	5,027,789
35 e. Merged Area V		

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1	\$	12,590,460
2 f. Merged Area VI		
3	\$	9,755,374
4 g. Merged Area VII		
5	\$	14,902,662
6 h. Merged Area IX		
7	\$	18,919,128
8 i. Merged Area X		
9	\$	34,639,366

10	j. Merged Area XI	\$	37,667,676
11	\$	
12	k. Merged Area XII	\$	12,311,796
13	\$	
14	l. Merged Area XIII	\$	13,442,325
15	\$	
16	m. Merged Area XIV	\$	5,121,413
17	\$	
18	n. Merged Area XV	\$	16,000,872
19	\$	
20	o. Merged Area XVI	\$	9,258,746
21	\$	

22 Sec. 6. LIMITATIONS OF STANDING APPROPRIATION FOR AT-RISK

23 CHILDREN. Notwithstanding the standing appropriation in
24 section 279.51 for the fiscal year beginning July 1, 2022, and
25 ending June 30, 2023, the amount appropriated from the general
26 fund of the state to the department of education for programs
27 for at-risk children under section 279.51 shall be not more
28 than \$10,524,389. The amount of any reduction in this section
29 shall be prorated among the programs specified in section
30 279.51, subsection 1, paragraphs "a", "b", and "c".

31 STATE BOARD OF REGENTS

32 Sec. 7. There is appropriated from the general fund of
33 the state to the state board of regents for the fiscal year
34 beginning July 1, 2022, and ending June 30, 2023, the following
35 amounts, or so much thereof as is necessary, to be used for the

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1 purposes designated:

2 1. OFFICE OF STATE BOARD OF REGENTS

3 a. For salaries, support, maintenance, and miscellaneous
4 purposes, and for not more than the following full-time
5 equivalent positions:

6	\$	764,642
7	FTEs	2.48

8 For the fiscal year beginning July 1, 2022, and ending June
9 30, 2023, the state board of regents shall submit a quarterly
10 financial report to the general assembly and the legislative
11 services agency in a format agreed upon by the state board
12 of regents office and the legislative services agency. The
13 report submitted for the quarter ending December 31, 2022,
14 shall include the five-year graduation rates for the regents
15 universities.

16 b. For distribution to the western Iowa regents resource
17 center:

18	\$	268,297
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19 c. For allocation by the state board of regents to the state
20 university of Iowa, the Iowa state university of science and
21 technology, and the university of northern Iowa to support
22 new strategic initiatives, meet needs caused by enrollment
23 increases, meet the demand for new courses and services, to

24 fund new but unavoidable or mandated cost increases, and to
 25 support any other initiatives important to the core functions
 26 of the universities:

27	\$	5,500,000
28 2. STATE UNIVERSITY OF IOWA		
29 a. General university		
30 For salaries, support, maintenance, equipment, financial		
31 aid, and miscellaneous purposes, and for not more than the		
32 following full-time equivalent positions:		
33	\$	215,605,480
34	FTEs	5,058.55
35 b. Oakdale campus		

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1 For salaries, support, maintenance, and miscellaneous
 2 purposes, and for not more than the following full-time
 3 equivalent positions:

4	\$	2,103,819
5	FTEs	38.25

6 c. State hygienic laboratory

7 For salaries, support, maintenance, and miscellaneous
 8 purposes, and for not more than the following full-time
 9 equivalent positions:

10	\$	4,822,610
11	FTEs	102.51

12 d. Family practice program

13 For allocation by the dean of the college of medicine, with
 14 approval of the advisory board, to qualified participants
 15 to carry out the provisions of chapter 148D for the family
 16 practice residency education program, including salaries
 17 and support, and for not more than the following full-time
 18 equivalent positions:

19	\$	2,220,598
20	FTEs	2.71

21 e. Child health care services

22 For specialized child health care services, including
 23 childhood cancer diagnostic and treatment network programs,
 24 rural comprehensive care for hemophilia patients, and the
 25 Iowa high-risk infant follow-up program, including salaries
 26 and support, and for not more than the following full-time
 27 equivalent positions:

28	\$	634,502
29	FTEs	4.16

30 f. Statewide cancer registry

31 For the statewide cancer registry, and for not more than the
 32 following full-time equivalent positions:

33	\$	143,410
34	FTEs	2.10

35 g. Substance abuse consortium

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1	For distribution to the Iowa consortium for substance abuse		
2	research and evaluation, and for not more than the following		
3	full-time equivalent positions:		
4	\$	53,427
5	FTEs	.99
6	h. Center for biocatalysis		
7	For the center for biocatalysis, and for not more than the		
8	following full-time equivalent positions:		
9	\$	696,342
10	FTEs	6.28
11	i. Primary health care initiative		
12	For the primary health care initiative in the college		
13	of medicine, and for not more than the following full-time		
14	equivalent positions:		
15	\$	624,374
16	FTEs	.623
17	From the moneys appropriated in this lettered paragraph,		
18	\$254,889 shall be allocated to the department of family		
19	practice at the state university of Iowa college of medicine		
20	for family practice faculty and support staff.		
21	j. Birth defects registry		
22	For the birth defects registry, and for not more than the		
23	following full-time equivalent positions:		
24	\$	36,839
25	FTEs	.38
26	k. Larned A. Waterman Iowa nonprofit resource center		
27	For the Larned A. Waterman Iowa nonprofit resource center,		
28	and for not more than the following full-time equivalent		
29	positions:		
30	\$	156,389
31	FTEs	2.75
32	l. Iowa online advanced placement academy science,		
33	technology, engineering, and mathematics initiative		
34	For the Iowa online advanced placement academy science,		
35	technology, engineering, and mathematics initiative established		

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1	pursuant to section 263.8A:		
2	\$	463,616
3	m. Iowa flood center		
4	For the Iowa flood center for use by the university's college		
5	of engineering pursuant to section 466C.1:		
6	\$	1,154,593
7	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY		
8	a. General university		
9	For salaries, support, maintenance, equipment, financial		
10	aid, and miscellaneous purposes, and for not more than the		
11	following full-time equivalent positions:		
12	\$	172,144,766

13	FTEs	3,647.42
14 b. Agricultural experiment station		
15 For the agricultural experiment station salaries, support,		
16 maintenance, and miscellaneous purposes, and for not more than		
17 the following full-time equivalent positions:		
18 \$ 29,462,535		
19 FTEs 546.98		
20 c. Cooperative extension service in agriculture and home		
21 economics		
22 For the cooperative extension service in agriculture		
23 and home economics salaries, support, maintenance, and		
24 miscellaneous purposes, and for not more than the following		
25 full-time equivalent positions:		
26 \$ 18,307,366		
27 FTEs 385.34		
28 (1) From the moneys appropriated in this lettered		
29 paragraph, \$150,000 shall be used for the costs incurred by		
30 the Iowa agricultural extension association as host of the		
31 2023 national meeting of the national association of county		
32 agricultural agents.		
33 (2) Notwithstanding section 8.33, if moneys appropriated in		
34 this lettered paragraph remain unencumbered or unobligated at		
35 the close of the fiscal year, an amount not more than \$150,000		

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1 shall not revert but shall remain available for costs incurred		
2 by the Iowa agricultural extension association as host of the		
3 2023 national meeting of the national association of county		
4 agricultural agents until the close of the succeeding fiscal		
5 year.		
6 4. UNIVERSITY OF NORTHERN IOWA		
7 a. General university		
8 For salaries, support, maintenance, equipment, financial		
9 aid, and miscellaneous purposes, and for not more than the		
10 following full-time equivalent positions:		
11 \$ 98,296,620		
12 FTEs 1,250.28		
13 b. Recycling and reuse center		
14 For purposes of the recycling and reuse center, and for not		
15 more than the following full-time equivalent positions:		
16 \$ 172,768		
17 FTEs 1.93		
18 c. Science, technology, engineering, and mathematics (STEM)		
19 collaborative initiative		
20 For purposes of the science, technology, engineering,		
21 and mathematics (STEM) collaborative initiative established		
22 pursuant to section 268.7, and for not more than the following		
23 full-time equivalent positions:		
24 \$ 6,354,848		
25 FTEs 5.50		
26 (1) Except as otherwise provided in this lettered		

27 paragraph, the moneys appropriated in this lettered paragraph
28 shall be expended for salaries, staffing, institutional
29 support, activities directly related to recruitment of
30 kindergarten through grade 12 mathematics and science teachers,
31 and for ongoing mathematics and science programming for
32 students enrolled in kindergarten through grade 12.
33 (2) The university of northern Iowa shall work with the
34 community colleges to develop STEM professional development
35 programs for community college instructors and STEM curriculum

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1 development.
2 (3) From the moneys appropriated in this lettered
3 paragraph, not less than \$500,000 shall be used to provide
4 technology education opportunities to high school,
5 career academy, and community college students through a
6 public-private partnership, as well as opportunities for
7 students and faculties at these institutions to secure
8 broad-based information technology certification. The
9 partnership shall provide all of the following:
10 (a) A research-based curriculum.
11 (b) Online access to the curriculum.
12 (c) Instructional software for classroom and student use.
13 (d) Certification of skills and competencies in a broad base
14 of information technology-related skill areas.
15 (e) Professional development for teachers.
16 (f) Deployment and program support, including but not
17 limited to integration with current curriculum standards.
18 (4) Notwithstanding section 8.33, of the moneys
19 appropriated in this lettered paragraph that remain
20 unencumbered or unobligated at the close of the fiscal year,
21 an amount equivalent to not more than 5 percent of the amount
22 appropriated in this lettered paragraph shall not revert but
23 shall remain available for expenditure for summer programs for
24 students until the close of the succeeding fiscal year.
25 d. Real estate education program:
26 For purposes of the real estate education program, and for
27 not more than the following full-time equivalent positions:

28	\$ 123,523
2986 FTEs
30 5. IOWA SCHOOL FOR THE DEAF	
31 For salaries, support, maintenance, and miscellaneous	
32 purposes, and for not more than the following full-time	
33 equivalent positions:	
34	\$ 11,089,039
35	121.00 FTEs

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1 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
2 For salaries, support, maintenance, and miscellaneous

3 purposes, and for not more than the following full-time
 4 equivalent positions:

5	\$ 4,654,408
6	FTEs 56.00

7 Sec. 8. ENERGY COST-SAVINGS PROJECTS — FINANCING. For
 8 the fiscal year beginning July 1, 2022, and ending June 30,
 9 2023, the state board of regents may use notes, bonds, or
 10 other evidences of indebtedness issued under section 262.48 to
 11 finance projects that will result in energy cost savings in an
 12 amount that will cause the state board to recover the cost of
 13 the projects within an average of six years.

14 Sec. 9. PRESCRIPTION DRUG COSTS. The department of
 15 administrative services shall pay the Iowa school for the
 16 deaf and the Iowa braille and sight saving school the moneys
 17 collected from the counties during the fiscal year beginning
 18 July 1, 2022, for expenses relating to prescription drug costs
 19 for students attending the Iowa school for the deaf and the
 20 Iowa braille and sight saving school.

21 DIVISION II

22 WORKFORCE TRAINING PROGRAMS — APPROPRIATIONS FY 2022–2023

23 Sec. 10. There is appropriated from the Iowa skilled worker
 24 and job creation fund created in section 8.75 to the following
 25 departments, agencies, and institutions for the fiscal year
 26 beginning July 1, 2022, and ending June 30, 2023, the following
 27 amounts, or so much thereof as is necessary, to be used for the
 28 purposes designated:

29 1. COLLEGE STUDENT AID COMMISSION

30 For purposes of providing skilled workforce shortage tuition
 31 grants in accordance with section 261.130:

32	\$ 5,000,000
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33 2. DEPARTMENT OF EDUCATION

34 a. For deposit in the workforce training and economic
 35 development funds created pursuant to section 260C.18A:

Page 22

1	\$ 15,100,000
2 From the moneys appropriated in this lettered paragraph,	
3 not more than \$100,000 shall be used by the department	
4 for administration of the workforce training and economic	
5 development funds created pursuant to section 260C.18A.	
6 b. For distribution to community colleges for the purposes	
7 of implementing adult education and literacy programs pursuant	
8 to section 260C.50:	
9	\$ 5,500,000
10 (1) From the moneys appropriated in this lettered	
11 paragraph, \$3,883,000 shall be allocated pursuant to the	
12 formula established in section 260C.18C.	
13 (2) From the moneys appropriated in this lettered	
14 paragraph, not more than \$150,000 shall be used by the	
15 department for implementation of adult education and literacy	
16 programs pursuant to section 260C.50.	

17 (3) From the moneys appropriated in this lettered
18 paragraph, not more than \$1,257,000 shall be distributed as
19 grants to community colleges for the purpose of adult basic
20 education programs for students requiring instruction in
21 English as a second language. The department shall establish
22 an application process and criteria to award grants pursuant to
23 this subparagraph to community colleges. The criteria shall be
24 based on need for instruction in English as a second language
25 in the region served by each community college as determined by
26 factors including data from the latest federal decennial census
27 and outreach efforts to determine regional needs.

28 (4) From the moneys appropriated in this lettered
29 paragraph, \$210,000 shall be transferred to the department
30 of human services for purposes of administering a program
31 to provide access to international resources to Iowans and
32 new Iowans to provide economic and leadership development
33 resulting in Iowa being a more inclusive and welcoming place
34 to live, work, and raise a family. The program shall provide
35 supplemental support services for international refugees to

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1 improve learning, English literacy, life skills, cultural
2 competencies, and integration in a county with a population
3 over 350,000 as determined by the 2010 federal decennial
4 census. The department of human services shall utilize a
5 request for proposals process to identify the entity best
6 qualified to implement the program.

7 c. For capital projects at community colleges that meet the
8 definition of the term “vertical infrastructure” in section
9 8.57, subsection 5, paragraph “c”:

10	\$ 6,000,000
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11 Moneys appropriated in this lettered paragraph shall be
12 disbursed pursuant to section 260G.6, subsection 3. Projects
13 that qualify for moneys appropriated in this lettered paragraph
14 shall include at least one of the following:

15 (1) Accelerated career education program capital projects.
16 (2) Major renovations and major repair needs, including
17 health, life, and fire safety needs, including compliance with
18 the federal Americans with Disabilities Act.

19 d. For deposit in the pathways for academic career and
20 employment fund established pursuant to section 260H.2:

21	\$ 5,000,000
----------	--------------

22 From the moneys appropriated in this lettered paragraph,
23 not more than \$200,000 shall be allocated by the department
24 for implementation of regional industry sector partnerships
25 pursuant to section 260H.7B and for not more than 1.00
26 full-time equivalent position.

27 e. For deposit in the gap tuition assistance fund
28 established pursuant to section 260I.2:

29	\$ 2,000,000
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30 f. For deposit in the statewide work-based learning

31	intermediary network fund created pursuant to section 256.40:	
32	\$ 1,500,000
33	From the moneys appropriated in this lettered paragraph, not	
34	more than \$50,000 shall be used by the department to provide	
35	statewide support for work-based learning.	

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1	g. For support costs associated with administering a	
2	workforce preparation outcome reporting system for the purpose	
3	of collecting and reporting data relating to the educational	
4	and employment outcomes of workforce preparation programs	
5	receiving moneys pursuant to this subsection:	
6	\$ 200,000
7	3. Notwithstanding section 8.33, moneys appropriated	
8	in this section of this division of this Act that remain	
9	unencumbered or unobligated at the close of the fiscal year	
10	shall not revert but shall remain available for expenditure	
11	for the purposes designated until the close of the succeeding	
12	fiscal year.	

DIVISION III

14	CLASSROOM MANAGEMENT AND TRANSPORTATION REIMBURSEMENT	
15	Sec. 11. DEPARTMENT OF EDUCATION — THERAPEUTIC CLASSROOM	
16	INCENTIVE FUND. There is appropriated from the general fund	
17	of the state to the department education for the fiscal year	
18	beginning July 1, 2022, and ending June 30, 2023, the following	
19	amount, or so much thereof as is necessary, to be used for the	
20	purposes designated:	

21	For deposit in the therapeutic classroom incentive fund	
22	established pursuant to section 256.25:	
23	\$ 2,351,382
24	Sec. 12. DEPARTMENT OF EDUCATION — THERAPEUTIC CLASSROOM	
25	TRANSPORTATION CLAIMS REIMBURSEMENT. There is appropriated	
26	from the general fund of the state to the department of	
27	education for the fiscal year beginning July 1, 2022, and	
28	ending June 30, 2023, the following amount, or so much thereof	
29	as is necessary, to be used for the purposes designated:	
30	For payment of school district claims for reimbursement	
31	submitted under section 256.25A, subsection 1, paragraph "a":	
32	\$ 500,000
33	Notwithstanding section 8.33, moneys appropriated pursuant	
34	to this section that remain unencumbered or unobligated at the	
35	close of the fiscal year shall not revert but shall remain	

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1	available for expenditure for the purposes specified in this	
2	section for the following fiscal year.	
3	DIVISION IV	
4	APPROPRIATIONS — STANDING LIMITED	
5	Sec. 13. Section 261.25, subsections 1 and 2, Code 2022, are	
6	amended to read as follows:	

7 1. There is appropriated from the general fund of the state
8 to the commission for each fiscal year the sum of ~~forty eight~~
9 ~~million eight hundred ninety six thousand fifty~~ ~~fifty million~~
10 one hundred eighteen thousand four hundred fifty-one dollars
11 for tuition grants to qualified students who are enrolled in
12 accredited private institutions.
13 2. There is appropriated from the general fund of the state
14 to the commission for each fiscal year the sum of ~~four~~ ~~five~~
15 hundred ~~forty six thousand two hundred twenty~~ thousand dollars
16 for tuition grants for qualified students who are enrolled
17 in eligible institutions. Of the moneys appropriated under
18 this subsection, not more than one hundred thousand dollars
19 annually shall be used for tuition grants to qualified students
20 who are attending an eligible institution under section 261.9,
21 subsection 3, paragraph "b".

DIVISION V

STATE PROGRAM ALLOCATION

24 Sec. 14. Section 284.13, subsection 1, paragraphs a, b, c,
25 e, f, and g, Code 2022, are amended to read as follows:
26 a. For the fiscal year beginning July 1, ~~2021~~ 2022, and
27 ending June 30, ~~2022~~ 2023, to the department, the amount of
28 five hundred eight thousand two hundred fifty dollars for the
29 issuance of national board certification awards in accordance
30 with section 256.44. Of the amount allocated under this
31 paragraph, not less than eighty-five thousand dollars shall
32 be used to administer the ambassador to education position in
33 accordance with section 256.45.
34 b. For the fiscal year beginning July 1, ~~2021~~ 2022, and
35 ending June 30, ~~2022~~ 2023, up to seven hundred twenty-eight

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1 thousand two hundred sixteen dollars to the department for
2 purposes of implementing the professional development program
3 requirements of section 284.6, assistance in developing model
4 evidence for teacher quality committees established pursuant to
5 section 284.4, subsection 1, paragraph "b", and the evaluator
6 training program in section 284.10. A portion of the funds
7 allocated to the department for purposes of this paragraph may
8 be used by the department for administrative purposes and for
9 not more than four full-time equivalent positions.
10 c. For the fiscal year beginning July 1, ~~2021~~ 2022,
11 and ending June 30, ~~2022~~ 2023, an amount up to one million
12 seventy-seven thousand eight hundred ten dollars to the
13 department for the establishment of teacher development
14 academies in accordance with section 284.6, subsection 10. A
15 portion of the funds allocated to the department for purposes
16 of this paragraph may be used for administrative purposes.
17 e. For the fiscal year beginning July 1, ~~2021~~ 2022, and
18 ending June 30, ~~2022~~ 2023, to the department an amount up to
19 twenty-five thousand dollars for purposes of the fine arts
20 beginning teacher mentoring program established under section

21 256.34.

22 f. For the fiscal year beginning July 1, ~~2024~~ 2022, and
23 ending June 30, ~~2022~~ 2023, to the department an amount up
24 to six hundred twenty-six thousand one hundred ninety-one
25 dollars shall be used by the department for a delivery system,
26 in collaboration with area education agencies, to assist in
27 implementing the career paths and leadership roles considered
28 pursuant to sections 284.15, 284.16, and 284.17, including but
29 not limited to planning grants to school districts and area
30 education agencies, technical assistance for the department,
31 technical assistance for districts and area education agencies,
32 training and staff development, and the contracting of external
33 expertise and services. In using moneys allocated for purposes
34 of this paragraph, the department shall give priority to school
35 districts with certified enrollments of fewer than six hundred

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1 students. A portion of the moneys allocated annually to the
2 department for purposes of this paragraph may be used by the
3 department for administrative purposes and for not more than
4 five full-time equivalent positions.

5 g. For the fiscal year beginning July 1, ~~2022~~ 2023, and
6 for each subsequent fiscal year, to the department, ten
7 million dollars for purposes of implementing the supplemental
8 assistance for high-need schools provisions of section 284.11.
9 Annually, of the moneys allocated to the department for
10 purposes of this paragraph, up to one hundred thousand dollars
11 may be used by the department for administrative purposes and
12 for not more than one full-time equivalent position.

DIVISION VI

PROGRAMS FOR AT-RISK CHILDREN

15 Sec. 15. Section 279.51, Code 2022, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 3A. Notwithstanding section 8.33, moneys
18 appropriated in this section that remain unencumbered or
19 unobligated at the close of the fiscal year shall not revert
20 but shall remain available for expenditure for the purposes
21 designated.

22 Sec. 16. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

DIVISION VII

IOWA GEOLOGICAL SURVEY

26 Sec. 17. Section 456.5A, subsection 2, Code 2022, is amended
27 to read as follows:

28 2. Not later than January 10, 2022, and not later than
29 January 10 of each subsequent five-year period, the state
30 geologist shall publish a new long-range budget plan for
31 the next planning period. The long-range budget plan
32 shall describe how moneys appropriated, expected to ~~the~~
33 be appropriated, or otherwise available or expected to be

34 available to the Iowa geological survey for each fiscal year
35 of that planning period are to be expended in a manner that

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1 best allows the Iowa geological survey to exercise its powers
2 and carry out its duties or functions. The long-range budget
3 plan shall include any performance goals and measures required
4 by law or established by the state geologist. The state
5 geologist shall annually evaluate the Iowa geological survey's
6 progress in attaining those performance goals and shall revise
7 the long-term budget plan as the state geologist determines
8 necessary or desirable.

9 DIVISION VIII

10 THERAPEUTIC CLASSROOM INCENTIVE GRANT PROGRAM — APPLICATIONS
11 Sec. 18. Section 256.25, subsection 3, Code 2022, is amended
12 to read as follows:

13 3. The department shall develop a grant application
14 and selection and evaluation criteria. Selection criteria
15 shall include a method for prioritizing grant applications
16 submitted by school districts located in mental health and
17 disability services regions providing children's behavioral
18 health services in accordance with chapter 331, subchapter
19 III, part 6, with those proposing to serve the most students
20 given highest priority. First priority shall be given to
21 applications submitted by school districts that submitted
22 an application pursuant to this section for the previous
23 fiscal year. Second priority shall be given to applications
24 submitted by school districts that, pursuant to subsection
25 2, are collaborating and partnering with one or more school
26 districts, area education agencies, accredited nonpublic
27 schools, nonprofit agencies, or institutions that provide
28 mental health services for children. Third priority shall be
29 given to applications submitted by school districts located
30 in mental health and disability services regions providing
31 behavioral health services for children in accordance with
32 chapter 331, subchapter III, part 6. Grant awards shall be
33 distributed as equitably as possible among small, medium, and
34 large school districts. For purposes of this subsection, a
35 small school district is a district with an actual enrollment

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1 of fewer than six hundred pupils; a medium school district is a
2 district with an actual enrollment that is at least six hundred
3 pupils, but less than two thousand five hundred pupils; and a
4 large school district is a district with an actual enrollment
5 of two thousand five hundred or more pupils.

6 Sec. 19. APPLICABILITY. This division of this Act applies
7 to grant applications submitted pursuant to section 256.25 on
8 or after July 1, 2022.

9 DIVISION IX

10 CHARTER SCHOOL FUNDING

11 Sec. 20. Section 256E.8, subsection 2, paragraphs a, b, and
12 c, Code 2022, are amended to read as follows:
13 a. The ~~school district of residence shall pay to the~~
14 charter school in which the student is enrolled ~~in the manner~~
15 required under section 282.18, and pursuant to the timeline in
16 section 282.20, subsection 3, shall receive under paragraph
17 “c” an amount equal to the sum of the state cost per pupil
18 for the previous school year plus the teacher leadership
19 supplement state cost per pupil for the previous fiscal year
20 as provided in section 257.9 plus any moneys received ~~by the~~
21 school district of residence for the student as a result of the
22 non-English speaking weighting under section 280.4, subsection
23 3, for the previous school year multiplied by the state cost
24 per pupil for the previous year. If a student is an eligible
25 pupil under section 261E.6, the charter school shall pay the
26 tuition reimbursement amount to an eligible postsecondary
27 institution as provided in section 261E.7.
28 b. For a student requiring special education, the school
29 district of residence shall pay to the charter school, pursuant
30 to the timeline in section 282.20, subsection 3, the actual
31 costs incurred in providing the appropriate special education.
32 c. ~~For each student enrolled in the charter school who~~
33 ~~was not included in the actual enrollment of the district of~~
34 ~~residence under section 257.6, subsection 1, in the previous~~
35 school year, the The amount otherwise required to be paid to

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1 the charter school under paragraph “a” or “b” shall ~~instead~~ be
2 paid by the department to the charter school ~~for~~ during the
3 student’s initial year of enrollment school year for which the
4 student is enrolled in the charter school. The amount paid
5 to the charter school under this paragraph shall result in an
6 equal reduction to the school district of residence’s state aid
7 payment amount under chapter 257 for the school budget year
8 following the school year for which the payment to the charter
9 school is made, so long as the student was counted in the
10 district of residence’s actual enrollment in the school year
11 for which the student attended the charter school.

12 Sec. 21. Section 256E.8, subsection 4, Code 2022, is amended
13 to read as follows:
14 4. If necessary, and pursuant to rules adopted by the state
15 board, funding amounts required under this section for the
16 first school year of a new charter school shall be based on
17 enrollment estimates for the charter school included in the
18 charter school contract. The department shall adopt rules to
19 establish a process for determining estimated enrollments for
20 charter school funding purposes in school years after the first
21 school year of a charter school. Initial amounts Amounts paid
22 using estimated enrollments shall be reconciled during the
23 subsequent payment payments based on actual enrollment of the

24 charter school during ~~the first each~~ school year.

25 Sec. 22. EMERGENCY RULES. The department of education may
26 adopt emergency rules under section 17A.4, subsection 3, and
27 section 17A.5, subsection 2, paragraph "b", to implement the
28 provisions of this division of this Act and the rules shall
29 be effective immediately upon filing unless a later date is
30 specified in the rules. Any rules adopted in accordance with
31 this section shall also be published as a notice of intended
32 action as provided in section 17A.4.

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

35 2. Title page, by striking lines 5 and 6 and inserting

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1 <properly related matters, and including effective date and
2 applicability provisions.>

CHRIS COURNOYER

S-5155

1 Amend House File 2578, 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 DEPARTMENT ON AGING — FY 2022–2023
7 Section 1. DEPARTMENT ON AGING. There is appropriated from
8 the general fund of the state to the department on aging for
9 the fiscal year beginning July 1, 2022, and ending June 30,
10 2023, the following amount, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 For aging programs for the department on aging and area
13 agencies on aging to provide citizens of Iowa who are 60
14 years of age and older with case management, Iowa's aging and
15 disabilities resource center, and other services which may
16 include but are not limited to adult day, respite care, chore,
17 information and assistance, and material aid, for information
18 and options counseling for persons with disabilities who
19 are 18 years of age or older, and for salaries, support,
20 administration, maintenance, and miscellaneous purposes, and
21 for not more than the following full-time equivalent positions:

22	\$ 11,304,082
23	FTEs 27.00

24 1. Funds appropriated in this section may be used to
25 supplement federal funds under federal regulations. To
26 receive funds appropriated in this section, a local area
27 agency on aging shall match the funds with moneys from other
28 sources according to rules adopted by the department. Funds
29 appropriated in this section may be used for elderly services
30 not specifically enumerated in this section only if approved

31 by an area agency on aging for provision of the service within
32 the area.
33 2. Of the funds appropriated in this section, \$418,700 is
34 transferred to the economic development authority for the Iowa
35 commission on volunteer services to be used for the retired and

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1 senior volunteer program.
2 3. a. The department on aging shall establish and enforce
3 procedures relating to expenditure of state and federal funds
4 by area agencies on aging that require compliance with both
5 state and federal laws, rules, and regulations, including but
6 not limited to all of the following:
7 (1) Requiring that expenditures are incurred only for goods
8 or services received or performed prior to the end of the
9 fiscal period designated for use of the funds.
10 (2) Prohibiting prepayment for goods or services not
11 received or performed prior to the end of the fiscal period
12 designated for use of the funds.
13 (3) Prohibiting prepayment for goods or services not
14 defined specifically by good or service, time period, or
15 recipient.
16 (4) Prohibiting the establishment of accounts from which
17 future goods or services which are not defined specifically by
18 good or service, time period, or recipient, may be purchased.
19 b. The procedures shall provide that if any funds are
20 expended in a manner that is not in compliance with the
21 procedures and applicable federal and state laws, rules, and
22 regulations, and are subsequently subject to repayment, the
23 area agency on aging expending such funds in contravention of
24 such procedures, laws, rules and regulations, not the state,
25 shall be liable for such repayment.
26 4. Of the funds appropriated in this section, \$812,000 shall
27 be used for the purposes of chapter 231E and to administer
28 the prevention of elder abuse, neglect, and exploitation
29 program pursuant to section 231.56A, in accordance with the
30 requirements of the federal Older Americans Act of 1965, 42
31 U.S.C. §3001 et seq., as amended.
32 5. Of the funds appropriated in this section, \$1,000,000
33 shall be used to fund continuation of the aging and disability
34 resource center lifelong links to provide individuals and
35 caregivers with information and services to plan for and

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1 maintain independence.
2 6. Of the funds appropriated in this section, \$850,000
3 shall be used by the department on aging, in collaboration with
4 the department of human services and affected stakeholders,
5 to continue to expand the pilot initiative to provide
6 long-term care options counseling utilizing support planning

7 protocols, to assist non-Medicaid eligible consumers who
8 indicate a preference to return to the community and are
9 deemed appropriate for discharge, to return to their community
10 following a nursing facility stay; and shall be used by the
11 department on aging to fund home and community-based services
12 to enable older individuals to avoid more costly utilization
13 of residential or institutional services and remain in their
14 homes. The department on aging shall submit a report regarding
15 the outcomes of the pilot initiative to the governor and the
16 general assembly by December 15, 2022.

17 DIVISION II

18 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2022–2023

19 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
20 appropriated from the general fund of the state to the office
21 of long-term care ombudsman for the fiscal year beginning July
22 1, 2022, and ending June 30, 2023, the following amount, or
23 so much thereof as is necessary, to be used for the purposes
24 designated:

25 For salaries, support, administration, maintenance, and
26 miscellaneous purposes, and for not more than the following
27 full-time equivalent positions:

28	\$	1,149,821
29	FTEs	16.00

30 DIVISION III

31 DEPARTMENT OF PUBLIC HEALTH — FY 2022–2023

32 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
33 from the general fund of the state to the department of public
34 health for the fiscal year beginning July 1, 2022, and ending
35 June 30, 2023, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:

2 1. ADDICTIVE DISORDERS

3 For reducing the prevalence of the use of tobacco, alcohol,
4 and other drugs, and treating individuals affected by addictive
5 behaviors, including gambling, and for not more than the
6 following full-time equivalent positions:

7	\$	23,659,379
8	FTEs	12.00

9 a. (1) Of the funds appropriated in this subsection,
10 \$4,020,894 shall be used for the tobacco use prevention
11 and control initiative, including efforts at the state and
12 local levels, as provided in chapter 142A. The commission
13 on tobacco use prevention and control established pursuant
14 to section 142A.3 shall advise the director of public health
15 in prioritizing funding needs and the allocation of moneys
16 appropriated for the programs and initiatives. Activities
17 of the programs and initiatives shall be in alignment with
18 the United States centers for disease control and prevention
19 best practices for comprehensive tobacco control programs
20 that include the goals of preventing youth initiation of

21 tobacco usage, reducing exposure to secondhand smoke, and
22 promotion of tobacco cessation. To maximize resources,
23 the department shall determine if third-party sources are
24 available to instead provide nicotine replacement products
25 to an applicant prior to provision of such products to an
26 applicant under the initiative. The department shall track and
27 report to the governor and the general assembly any reduction
28 in the provision of nicotine replacement products realized
29 by the initiative through implementation of the prerequisite
30 screening.

31 (2) (a) The department shall collaborate with the
32 alcoholic beverages division of the department of commerce for
33 enforcement of tobacco laws, regulations, and ordinances and to
34 engage in tobacco control activities approved by the division
35 of tobacco use prevention and control of the department of

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1 public health as specified in the memorandum of understanding
2 entered into between the divisions.

3 (b) For the fiscal year beginning July 1, 2022, and ending
4 June 30, 2023, the terms of the memorandum of understanding,
5 entered into between the division of tobacco use prevention
6 and control of the department of public health and the
7 alcoholic beverages division of the department of commerce,
8 governing compliance checks conducted to ensure licensed retail
9 tobacco outlet conformity with tobacco laws, regulations, and
10 ordinances relating to persons under 21 years of age, shall
11 continue to restrict the number of such checks to one check per
12 retail outlet, and one additional check for any retail outlet
13 found to be in violation during the first check.

14 b. (1) Of the funds appropriated in this subsection,
15 \$19,638,485 shall be used for problem gambling and
16 substance-related disorder prevention, treatment, and recovery
17 services, including a 24-hour helpline, public information
18 resources, professional training, youth prevention, and program
19 evaluation.

20 (2) Of the amount allocated under this paragraph, \$306,000
21 shall be utilized by the department of public health, in
22 collaboration with the department of human services, to
23 maintain a single statewide 24-hour crisis hotline for the Iowa
24 children's behavioral health system that incorporates warmline
25 services which may be provided through expansion of existing
26 capabilities maintained by the department of public health as
27 required pursuant to 2018 Iowa Acts, chapter 1056, section 16.

28 c. The requirement of section 123.17, subsection 5, is met
29 by the appropriations and allocations made in this division of
30 this Act for purposes of substance-related disorder treatment
31 and addictive disorders for the fiscal year beginning July 1,
32 2022.

33 2. HEALTHY CHILDREN AND FAMILIES

34 For promoting the optimum health status for children and
35 adolescents from birth through 21 years of age, and families,

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1 and for not more than the following full-time equivalent
2 positions:
3 \$ 5,816,681
4 FTEs 14.00
5 a. Of the funds appropriated in this subsection, not more
6 than \$734,000 shall be used for the healthy opportunities for
7 parents to experience success (HOPES)-healthy families Iowa
8 (HFI) program established pursuant to section 135.106.
9 b. In order to implement the legislative intent stated
10 in sections 135.106 and 256I.9, priority for home visitation
11 program funding shall be given to programs using evidence-based
12 or promising models for home visitation.
13 c. Of the funds appropriated in this subsection, \$3,075,000
14 shall be used for continuation of the department's initiative
15 to provide for adequate developmental surveillance and
16 screening during a child's first five years. The funds shall
17 be used first to fully fund the current sites to ensure that
18 the sites are fully operational, with the remaining funds
19 to be used for expansion to additional sites. The full
20 implementation and expansion shall include enhancing the scope
21 of the initiative through collaboration with the child health
22 specialty clinics to promote healthy child development through
23 early identification and response to both biomedical and social
24 determinants of healthy development; by monitoring child
25 health metrics to inform practice, document long-term health
26 impacts and savings, and provide for continuous improvement
27 through training, education, and evaluation; and by providing
28 for practitioner consultation particularly for children with
29 behavioral conditions and needs. The department of public
30 health shall also collaborate with the Iowa Medicaid enterprise
31 and the child health specialty clinics to integrate the
32 activities of the first five initiative into the establishment
33 of patient-centered medical homes, community utilities,
34 accountable care organizations, and other integrated care
35 models developed to improve health quality and population

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1 health while reducing health care costs. To the maximum extent
2 possible, funding allocated in this paragraph shall be utilized
3 as matching funds for medical assistance program reimbursement.
4 d. Of the funds appropriated in this subsection, \$64,000
5 shall be distributed to a statewide dental carrier to provide
6 funds to continue the donated dental services program patterned
7 after the projects developed by the dental lifeline network to
8 provide dental services to indigent individuals who are elderly
9 or with disabilities.

10 e. Of the funds appropriated in this subsection, \$156,000
11 shall be used to provide audiological services and hearing aids
12 for children.

13 f. Of the funds appropriated in this subsection, \$23,000 is
14 transferred to the university of Iowa college of dentistry for
15 provision of primary dental services to children. State funds
16 shall be matched on a dollar-for-dollar basis. The university
17 of Iowa college of dentistry shall coordinate efforts with the
18 department of public health, oral and health delivery system
19 bureau, to provide dental care to underserved populations
20 throughout the state.

21 g. Of the funds appropriated in this subsection, \$50,000
22 shall be used to address youth suicide prevention.

23 h. Of the funds appropriated in this subsection, \$40,000
24 shall be used to support the Iowa effort to address the survey
25 of children who experience adverse childhood experiences known
26 as ACEs.

27 i. Of the funds appropriated in this subsection, up to
28 \$494,000 shall be used for childhood obesity prevention.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not more than
32 the following full-time equivalent positions:

33	\$	4,258,373
34	FTEs	10.00

35 a. Of the funds appropriated in this subsection, \$188,000

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1 shall be used for grants to individual patients who have an
2 inherited metabolic disorder to assist with the costs of
3 medically necessary foods and formula.

4 b. Of the funds appropriated in this subsection, \$1,055,000
5 shall be used for the brain injury services program pursuant
6 to section 135.22B, including \$861,000 for contracting with an
7 existing nationally affiliated and statewide organization whose
8 purpose is to educate, serve, and support Iowans with brain
9 injury and their families, for resource facilitator services
10 in accordance with section 135.22B, subsection 9, and for
11 contracting to enhance brain injury training and recruitment
12 of service providers on a statewide basis. Of the amount
13 allocated in this paragraph, \$95,000 shall be used to fund
14 1.00 full-time equivalent position to serve as the state brain
15 injury services program manager.

16 c. Of the funds appropriated in this subsection, \$144,000
17 shall be used for the public purpose of continuing to contract
18 with an existing nationally affiliated organization to provide
19 education, client-centered programs, and client and family
20 support for people living with epilepsy and their families.
21 The amount allocated in this paragraph in excess of \$50,000
22 shall be matched dollar-for-dollar by the organization
23 specified. Funds allocated under this paragraph shall be

24 distributed in their entirety for the purpose specified on July
25 1, 2022.
26 d. Of the funds appropriated in this subsection, \$809,000
27 shall be used for child health specialty clinics.
28 e. Of the funds appropriated in this subsection, \$384,000
29 shall be used by the regional autism assistance program
30 established pursuant to section 256.35, and administered by
31 the child health specialty clinic located at the university of
32 Iowa hospitals and clinics. The funds shall be used to enhance
33 interagency collaboration and coordination of educational,
34 medical, and other human services for persons with autism,
35 their families, and providers of services, including delivering

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1 regionalized services of care coordination, family navigation,
2 and integration of services through the statewide system of
3 regional child health specialty clinics and fulfilling other
4 requirements as specified in chapter 225D. The university of
5 Iowa shall not receive funds allocated under this paragraph for
6 indirect costs associated with the regional autism assistance
7 program.
8 f. Of the funds appropriated in this subsection, \$577,000
9 shall be used for the comprehensive cancer control program to
10 reduce the burden of cancer in Iowa through prevention, early
11 detection, effective treatment, and ensuring quality of life.
12 Of the funds allocated in this paragraph "f", \$150,000 shall
13 be used to support a melanoma research symposium, a melanoma
14 biorepository and registry, basic and translational melanoma
15 research, and clinical trials.
16 g. Of the funds appropriated in this subsection, \$97,000
17 shall be used for cervical and colon cancer screening, and
18 \$177,000 shall be used to enhance the capacity of the cervical
19 cancer screening program to include provision of recommended
20 prevention and early detection measures to a broader range of
21 low-income women.
22 h. Of the funds appropriated in this subsection, \$506,000
23 shall be used for the center for congenital and inherited
24 disorders.

25 4. COMMUNITY CAPACITY

26 For strengthening the health care delivery system at the
27 local level, and for not more than the following full-time
28 equivalent positions:

29	\$	6,519,306
30	FTEs	13.00

31 a. Of the funds appropriated in this subsection, \$95,000
32 is allocated for continuation of the child vision screening
33 program implemented through the university of Iowa hospitals
34 and clinics in collaboration with early childhood Iowa areas.
35 The program shall submit a report to the department regarding

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1 the use of funds allocated under this paragraph "a". The
2 report shall include the objectives and results for the
3 program year including the target population and how the funds
4 allocated assisted the program in meeting the objectives; the
5 number, age, and location within the state of individuals
6 served; the type of services provided to the individuals
7 served; the distribution of funds based on service provided;
8 and the continuing needs of the program.
9 b. Of the funds appropriated in this subsection,
10 \$48,000 shall be used for a grant to a statewide association
11 of psychologists, that is affiliated with the American
12 psychological association, to be used for continuation of a
13 program to rotate intern psychologists in placements that
14 serve urban and rural mental health professional shortage
15 areas. Once an intern psychologist begins service, the intern
16 psychologist may continue serving in the location of the intern
17 psychologist's placement, notwithstanding any change in the
18 mental health professional shortage area designation of such
19 location. The intern psychologist may also provide services
20 via telehealth, to underserved populations, and to Medicaid
21 members. For the purposes of this paragraph "b", "mental
22 health professional shortage area" means a geographic area
23 in this state that has been designated by the United States
24 department of health and human services, health resources and
25 services administration, bureau of health professionals, as
26 having a shortage of mental health professionals.
27 c. Of the funds appropriated in this subsection, the
28 following amounts are allocated to be used as follows
29 to support the goals of increased access, health system
30 integration, and engagement:
31 (1) Not less than \$600,000 is allocated to the Iowa
32 prescription drug corporation for continuation of the
33 pharmaceutical infrastructure for safety net providers as
34 described in 2007 Iowa Acts, chapter 218, section 108, and for
35 the prescription drug donation repository program created in

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1 chapter 135M. Funds allocated under this subparagraph shall
2 be distributed in their entirety for the purpose specified on
3 July 1, 2022.
4 (2) Not less than \$334,000 is allocated to free clinics and
5 free clinics of Iowa for necessary infrastructure, statewide
6 coordination, provider recruitment, service delivery, and
7 provision of assistance to patients in securing a medical home
8 inclusive of oral health care. Funds allocated under this
9 subparagraph shall be distributed in their entirety for the
10 purpose specified on July 1, 2022.
11 (3) Not less than \$25,000 is allocated to the Iowa
12 association of rural health clinics for necessary

13 infrastructure and service delivery transformation. Funds
14 allocated under this subparagraph shall be distributed in their
15 entirety for the purpose specified on July 1, 2022.

16 (4) Not less than \$225,000 is allocated to the Polk county
17 medical society for continuation of the safety net provider
18 patient access to specialty health care initiative as described
19 in 2007 Iowa Acts, chapter 218, section 109. Funds allocated
20 under this subparagraph shall be distributed in their entirety
21 for the purpose specified on July 1, 2022.

22 d. Of the funds appropriated in this subsection, \$191,000
23 is allocated for the purposes of health care and public health
24 workforce initiatives.

25 e. Of the funds appropriated in this subsection, \$96,000
26 shall be used for a matching dental education loan repayment
27 program to be allocated to a dental nonprofit health service
28 corporation to continue to develop the criteria and implement
29 the loan repayment program.

30 f. Of the funds appropriated in this subsection, \$100,000
31 shall be used for the purposes of the Iowa donor registry as
32 specified in section 142C.18.

33 g. Of the funds appropriated in this subsection, \$96,000
34 shall be used for continuation of a grant to a nationally
35 affiliated volunteer eye organization that has an established

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1 program for children and adults and that is solely dedicated to
2 preserving sight and preventing blindness through education,
3 nationally certified vision screening and training, and
4 community and patient service programs. The contractor shall
5 submit a report to the general assembly regarding the use
6 of funds allocated under this paragraph "g". The report
7 shall include the objectives and results for the program year
8 including the target population and how the funds allocated
9 assisted the program in meeting the objectives; the number,
10 age, grade level if appropriate, and location within the state
11 of individuals served; the type of services provided to the
12 individuals served; the distribution of funds based on services
13 provided; and the continuing needs of the program.

14 h. Of the funds appropriated in this subsection, \$2,100,000
15 shall be deposited in the medical residency training account
16 created in section 135.175, subsection 5, paragraph "a", and
17 is appropriated from the account to the department of public
18 health to be used for the purposes of the medical residency
19 training state matching grants program as specified in section
20 135.176.

21 i. Of the funds appropriated in this subsection, \$250,000
22 shall be used for the public purpose of providing funding to
23 Des Moines university to continue a provider education project
24 to provide primary care physicians with the training and skills
25 necessary to recognize the signs of mental illness in patients.

26 j. Of the funds appropriated in this subsection, \$800,000

27 shall be used for rural psychiatric residencies to support the
28 annual creation and training of six psychiatric residents who
29 will provide mental health services in underserved areas of
30 the state. Notwithstanding section 8.33, moneys that remain
31 unencumbered or unobligated at the close of the fiscal year
32 shall not revert but shall remain available for expenditure for
33 the purposes designated for subsequent fiscal years.
34 k. Of the funds appropriated in this subsection, \$150,000
35 shall be used for psychiatric training to increase access to

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1 mental health care services by expanding the mental health
2 workforce via training of additional physician assistants and
3 nurse practitioners.
4 1. Of the funds appropriated in this subsection, \$425,000
5 shall be used for the creation or continuation of a center of
6 excellence program to encourage innovation and collaboration
7 among regional health care providers in a rural area based
8 upon the results of a regional community needs assessment to
9 transform health care delivery in order to provide quality,
10 sustainable care that meets the needs of the local communities.
11 An applicant for the funds shall specify how the funds will
12 be expended to accomplish the goals of the program and shall
13 provide a detailed five-year sustainability plan prior to
14 being awarded any funding. Following the receipt of funding,
15 a recipient shall submit periodic reports as specified by the
16 department to the governor and the general assembly regarding
17 the recipient's expenditure of the funds and progress in
18 accomplishing the program goals.

19 5. ESSENTIAL PUBLIC HEALTH SERVICES

20 To provide public health services that reduce risks and
21 invest in promoting and protecting good health over the
22 course of a lifetime with a priority given to older Iowans and
23 vulnerable populations:

24 \$ 7,662,464

25 6. INFECTIOUS DISEASES

26 For reducing the incidence and prevalence of communicable
27 diseases, and for not more than the following full-time
28 equivalent positions:

29 \$ 1,796,206

30 FTEs 6.00

31 7. PUBLIC PROTECTION

32 For protecting the health and safety of the public through
33 establishing standards and enforcing regulations, and for not
34 more than the following full-time equivalent positions:

35 \$ 4,466,601

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1 FTEs 142.00
2 a. Of the funds appropriated in this subsection, not more

3 than \$304,000 shall be credited to the emergency medical
4 services fund created in section 135.25. Moneys in the
5 emergency medical services fund are appropriated to the
6 department to be used for the purposes of the fund.
7 b. Of the funds appropriated in this subsection, up
8 to \$243,000 shall be used for sexual violence prevention
9 programming through a statewide organization representing
10 programs serving victims of sexual violence through the
11 department's sexual violence prevention program, and for
12 continuation of a training program for sexual assault
13 response team (SART) members, including representatives of
14 law enforcement, victim advocates, prosecutors, and certified
15 medical personnel. The amount allocated in this paragraph "b"
16 shall not be used to supplant funding administered for other
17 sexual violence prevention or victims assistance programs.
18 c. Of the funds appropriated in this subsection, up to
19 \$500,000 shall be used for the state poison control center.
20 Pursuant to the directive under 2014 Iowa Acts, chapter
21 1140, section 102, the federal matching funds available to
22 the state poison control center from the department of human
23 services under the federal Children's Health Insurance Program
24 Reauthorization Act allotment shall be subject to the federal
25 administrative cap rule of 10 percent applicable to funding
26 provided under Tit. XXI of the federal Social Security Act and
27 included within the department's calculations of the cap.
28 d. Of the funds appropriated in this subsection, up to
29 \$504,000 shall be used for childhood lead poisoning provisions.

30 8. RESOURCE MANAGEMENT

31 For establishing and sustaining the overall ability of the
32 department to deliver services to the public, and for not more
33 than the following full-time equivalent positions:

34	\$	933,871
35	FTEs	4.00

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1 9. MISCELLANEOUS PROVISIONS

2 The university of Iowa hospitals and clinics under the
3 control of the state board of regents shall not receive
4 indirect costs from the funds appropriated in this section.
5 The university of Iowa hospitals and clinics billings to the
6 department shall be on at least a quarterly basis.

7 Sec. 4. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING
8 RECEIPTS FUND. There is appropriated from the sports wagering
9 receipts fund created in section 8.57, subsection 6, to the
10 department of public health for the fiscal year beginning July
11 1, 2022, and ending June 30, 2023, the following amount, or
12 so much thereof as is necessary, to be used for the purposes
13 designated:

14 For problem gambling and substance-related disorder
15 prevention, treatment, and recovery services, including a
16 24-hour helpline, public information resources, professional

17 training, youth prevention, and program evaluation: \$ 1,750,000
 18
 19 DIVISION IV
 20 DEPARTMENT OF VETERANS AFFAIRS — FY 2022–2023
 21 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
 22 appropriated from the general fund of the state to the
 23 department of veterans affairs for the fiscal year beginning
 24 July 1, 2022, and ending June 30, 2023, the following amounts,
 25 or so much thereof as is necessary, to be used for the purposes
 26 designated:
 27 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
 28 For salaries, support, maintenance, and miscellaneous
 29 purposes, and for not more than the following full-time
 30 equivalent positions: \$ 1,229,763
 31
 32 FTEs 15.00
 33 2. IOWA VETERANS HOME
 34 For salaries, support, maintenance, and miscellaneous
 35 purposes:

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1 \$ 7,131,552
 2 a. The Iowa veterans home billings involving the department
 3 of human services shall be submitted to the department on at
 4 least a monthly basis.
 5 b. The Iowa veterans home expenditure report shall be
 6 submitted monthly to the general assembly.
 7 c. The Iowa veterans home shall continue to include in the
 8 annual discharge report applicant information to provide for
 9 the collection of demographic information including but not
 10 limited to the number of individuals applying for admission and
 11 admitted or denied admittance and the basis for the admission
 12 or denial; the age, gender, and race of such individuals;
 13 and the level of care for which such individuals applied for
 14 admission including residential or nursing level of care.
 15 3. HOME OWNERSHIP ASSISTANCE PROGRAM
 16 For transfer to the Iowa finance authority for the
 17 continuation of the home ownership assistance program for
 18 persons who are or were eligible members of the armed forces of
 19 the United States, pursuant to section 16.54: \$ 2,000,000
 20
 21 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
 22 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
 23 appropriation in section 35A.16 for the fiscal year beginning
 24 July 1, 2022, and ending June 30, 2023, the amount appropriated
 25 from the general fund of the state pursuant to that section
 26 for the following designated purposes shall not exceed the
 27 following amount:
 28 For the county commissions of veteran affairs fund under
 29 section 35A.16: \$ 990,000
 30

DIVISION V

31 DEPARTMENT OF HUMAN SERVICES — FY 2022–2023
32 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
33 GRANT. There is appropriated from the fund created in section
34 8.41 to the department of human services for the fiscal year

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1 beginning July 1, 2022, and ending June 30, 2023, from moneys
2 received under the federal temporary assistance for needy
3 families (TANF) block grant pursuant to the federal Personal
4 Responsibility and Work Opportunity Reconciliation Act of 1996,
5 Pub. L. No. 104-193, and successor legislation, the following
6 amounts, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. To be credited to the family investment program account
9 and used for assistance under the family investment program
10 under chapter 239B:

11 \$ 5,002,006

12 2. To be credited to the family investment program account
13 and used for the job opportunities and basic skills (JOBS)
14 program and implementing family investment agreements in
15 accordance with chapter 239B:

16 \$ 5,412,060

17 3. To be used for the family development and
18 self-sufficiency grant program in accordance with section
19 216A.107:

20 \$ 2,888,980

21 Notwithstanding section 8.33, moneys appropriated in this
22 subsection that remain unencumbered or unobligated at the close
23 of the fiscal year shall not revert but shall remain available
24 for expenditure for the purposes designated until the close of
25 the succeeding fiscal year. However, unless such moneys are
26 encumbered or obligated on or before September 30, 2023, the
27 moneys shall revert.

28 4. For field operations:

29 \$ 31,296,232

30 5. For general administration:

31 \$ 3,744,000

32 6. For state child care assistance:

33 \$ 47,166,826

34 a. Of the funds appropriated in this subsection,

35 \$26,205,412 is transferred to the child care and development

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1 block grant appropriation made by the Eighty-ninth General
2 Assembly, 2022 session, for the federal fiscal year beginning
3 October 1, 2022, and ending September 30, 2023. Of this
4 amount, \$200,000 shall be used for provision of educational
5 opportunities to registered child care home providers in order
6 to improve services and programs offered by this category

7 of providers and to increase the number of providers. The
8 department may contract with institutions of higher education
9 or child care resource and referral centers to provide
10 the educational opportunities. Allowable administrative
11 costs under the contracts shall not exceed 5 percent. The
12 application for a grant shall not exceed two pages in length.
13 b. Any funds appropriated in this subsection remaining
14 unallocated shall be used for state child care assistance
15 payments for families who are employed including but not
16 limited to individuals enrolled in the family investment
17 program.

18 7. For child and family services:

19 \$ 32,380,654

20 8. For child abuse prevention grants:

21 \$ 125,000

22 9. For pregnancy prevention grants on the condition that
23 family planning services are funded:

24 \$ 1,913,203

25 Pregnancy prevention grants shall be awarded to programs
26 in existence on or before July 1, 2022, if the programs have
27 demonstrated positive outcomes. Grants shall be awarded to
28 pregnancy prevention programs which are developed after July
29 1, 2022, if the programs are based on existing models that
30 have demonstrated positive outcomes. Grants shall comply with
31 the requirements provided in 1997 Iowa Acts, chapter 208,
32 section 14, subsections 1 and 2, including the requirement that
33 grant programs must emphasize sexual abstinence. Priority in
34 the awarding of grants shall be given to programs that serve
35 areas of the state which demonstrate the highest percentage of

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1 unplanned pregnancies of females of childbearing age within the
2 geographic area to be served by the grant.

3 10. For technology needs and other resources necessary to
4 meet federal and state reporting, tracking, and case management
5 requirements and other departmental needs:

6 \$ 1,037,186

7 11. a. Notwithstanding any provision to the contrary,
8 including but not limited to requirements in section 8.41 or
9 provisions in 2021 Iowa Acts or 2022 Iowa Acts regarding the
10 receipt and appropriation of federal block grants, federal
11 funds from the temporary assistance for needy families block
12 grant received by the state and not otherwise appropriated
13 in this section and remaining available for the fiscal year
14 beginning July 1, 2022, are appropriated to the department of
15 human services to the extent as may be necessary to be used in
16 the following priority order: the family investment program,
17 for state child care assistance program payments for families
18 who are employed, and for the family investment program share
19 of system costs for eligibility determination and related
20 functions. The federal funds appropriated in this paragraph

21 "a" shall be expended only after all other funds appropriated
22 in subsection 1 for assistance under the family investment
23 program, in subsection 6 for state child care assistance, or
24 in subsection 10 for technology needs and other resources
25 necessary to meet departmental needs, as applicable, have been
26 expended. For the purposes of this subsection, the funds
27 appropriated in subsection 6, paragraph "a", for transfer
28 to the child care and development block grant appropriation
29 are considered fully expended when the full amount has been
30 transferred.

31 b. The department shall, on a quarterly basis, advise the
32 general assembly and department of management of the amount of
33 funds appropriated in this subsection that was expended in the
34 prior quarter.

35 12. Of the amounts appropriated in this section,

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1 \$12,962,008 for the fiscal year beginning July 1, 2022, is
2 transferred to the appropriation of the federal social services
3 block grant made to the department of human services for that
4 fiscal year.

5 13. For continuation of the program providing categorical
6 eligibility for the supplemental nutrition assistance program
7 (SNAP) as specified for the program in the section of this
8 division of this Act relating to the family investment program
9 account:

10 \$ 14,236

11 14. The department may transfer funds allocated in this
12 section to the appropriations made in this division of this Act
13 for the same fiscal year for general administration and field
14 operations for resources necessary to implement and operate the
15 services referred to in this section and those funded in the
16 appropriation made in this division of this Act for the same
17 fiscal year for the family investment program from the general
18 fund of the state.

19 15. With the exception of moneys allocated under this
20 section for the family development and self-sufficiency grant
21 program, to the extent moneys allocated in this section are
22 deemed by the department not to be necessary to support the
23 purposes for which they are allocated, such moneys may be used
24 in the same fiscal year for any other purpose for which funds
25 are allocated in this section or in section 8 of this division
26 of this Act for the family investment program account. If
27 there are conflicting needs, priority shall first be given
28 to the family investment program account as specified under
29 subsection 1 of this section and used for the purposes of
30 assistance under the family investment program in accordance
31 with chapter 239B, followed by state child care assistance
32 program payments for families who are employed, followed by
33 other priorities as specified by the department.

34 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
35 1. Moneys credited to the family investment program (FIP)

Page 21

1 account for the fiscal year beginning July 1, 2022, and
2 ending June 30, 2023, shall be used to provide assistance in
3 accordance with chapter 239B.
4 2. The department may use a portion of the moneys credited
5 to the FIP account under this section as necessary for
6 salaries, support, maintenance, and miscellaneous purposes,
7 including administrative and information technology costs
8 associated with rent reimbursement and other income assistance
9 programs administered by the department.

10 3. The department may transfer funds allocated in
11 subsection 4, excluding the allocation under subsection 4,
12 paragraph "b", to the appropriations made in this division of
13 this Act for the same fiscal year for general administration
14 and field operations for resources necessary to implement
15 and operate the services referred to in this section and
16 those funded in the appropriations made in section 7 for the
17 temporary assistance for needy families block grant and in
18 section 9 for the family investment program from the general
19 fund of the state in this division of this Act for the same
20 fiscal year.

21 4. Moneys appropriated in this division of this Act and
22 credited to the FIP account for the fiscal year beginning July
23 1, 2022, and ending June 30, 2023, are allocated as follows:

24 a. To be retained by the department of human services to
25 be used for coordinating with the department of human rights
26 to more effectively serve participants in FIP and other shared
27 clients and to meet federal reporting requirements under the
28 federal temporary assistance for needy families block grant:

29	\$	10,000
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30 b. To the department of human rights for staffing,
31 administration, and implementation of the family development
32 and self-sufficiency grant program in accordance with section
33 216A.107:

34	\$	7,192,834
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35 (1) Of the funds allocated for the family development

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1 and self-sufficiency grant program in this paragraph "b",
2 not more than 5 percent of the funds shall be used for the
3 administration of the grant program.
4 (2) The department of human rights may continue to implement
5 the family development and self-sufficiency grant program
6 statewide during fiscal year 2022-2023.
7 (3) The department of human rights may engage in activities
8 to strengthen and improve family outcomes measures and
9 data collection systems under the family development and

10 self-sufficiency grant program.

11 c. For the diversion subaccount of the FIP account:

12 \$ 1,293,000

13 A portion of the moneys allocated for the diversion

14 subaccount may be used for field operations, salaries, data

15 management system development, and implementation costs and

16 support deemed necessary by the director of human services

17 in order to administer the FIP diversion program. To the

18 extent moneys allocated in this paragraph "c" are deemed by the

19 department not to be necessary to support diversion activities,

20 such moneys may be used for other efforts intended to increase

21 engagement by family investment program participants in work,

22 education, or training activities, or for the purposes of

23 assistance under the family investment program in accordance

24 with chapter 239B.

25 d. For the SNAP employment and training program:

26 \$ 66,588

27 (1) The department shall apply the federal SNAP employment

28 and training state plan in order to maximize to the fullest

29 extent permitted by federal law the use of the 50 percent

30 federal reimbursement provisions for the claiming of allowable

31 federal reimbursement funds from the United States department

32 of agriculture pursuant to the federal SNAP employment and

33 training program for providing education, employment, and

34 training services for eligible SNAP participants, including

35 but not limited to related dependent care and transportation

Page 23

1 expenses.

2 (2) The department shall continue the categorical

3 federal SNAP eligibility at 160 percent of the federal

4 poverty level and continue to eliminate the asset test from

5 eligibility requirements, consistent with federal SNAP program

6 requirements. The department shall include as many SNAP

7 households as is allowed by federal law. The eligibility

8 provisions shall conform to all federal requirements including

9 requirements addressing individuals who are disqualified for

10 committing an intentional program violation or are otherwise

11 ineligible.

12 e. For the JOBS program, not more than:

13 \$ 12,018,258

14 5. Of the child support collections assigned under FIP,

15 an amount equal to the federal share of support collections

16 shall be credited to the child support recovery appropriation

17 made in this division of this Act. Of the remainder of the

18 assigned child support collections received by the child

19 support recovery unit, a portion shall be credited to the FIP

20 account, a portion may be used to increase recoveries, and a

21 portion may be used to sustain cash flow in the child support

22 payments account. If as a consequence of the appropriations

23 and allocations made in this section the resulting amounts

24 are insufficient to sustain cash assistance payments and meet
25 federal maintenance of effort requirements, the department
26 shall seek supplemental funding. If child support collections
27 assigned under FIP are greater than estimated or are otherwise
28 determined not to be required for maintenance of effort, the
29 state share of either amount may be transferred to or retained
30 in the child support payments account.

31 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
32 is appropriated from the general fund of the state to the
33 department of human services for the fiscal year beginning July
34 1, 2022, and ending June 30, 2023, the following amount, or
35 so much thereof as is necessary, to be used for the purpose

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1 designated:
2 To be credited to the family investment program (FIP)
3 account and used for family investment program assistance
4 under chapter 239B and other costs associated with providing
5 needs-based benefits or assistance:
6 \$ 41,003,978
7 1. Of the funds appropriated in this section, \$6,606,198 is
8 allocated for the JOBS program.
9 2. Of the funds appropriated in this section, \$4,313,854 is
10 allocated for the family development and self-sufficiency grant
11 program.
12 3. a. Notwithstanding section 8.39, for the fiscal
13 year beginning July 1, 2022, if necessary to meet federal
14 maintenance of effort requirements or to transfer federal
15 temporary assistance for needy families block grant funding
16 to be used for purposes of the federal social services block
17 grant or to meet cash flow needs resulting from delays in
18 receiving federal funding or to implement, in accordance with
19 this division of this Act, activities currently funded with
20 juvenile court services, county, or community moneys and state
21 moneys used in combination with such moneys; to comply with
22 federal requirements; or to maximize the use of federal funds;
23 the department of human services may transfer funds within or
24 between any of the appropriations made in this division of this
25 Act and appropriations in law for the federal social services
26 block grant to the department for the following purposes,
27 provided that the combined amount of state and federal
28 temporary assistance for needy families block grant funding
29 for each appropriation remains the same before and after the
30 transfer:
31 (1) For the family investment program.
32 (2) For state child care assistance.
33 (3) For child and family services.
34 (4) For field operations.
35 (5) For general administration.

Page 25

1 b. This subsection shall not be construed to prohibit the
2 use of existing state transfer authority for other purposes.
3 The department shall report any transfers made pursuant to this
4 subsection to the general assembly.
5 4. Of the funds appropriated in this section, \$195,000
6 shall be used for a contract for tax preparation assistance
7 to low-income Iowans to expand the usage of the earned income
8 tax credit. The purpose of the contract is to supply this
9 assistance to underserved areas of the state. The department
10 shall not retain any portion of the allocation under this
11 subsection for administrative costs.
12 5. Of the funds appropriated in this section, \$70,000 shall
13 be used for the continuation of the parenting program, as
14 specified in 441 IAC ch. 100, relating to parental obligations,
15 in which the child support recovery unit participates, to
16 support the efforts of a nonprofit organization committed to
17 strengthening the community through youth development, healthy
18 living, and social responsibility headquartered in a county
19 with a population over 450,000 according to the 2020 certified
20 federal census. The funds allocated in this subsection shall
21 be used by the recipient organization to develop a larger
22 community effort, through public and private partnerships, to
23 support a broad-based multi-county parenthood initiative that
24 promotes payment of child support obligations, improved family
25 relationships, and full-time employment.
26 6. The department may transfer funds appropriated in this
27 section, excluding the allocation in subsection 2 for the
28 family development and self-sufficiency grant program, to the
29 appropriations made in this division of this Act for general
30 administration and field operations as necessary to administer
31 this section, section 7 for the temporary assistance for needy
32 families block grant, and section 8 for the family investment
33 program account.
34 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
35 from the general fund of the state to the department of human

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1 services for the fiscal year beginning July 1, 2022, and ending
2 June 30, 2023, the following amount, or so much thereof as is
3 necessary, to be used for the purposes designated:
4 For child support recovery, including salaries, support,
5 maintenance, and miscellaneous purposes, and for not more than
6 the following full-time equivalent positions:
7 \$ 15,942,885
8 FTEs 459.00
9 1. The department shall expend up to \$24,000, including
10 federal financial participation, for the fiscal year beginning
11 July 1, 2022, for a child support public awareness campaign.
12 The department and the office of the attorney general shall

13 cooperate in continuation of the campaign. The public
14 awareness campaign shall emphasize, through a variety of
15 media activities, the importance of maximum involvement of
16 both parents in the lives of their children as well as the
17 importance of payment of child support obligations.

18 2. Federal access and visitation grant moneys shall be
19 issued directly to private not-for-profit agencies that provide
20 services designed to increase compliance with the child access
21 provisions of court orders, including but not limited to
22 neutral visitation sites and mediation services.

23 3. The appropriation made to the department for child
24 support recovery may be used throughout the fiscal year in the
25 manner necessary for purposes of cash flow management, and for
26 cash flow management purposes the department may temporarily
27 draw more than the amount appropriated, provided the amount
28 appropriated is not exceeded at the close of the fiscal year.

29 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
30 FY 2022–2023. Any funds remaining in the health care trust
31 fund created in section 453A.35A for the fiscal year beginning
32 July 1, 2022, and ending June 30, 2023, are appropriated to
33 the department of human services to supplement the medical
34 assistance program appropriations made in this division of this
35 Act, for medical assistance reimbursement and associated costs,

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1 including program administration and costs associated with
2 program implementation.

3 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
4 2022–2023. Any funds remaining in the Medicaid fraud fund
5 created in section 249A.50 for the fiscal year beginning
6 July 1, 2022, and ending June 30, 2023, are appropriated to
7 the department of human services to supplement the medical
8 assistance appropriations made in this division of this Act,
9 for medical assistance reimbursement and associated costs,
10 including program administration and costs associated with
11 program implementation.

12 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the
13 general fund of the state to the department of human services
14 for the fiscal year beginning July 1, 2022, and ending June 30,
15 2023, the following amount, or so much thereof as is necessary,
16 to be used for the purpose designated:

17 For medical assistance program reimbursement and associated
18 costs as specifically provided in the reimbursement
19 methodologies in effect on June 30, 2022, except as otherwise
20 expressly authorized by law, consistent with options under
21 federal law and regulations, and contingent upon receipt of
22 approval from the office of the governor of reimbursement for
23 each abortion performed under the program:

24 \$ 1,510,127,388
25 1. Iowans support reducing the number of abortions
26 performed in our state. Funds appropriated under this section

27 shall not be used for abortions, unless otherwise authorized
28 under this section.
29 2. The provisions of this section relating to abortions
30 shall also apply to the Iowa health and wellness plan created
31 pursuant to chapter 249N.
32 3. The department shall utilize not more than \$60,000 of
33 the funds appropriated in this section to continue the AIDS/HIV
34 health insurance premium payment program as established in 1992
35 Iowa Acts, Second Extraordinary Session, chapter 1001, section

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1 409, subsection 6. Of the funds allocated in this subsection,
2 not more than \$5,000 may be expended for administrative
3 purposes.
4 4. Of the funds appropriated in this Act to the department
5 of public health for addictive disorders, \$950,000 for
6 the fiscal year beginning July 1, 2022, is transferred
7 to the department of human services for an integrated
8 substance-related disorder managed care system. The
9 departments of human services and public health shall
10 work together to maintain the level of mental health and
11 substance-related disorder treatment services provided by the
12 managed care contractors. Each department shall take the steps
13 necessary to continue the federal waivers as necessary to
14 maintain the level of services.
15 5. The department shall aggressively pursue options for
16 providing medical assistance or other assistance to individuals
17 with special needs who become ineligible to continue receiving
18 services under the early and periodic screening, diagnostic,
19 and treatment program under the medical assistance program
20 due to becoming 21 years of age who have been approved for
21 additional assistance through the department's exception to
22 policy provisions, but who have health care needs in excess
23 of the funding available through the exception to policy
24 provisions.
25 6. Of the funds appropriated in this section, up to
26 \$3,050,082 may be transferred to the field operations or
27 general administration appropriations in this division of this
28 Act for operational costs associated with Part D of the federal
29 Medicare Prescription Drug Improvement and Modernization Act
30 of 2003, Pub. L. No. 108-173.
31 7. Of the funds appropriated in this section, up to \$442,100
32 may be transferred to the appropriation in this division of
33 this Act for health program operations to be used for clinical
34 assessment services and prior authorization of services.
35 8. A portion of the funds appropriated in this section may

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1 be transferred to the appropriations in this division of this
2 Act for general administration, health program operations, the

3 children's health insurance program, or field operations to be
4 used for the state match cost to comply with the payment error
5 rate measurement (PERM) program for both the medical assistance
6 and children's health insurance programs as developed by the
7 centers for Medicare and Medicaid services of the United States
8 department of health and human services to comply with the
9 federal Improper Payments Information Act of 2002, Pub. L.
10 No. 107-300, and to support other reviews and quality control
11 activities to improve the integrity of these programs.

12 9. Of the funds appropriated in this section, a sufficient
13 amount is allocated to supplement the incomes of residents of
14 nursing facilities, intermediate care facilities for persons
15 with mental illness, and intermediate care facilities for
16 persons with an intellectual disability, with incomes of less
17 than \$50 in the amount necessary for the residents to receive a
18 personal needs allowance of \$50 per month pursuant to section
19 249A.30A.

20 10. One hundred percent of the nonfederal share of payments
21 to area education agencies that are medical assistance
22 providers for medical assistance-covered services provided to
23 medical assistance-covered children, shall be made from the
24 appropriation made in this section.

25 11. A portion of the funds appropriated in this section may
26 be transferred to the appropriation in this division of this
27 Act for health program operations to be used for administrative
28 activities associated with the money follows the person
29 demonstration project.

30 12. Of the funds appropriated in this section, \$349,011
31 shall be used for the administration of the health insurance
32 premium payment program, including salaries, support,
33 maintenance, and miscellaneous purposes.

34 13. a. The department may increase the amounts allocated
35 for salaries, support, maintenance, and miscellaneous purposes

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1 associated with the medical assistance program, as necessary,
2 to sustain cost management efforts. The department shall
3 report any such increase to the general assembly and the
4 department of management.

5 b. If the savings to the medical assistance program from
6 ongoing cost management efforts exceed the associated cost
7 for the fiscal year beginning July 1, 2022, the department
8 may transfer any savings generated for the fiscal year due
9 to medical assistance program cost management efforts to the
10 appropriation made in this division of this Act for health
11 program operations or general administration to defray the
12 costs associated with implementing the efforts.

13 14. For the fiscal year beginning July 1, 2022, and ending
14 June 30, 2023, the replacement generation tax revenues required
15 to be deposited in the property tax relief fund pursuant to
16 section 437A.8, subsection 4, paragraph "d", and section

17 437A.15, subsection 3, paragraph "f", shall instead be credited
18 to and supplement the appropriation made in this section and
19 used for the allocations made in this section.

20 15. a. Of the funds appropriated in this section, up
21 to \$50,000 may be transferred by the department to the
22 appropriation made in this division of this Act to the
23 department for the same fiscal year for general administration
24 to be used for associated administrative expenses and for not
25 more than 1.00 full-time equivalent position, in addition to
26 those authorized for the same fiscal year, to be assigned to
27 implementing the children's mental health home project.

28 b. Of the funds appropriated in this section, up to \$400,000
29 may be transferred by the department to the appropriation made
30 to the department in this division of this Act for the same
31 fiscal year for Medicaid program-related general administration
32 planning and implementation activities. The funds may be used
33 for contracts or for personnel in addition to the amounts
34 appropriated for and the positions authorized for general
35 administration for the fiscal year.

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1 c. Of the funds appropriated in this section, up to
2 \$3,000,000 may be transferred by the department to the
3 appropriations made in this division of this Act for the
4 same fiscal year for general administration or health
5 program operations to be used to support the development
6 and implementation of standardized assessment tools for
7 persons with mental illness, an intellectual disability, a
8 developmental disability, or a brain injury.

9 16. Of the funds appropriated in this section, \$150,000
10 shall be used for lodging expenses associated with care
11 provided at the university of Iowa hospitals and clinics for
12 patients with cancer whose travel distance is 30 miles or more
13 and whose income is at or below 200 percent of the federal
14 poverty level as defined by the most recently revised poverty
15 income guidelines published by the United States department of
16 health and human services. The department of human services
17 shall establish the maximum number of overnight stays and the
18 maximum rate reimbursed for overnight lodging, which may be
19 based on the state employee rate established by the department
20 of administrative services. The funds allocated in this
21 subsection shall not be used as nonfederal share matching
22 funds.

23 17. Of the funds appropriated in this section, up to
24 \$3,383,880 shall be used for administration of the state family
25 planning services program pursuant to section 217.41B, and
26 of this amount, the department may use up to \$200,000 for
27 administrative expenses.

28 18. Of the funds appropriated in this section, \$1,545,530
29 shall be used and may be transferred to other appropriations
30 in this division of this Act as necessary to administer the

31 provisions in the division of this Act relating to Medicaid
32 program administration.
33 19. The department shall comply with the centers for
34 Medicare and Medicaid services' guidance related to Medicaid
35 program and children's health insurance program maintenance

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1 of effort provisions, including eligibility standards,
2 methodologies, procedures, and continuous enrollment, to
3 receive the enhanced federal medical assistance percentage
4 under section 6008(b) of the federal Families First Coronavirus
5 Response Act, Pub. L. No. 116-127. The department shall
6 utilize and implement all tools, processes, and resources
7 available to expediently return to normal eligibility and
8 enrollment operations in compliance with federal guidance and
9 expectations.

10 20. A portion of the funds appropriated in this section
11 may be transferred to the appropriation made in this division
12 of this Act for the children's health insurance program,
13 if the children's health insurance program appropriation
14 is insufficient to cover the designated purposes of that
15 appropriation.

16 21. The department of human services shall submit a Medicaid
17 state plan amendment to the centers for Medicare and Medicaid
18 services to request the addition of functional family therapy
19 and multisystemic therapy for youth as covered services under
20 the Medicaid program. The department shall include functional
21 family therapy and multisystemic therapy under the Medicaid
22 program as covered services upon receipt of federal approval.

23 Sec. 14. HEALTH PROGRAM OPERATIONS. There is appropriated
24 from the general fund of the state to the department of human
25 services for the fiscal year beginning July 1, 2022, and ending
26 June 30, 2023, the following amount, or so much thereof as is
27 necessary, to be used for the purpose designated:

28 For health program operations: \$ 17,446,343
29
30 1. The department of inspections and appeals shall
31 provide all state matching funds for survey and certification
32 activities performed by the department of inspections
33 and appeals. The department of human services is solely
34 responsible for distributing the federal matching funds for
35 such activities.

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1 2. Of the funds appropriated in this section, \$50,000 shall
2 be used for continuation of home and community-based services
3 waiver quality assurance programs, including the review and
4 streamlining of processes and policies related to oversight and
5 quality management to meet state and federal requirements.
6 3. Of the amount appropriated in this section, up to

7 \$200,000 may be transferred to the appropriation for general
8 administration in this division of this Act to be used for
9 additional full-time equivalent positions in the development
10 of key health initiatives such as development and oversight
11 of managed care programs and development of health strategies
12 targeted toward improved quality and reduced costs in the
13 Medicaid program.

14 4. Of the funds appropriated in this section, \$1,000,000
15 shall be used for planning and development, in cooperation with
16 the department of public health, of a phased-in program to
17 provide a dental home for children.

18 5. a. Of the funds appropriated in this section, \$188,000
19 shall be credited to the autism support program fund created
20 in section 225D.2 to be used for the autism support program
21 created in chapter 225D, with the exception of the following
22 amount of this allocation which shall be used as follows:

23 b. Of the funds allocated in this subsection, \$25,000 shall
24 be used for the public purpose of continuation of a grant to
25 a nonprofit provider of child welfare services that has been
26 in existence for more than 115 years, is located in a county
27 with a population between 220,000 and 250,000 according to the
28 2020 federal decennial census, is licensed as a psychiatric
29 medical institution for children, and provides school-based
30 programming, to be used for support services for children with
31 autism spectrum disorder and their families.

32 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2022, and ending June 30, 2023, the following

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1 amount, or so much thereof as is necessary, to be used for the
2 purpose designated:

3 For the state supplementary assistance program:

4 \$ 7,349,002

5 2. The department shall increase the personal needs
6 allowance for residents of residential care facilities by the
7 same percentage and at the same time as federal supplemental
8 security income and federal social security benefits are
9 increased due to a recognized increase in the cost of living.
10 The department may adopt emergency rules to implement this
11 subsection.

12 3. If during the fiscal year beginning July 1, 2022,
13 the department projects that state supplementary assistance
14 expenditures for a calendar year will not meet the federal
15 pass-through requirement specified in Tit. XVI of the federal
16 Social Security Act, section 1618, as codified in 42 U.S.C.
17 §1382g, the department may take actions including but not
18 limited to increasing the personal needs allowance for
19 residential care facility residents and making programmatic
20 adjustments or upward adjustments of the residential care

21 facility or in-home health-related care reimbursement rates
22 prescribed in this division of this Act to ensure that federal
23 requirements are met. In addition, the department may make
24 other programmatic and rate adjustments necessary to remain
25 within the amount appropriated in this section while ensuring
26 compliance with federal requirements. The department may adopt
27 emergency rules to implement the provisions of this subsection.

28 4. Notwithstanding section 8.33, moneys appropriated
29 in this section that remain unencumbered or unobligated
30 at the close of the fiscal year shall not revert but
31 shall remain available for expenditure for the purposes
32 designated, including for liability amounts associated with the
33 supplemental nutrition assistance program payment error rate,
34 until the close of the succeeding fiscal year.

35 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.

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1 1. There is appropriated from the general fund of the
2 state to the department of human services for the fiscal year
3 beginning July 1, 2022, and ending June 30, 2023, the following
4 amount, or so much thereof as is necessary, to be used for the
5 purpose designated:

6 For maintenance of the healthy and well kids in Iowa (hawk-i)
7 program pursuant to chapter 514I, including supplemental dental
8 services, for receipt of federal financial participation under
9 Tit. XXI of the federal Social Security Act, which creates the
10 children's health insurance program:

11 \$ 38,661,688

12 2. Of the funds appropriated in this section, \$158,850 is
13 allocated for continuation of the contract for outreach with
14 the department of public health.

15 3. A portion of the funds appropriated in this section may
16 be transferred to the appropriations made in this division of
17 this Act for field operations or health program operations to
18 be used for the integration of hawk-i program eligibility,
19 payment, and administrative functions under the purview of
20 the department of human services, including for the Medicaid
21 management information system upgrade.

22 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
23 from the general fund of the state to the department of human
24 services for the fiscal year beginning July 1, 2022, and ending
25 June 30, 2023, the following amount, or so much thereof as is
26 necessary, to be used for the purpose designated:

27 For child care programs:

28 \$ 40,816,931

29 1. Of the funds appropriated in this section, \$34,966,931
30 shall be used for state child care assistance in accordance
31 with section 237A.13.

32 2. Nothing in this section shall be construed or is
33 intended as or shall imply a grant of entitlement for services

34 to persons who are eligible for assistance due to an income
35 level consistent with the waiting list requirements of section

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1 237A.13. Any state obligation to provide services pursuant to
2 this section is limited to the extent of the funds appropriated
3 in this section.
4 3. A list of the registered and licensed child care
5 facilities operating in the area served by a child care
6 resource and referral service shall be made available to the
7 families receiving state child care assistance in that area.
8 4. Of the funds appropriated in this section, \$5,850,000
9 shall be credited to the early childhood programs grants
10 account in the early childhood Iowa fund created in section
11 256I.11. The moneys shall be distributed for funding of
12 community-based early childhood programs targeted to children
13 from birth through five years of age developed by early
14 childhood Iowa areas in accordance with approved community
15 plans as provided in section 256I.8.
16 5. The department may use any of the funds appropriated
17 in this section as a match to obtain federal funds for use in
18 expanding child care assistance and related programs. For
19 the purpose of expenditures of state and federal child care
20 funding, funds shall be considered obligated at the time
21 expenditures are projected or are allocated to the department's
22 service areas. Projections shall be based on current and
23 projected caseload growth, current and projected provider
24 rates, staffing requirements for eligibility determination
25 and management of program requirements including data systems
26 management, staffing requirements for administration of the
27 program, contractual and grant obligations and any transfers
28 to other state agencies, and obligations for decategorization
29 or innovation projects.
30 6. A portion of the state match for the federal child care
31 and development block grant shall be provided as necessary to
32 meet federal matching funds requirements through the state
33 general fund appropriation made for child development grants
34 and other programs for at-risk children in section 279.51.
35 7. If a uniform reduction ordered by the governor under

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1 section 8.31 or other operation of law, transfer, or federal
2 funding reduction reduces the appropriation made in this
3 section for the fiscal year, the percentage reduction in the
4 amount paid out to or on behalf of the families participating
5 in the state child care assistance program shall be equal to or
6 less than the percentage reduction made for any other purpose
7 payable from the appropriation made in this section and the
8 federal funding relating to it. The percentage reduction to
9 the other allocations made in this section shall be the same as

10 the uniform reduction ordered by the governor or the percentage
11 change of the federal funding reduction, as applicable. If
12 there is an unanticipated increase in federal funding provided
13 for state child care services, the entire amount of the
14 increase, except as necessary to meet federal requirements
15 including quality set asides, shall be used for state child
16 care assistance payments. If the appropriations made for
17 purposes of the state child care assistance program for the
18 fiscal year are determined to be insufficient, it is the intent
19 of the general assembly to appropriate sufficient funding for
20 the fiscal year in order to avoid establishment of waiting list
21 requirements.

22 8. Notwithstanding section 8.33, moneys advanced for
23 purposes of the programs developed by early childhood Iowa
24 areas, advanced for purposes of wraparound child care, or
25 received from the federal appropriations made for the purposes
26 of this section that remain unencumbered or unobligated at the
27 close of the fiscal year shall not revert to any fund but shall
28 remain available for expenditure for the purposes designated
29 until the close of the succeeding fiscal year.

30 Sec. 18. JUVENILE INSTITUTION. There is appropriated
31 from the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2022, and ending
33 June 30, 2023, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 1. a. For operation of the state training school at Eldora

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1 and for salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4	\$	17,606,871
5	FTEs	207.00

6 b. Of the funds appropriated in this subsection, \$91,000
7 shall be used for distribution to licensed classroom teachers
8 at this and other institutions under the control of the
9 department of human services based upon the average student
10 yearly enrollment at each institution as determined by the
11 department.

12 2. A portion of the moneys appropriated in this section
13 shall be used by the state training school at Eldora for
14 grants for adolescent pregnancy prevention activities at the
15 institution in the fiscal year beginning July 1, 2022.

16 3. Of the funds appropriated in this subsection, \$212,000
17 shall be used by the state training school at Eldora for a
18 substance use disorder treatment program at the institution for
19 the fiscal year beginning July 1, 2022.

20 4. Notwithstanding section 8.33, moneys appropriated in
21 this section that remain unencumbered or unobligated at the
22 close of the fiscal year shall not revert but shall remain
23 available for expenditure for the purposes designated until the

24 close of the succeeding fiscal year.

25 Sec. 19. CHILD AND FAMILY SERVICES.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2022, and ending June 30, 2023, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For child and family services:

32 \$ 93,571,677

33 2. The department may transfer funds appropriated in this
34 section as necessary to pay the nonfederal costs of services
35 reimbursed under the medical assistance program, state child

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1 care assistance program, or the family investment program which
2 are provided to children who would otherwise receive services
3 paid under the appropriation in this section. The department
4 may transfer funds appropriated in this section to the
5 appropriations made in this division of this Act for general
6 administration and for field operations for resources necessary
7 to implement and operate the services funded in this section.
8 3. Of the funds appropriated in this section, up to
9 \$40,500,000 is allocated for group foster care maintenance and
10 services.

11 4. In accordance with the provisions of section 232.188,
12 the department shall continue the child welfare and juvenile
13 justice funding initiative during fiscal year 2022–2023. Of
14 the funds appropriated in this section, \$1,717,000 is allocated
15 specifically for expenditure for fiscal year 2022–2023 through
16 the decategorization services funding pools and governance
17 boards established pursuant to section 232.188.

18 5. A portion of the funds appropriated in this section
19 may be used for emergency family assistance to provide other
20 resources required for a family participating in a family
21 preservation or reunification project or successor project to
22 stay together or to be reunified.

23 6. Of the funds appropriated in this section, a sufficient
24 amount is allocated for shelter care and the child welfare
25 emergency services contracting implemented to provide for or
26 prevent the need for shelter care.

27 7. Federal funds received by the state during the fiscal
28 year beginning July 1, 2022, as the result of the expenditure
29 of state funds appropriated during a previous state fiscal
30 year for a service or activity funded under this section are
31 appropriated to the department to be used as additional funding
32 for services and purposes provided for under this section.

33 Notwithstanding section 8.33, moneys received in accordance
34 with this subsection that remain unencumbered or unobligated at
35 the close of the fiscal year shall not revert to any fund but

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1 shall remain available for the purposes designated until the
2 close of the succeeding fiscal year.
3 8. a. Of the funds appropriated in this section, up to
4 \$3,290,000 is allocated for the payment of the expenses of
5 court-ordered services provided to juveniles who are under the
6 supervision of juvenile court services, which expenses are a
7 charge upon the state pursuant to section 232.141, subsection
8 4. Of the amount allocated in this paragraph "a", up to
9 \$1,556,000 shall be made available to provide school-based
10 supervision of children adjudicated under chapter 232, of which
11 not more than \$15,000 may be used for the purpose of training.
12 A portion of the cost of each school-based liaison officer
13 shall be paid by the school district or other funding source as
14 approved by the chief juvenile court officer.
15 b. Of the funds appropriated in this section, up to \$748,000
16 is allocated for the payment of the expenses of court-ordered
17 services provided to children who are under the supervision
18 of the department, which expenses are a charge upon the state
19 pursuant to section 232.141, subsection 4.
20 c. Notwithstanding section 232.141 or any other provision
21 of law to the contrary, the amounts allocated in this
22 subsection shall be distributed to the judicial districts
23 as determined by the state court administrator and to the
24 department's service areas as determined by the administrator
25 of the department of human services' division of child and
26 family services. The state court administrator and the
27 division administrator shall make the determination of the
28 distribution amounts on or before June 15, 2022.
29 d. Notwithstanding chapter 232 or any other provision of
30 law to the contrary, a district or juvenile court shall not
31 order any service which is a charge upon the state pursuant
32 to section 232.141 if there are insufficient court-ordered
33 services funds available in the district court or departmental
34 service area distribution amounts to pay for the service. The
35 chief juvenile court officer and the departmental service area

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1 manager shall encourage use of the funds allocated in this
2 subsection such that there are sufficient funds to pay for
3 all court-related services during the entire year. The chief
4 juvenile court officers and departmental service area managers
5 shall attempt to anticipate potential surpluses and shortfalls
6 in the distribution amounts and shall cooperatively request the
7 state court administrator or division administrator to transfer
8 funds between the judicial districts' or departmental service
9 areas' distribution amounts as prudent.
10 e. Notwithstanding any provision of law to the contrary,
11 a district or juvenile court shall not order a county to pay
12 for any service provided to a juvenile pursuant to an order

13 entered under chapter 232 which is a charge upon the state
14 under section 232.141, subsection 4.
15 f. Of the funds allocated in this subsection, not more than
16 \$83,000 may be used by the judicial branch for administration
17 of the requirements under this subsection.
18 g. Of the funds allocated in this subsection, \$17,000
19 shall be used by the department of human services to support
20 the interstate commission for juveniles in accordance with
21 the interstate compact for juveniles as provided in section
22 232.173.
23 9. Of the funds appropriated in this section, \$12,253,000 is
24 allocated for juvenile delinquent graduated sanctions services.
25 Any state funds saved as a result of efforts by juvenile court
26 services to earn a federal Tit. IV-E match for juvenile court
27 services administration may be used for the juvenile delinquent
28 graduated sanctions services.
29 10. Of the funds appropriated in this section, \$1,658,000 is
30 transferred to the department of public health to be used for
31 the child protection center grant program for child protection
32 centers located in Iowa in accordance with section 135.118.
33 The grant amounts under the program shall be equalized so that
34 each center receives a uniform base amount of \$245,000, and so
35 that the remaining funds are awarded through a funding formula

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1 based upon the volume of children served. To increase access
2 to child protection center services for children in rural
3 areas, the funding formula for the awarding of the remaining
4 funds shall provide for the awarding of an enhanced amount to
5 eligible grantees to develop and maintain satellite centers in
6 underserved regions of the state.
7 11. Of the funds appropriated in this section, \$4,025,000 is
8 allocated for the preparation for adult living program pursuant
9 to section 234.46.
10 12. Of the funds appropriated in this section, \$227,000
11 shall be used for the public purpose of continuing a grant to a
12 nonprofit human services organization, providing services to
13 individuals and families in multiple locations in southwest
14 Iowa and Nebraska for support of a project providing immediate,
15 sensitive support and forensic interviews, medical exams, needs
16 assessments, and referrals for victims of child abuse and their
17 nonoffending family members.
18 13. Of the funds appropriated in this section, \$300,000
19 is allocated for the foster care youth council approach of
20 providing a support network to children placed in foster care.
21 14. Of the funds appropriated in this section, \$202,000 is
22 allocated for use pursuant to section 235A.1 for continuation
23 of the initiative to address child sexual abuse implemented
24 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
25 21.
26 15. Of the funds appropriated in this section, \$630,000 is

27 allocated for the community partnership for child protection
28 sites.

29 16. Of the funds appropriated in this section, \$371,000
30 is allocated for the department's minority youth and family
31 projects under the redesign of the child welfare system.

32 17. Of the funds appropriated in this section, \$851,000
33 is allocated for funding of the community circle of care
34 collaboration for children and youth in northeast Iowa.

35 18. Of the funds appropriated in this section, at least

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1 \$147,000 shall be used for the continuation of the child
2 welfare provider training program.

3 19. Of the funds appropriated in this section, \$211,000
4 shall be used for continuation of the central Iowa system of
5 care program grant for the purposes of funding community-based
6 services and other supports with a system of care approach for
7 children with serious emotional disturbance and their families
8 through a nonprofit provider that is located in a county
9 with a population of more than 450,000 according to the 2020
10 certified federal census, is licensed as a psychiatric medical
11 institution for children, and was a system of care grantee
12 prior to July 1, 2022.

13 20. Of the funds appropriated in this section, \$235,000
14 shall be used for the public purpose of the continuation
15 and expansion of a system of care program grant implemented
16 in Cerro Gordo and Linn counties to utilize a comprehensive
17 and long-term approach for helping children and families by
18 addressing the key areas in a child's life of childhood basic
19 needs, education and work, family, and community.

20 21. Of the funds appropriated in this section, \$110,000
21 shall be used for the public purpose of funding community-based
22 services and other supports with a system of care approach
23 for children with a serious emotional disturbance and their
24 families through a nonprofit provider of child welfare services
25 that has been in existence for more than 115 years, is located
26 in a county with a population of more than 230,000 according to
27 the 2020 certified federal census, is licensed as a psychiatric
28 medical institution for children, and was a system of care
29 grantee prior to July 1, 2022.

30 22. If a separate funding source is identified that reduces
31 the need for state funds within an allocation under this
32 section, the allocated state funds may be redistributed to
33 other allocations under this section for the same fiscal year.

34 23. Of the funds appropriated in this section, a portion may
35 be used for family-centered services for purposes of complying

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1 with the federal Family First Prevention Services Act of 2018,
2 Pub. L. No. 115-123, and successor legislation.

3 24. Of the funds appropriated in this section, \$3,850,718
4 shall be used to support placements in qualified residential
5 treatment programs.

6 Sec. 20. ADOPTION SUBSIDY.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2022, and ending June 30, 2023, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 a. For adoption subsidy payments and related costs and for
13 other operations and services provided for under paragraph "b"
14 and paragraph "c", subparagraph (2):

15 \$ 40,596,007

16 b. Of the funds appropriated in this section, up to
17 \$11,000,000 may be transferred to the appropriation for
18 department-wide duties in this division of this Act to be used
19 for facility operations.

20 c. (1) Of the funds appropriated in this section remaining
21 after the transfer of funds under paragraph "b", a sufficient
22 amount is allocated for adoption subsidy payments and related
23 costs.

24 (2) Any funds appropriated in this section remaining after
25 the allocation under subparagraph (1) are designated and
26 allocated as state savings resulting from implementation of
27 the federal Fostering Connections to Success and Increasing
28 Adoptions Act of 2008, Pub. L. No. 110-351, and successor
29 legislation, as determined in accordance with 42 U.S.C.
30 §673(a)(8), and shall be used for post-adoption services and
31 for other purposes allowed under these federal laws, Tit. IV-B
32 or Tit. IV-E of the federal Social Security Act.

33 (a) The department of human services may transfer funds
34 allocated in this subparagraph (2) to the appropriation for
35 child and family services in this division of this Act for the

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1 purposes designated in this subparagraph (2).

2 (b) Notwithstanding section 8.33, moneys allocated
3 under this subparagraph (2) shall not revert to any fund but
4 shall remain available for the purposes designated in this
5 subparagraph (2) until expended.

6 2. The department may transfer funds appropriated in this
7 section remaining after the transfer of funds under subsection
8 1, paragraph "b", to the appropriation made in this division
9 of this Act for general administration for costs paid from the
10 appropriation relating to adoption subsidy.

11 3. Federal funds received by the state during the
12 fiscal year beginning July 1, 2022, as the result of the
13 expenditure of state funds during a previous state fiscal
14 year for a service or activity funded under this section are
15 appropriated to the department to be used as additional funding
16 for the services and activities funded under this section.

17 Notwithstanding section 8.33, moneys received in accordance
18 with this subsection that remain unencumbered or unobligated
19 at the close of the fiscal year shall not revert to any fund
20 but shall remain available for expenditure for the purposes
21 designated until the close of the succeeding fiscal year.

22 4. Notwithstanding section 8.33, moneys appropriated in
23 this section that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert but shall remain
25 available for the purposes designated until the close of the
26 succeeding fiscal year.

27 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
28 in the juvenile detention home fund created in section 232.142
29 during the fiscal year beginning July 1, 2022, and ending June
30, 2023, are appropriated to the department of human services
31 for the fiscal year beginning July 1, 2022, and ending June 30,
32 2023, for distribution of an amount equal to a percentage of
33 the costs of the establishment, improvement, operation, and
34 maintenance of county or multicounty juvenile detention homes
35 in the fiscal year beginning July 1, 2021. Moneys appropriated

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1 for distribution in accordance with this section shall be
2 allocated among eligible detention homes, prorated on the basis
3 of an eligible detention home's proportion of the costs of all
4 eligible detention homes in the fiscal year beginning July
5 1, 2021. The percentage figure shall be determined by the
6 department based on the amount available for distribution for
7 the fund. Notwithstanding section 232.142, subsection 3, the
8 financial aid payable by the state under that provision for the
9 fiscal year beginning July 1, 2022, shall be limited to the
10 amount appropriated for the purposes of this section.

11 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2022, and ending June 30, 2023, the following
15 amount, or so much thereof as is necessary, to be used for the
16 purpose designated:

17 For the family support subsidy program subject to the
18 enrollment restrictions in section 225C.37, subsection 3: \$ 949,282
19

20 2. At least \$931,536 of the moneys appropriated in this
21 section is transferred to the department of public health for
22 the family support center component of the comprehensive family
23 support program under chapter 225C, subchapter V.

24 3. If at any time during the fiscal year, the amount of
25 funding available for the family support subsidy program
26 is reduced from the amount initially used to establish the
27 figure for the number of family members for whom a subsidy
28 is to be provided at any one time during the fiscal year,
29 notwithstanding section 225C.38, subsection 2, the department
30 shall revise the figure as necessary to conform to the amount

31 of funding available.

32 Sec. 23. CONNER DECREE. There is appropriated from the
33 general fund of the state to the department of human services
34 for the fiscal year beginning July 1, 2022, and ending June 30,
35 2023, the following amount, or so much thereof as is necessary,

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1 to be used for the purpose designated:

2 For building community capacity through the coordination
3 and provision of training opportunities in accordance with the
4 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
5 Iowa, July 14, 1994):

6 \$ 33,632

7 Sec. 24. MENTAL HEALTH INSTITUTES.

8 1. There is appropriated from the general fund of the
9 state to the department of human services for the fiscal year
10 beginning July 1, 2022, and ending June 30, 2023, the following
11 amounts, or so much thereof as is necessary, to be used for the
12 purposes designated:

13 a. For operation of the state mental health institute at
14 Cherokee as required by chapters 218 and 226 for salaries,
15 support, maintenance, and miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17 \$ 15,613,624

18 FTEs 169.00

19 b. For operation of the state mental health institute at
20 Independence as required by chapters 218 and 226 for salaries,
21 support, maintenance, and miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:

23 \$ 19,688,928

24 FTEs 208.00

25 2. a. Notwithstanding sections 218.78 and 249A.11, any
26 revenue received from the state mental health institute at
27 Cherokee or the state mental health institute at Independence
28 pursuant to 42 C.F.R. §438.6(e) may be retained and expended
29 by the mental health institute.

30 b. Notwithstanding sections 218.78 and 249A.11, any
31 COVID-19 related funding received through federal funding
32 sources by the state mental health institute at Cherokee or the
33 state mental health institute at Independence may be retained
34 and expended by the mental health institute.

35 3. Notwithstanding any provision of law to the contrary,

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1 a Medicaid member residing at the state mental health
2 institute at Cherokee or the state mental health institute
3 at Independence shall retain Medicaid eligibility during
4 the period of the Medicaid member's stay for which federal
5 financial participation is available.

6 4. Notwithstanding section 8.33, moneys appropriated in

7 this section that remain unencumbered or unobligated at the
8 close of the fiscal year shall not revert but shall remain
9 available for expenditure for the purposes designated until the
10 close of the succeeding fiscal year.

11 Sec. 25. STATE RESOURCE CENTERS.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2022, and ending June 30, 2023, the following
15 amounts, or so much thereof as is necessary, to be used for the
16 purposes designated:

17 a. For the state resource center at Glenwood for salaries,
18 support, maintenance, and miscellaneous purposes:
19 \$ 16,288,739

20 b. For the state resource center at Woodward for salaries,
21 support, maintenance, and miscellaneous purposes: \$ 13,409,294
22

23 2. The department may continue to bill for state resource
24 center services utilizing a scope of services approach used for
25 private providers of intermediate care facilities for persons
26 with an intellectual disability services, in a manner which
27 does not shift costs between the medical assistance program,
28 mental health and disability services regions, or other sources
29 of funding for the state resource centers.

30 3. The state resource centers may expand the time-limited
31 assessment and respite services during the fiscal year.

32 4. If the department's administration and the department
33 of management concur with a finding by a state resource
34 center's superintendent that projected revenues can reasonably
35 be expected to pay the salary and support costs for a new

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1 employee position, or that such costs for adding a particular
2 number of new positions for the fiscal year would be less
3 than the overtime costs if new positions would not be added,
4 the superintendent may add the new position or positions. If
5 the vacant positions available to a resource center do not
6 include the position classification desired to be filled, the
7 state resource center's superintendent may reclassify any
8 vacant position as necessary to fill the desired position. The
9 superintendents of the state resource centers may, by mutual
10 agreement, pool vacant positions and position classifications
11 during the course of the fiscal year in order to assist one
12 another in filling necessary positions.

13 5. If existing capacity limitations are reached in
14 operating units, a waiting list is in effect for a service or
15 a special need for which a payment source or other funding
16 is available for the service or to address the special need,
17 and facilities for the service or to address the special need
18 can be provided within the available payment source or other
19 funding, the superintendent of a state resource center may
20 authorize opening not more than two units or other facilities

21 and begin implementing the service or addressing the special
22 need during fiscal year 2022–2023.

23 6. Notwithstanding section 8.33, and notwithstanding
24 the amount limitation specified in section 222.92, moneys
25 appropriated in this section that remain unencumbered or
26 unobligated at the close of the fiscal year shall not revert
27 but shall remain available for expenditure for the purposes
28 designated until the close of the succeeding fiscal year.

29 Sec. 26. SEXUALLY VIOLENT PREDATORS.

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2022, and ending June 30, 2023, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 For costs associated with the commitment and treatment of

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1 sexually violent predators in the unit located at the state
2 mental health institute at Cherokee, including costs of legal
3 services and other associated costs, including salaries,
4 support, maintenance, and miscellaneous purposes, and for not
5 more than the following full-time equivalent positions:

6	\$	13,891,276
7	FTEs	140.00

8 2. Unless specifically prohibited by law, if the amount
9 charged provides for recoupment of at least the entire amount
10 of direct and indirect costs, the department of human services
11 may contract with other states to provide care and treatment
12 of persons placed by the other states at the unit for sexually
13 violent predators at Cherokee. The moneys received under
14 such a contract shall be considered to be repayment receipts
15 and used for the purposes of the appropriation made in this
16 section.

17 3. Notwithstanding section 8.33, moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.

22 Sec. 27. FIELD OPERATIONS.

23 1. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 2022, and ending June 30, 2023, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purposes designated:

28 For field operations, including salaries, support,
29 maintenance, and miscellaneous purposes, and for not more than
30 the following full-time equivalent positions:

31	\$	65,894,438
32	FTEs	1,589.00

33 2. Priority in filling full-time equivalent positions
34 shall be given to those positions related to child protection

35 services and eligibility determination for low-income families.

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1 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
2 from the general fund of the state to the department of human
3 services for the fiscal year beginning July 1, 2022, and ending
4 June 30, 2023, the following amount, or so much thereof as is
5 necessary, to be used for the purpose designated:

6 For general administration, including salaries, support,
7 maintenance, and miscellaneous purposes, and for not more than
8 the following full-time equivalent positions:

9	\$ 15,842,189
10	FTEs 296.00

11 1. The department shall report at least monthly to the
12 general assembly concerning the department's operational and
13 program expenditures.

14 2. Of the funds appropriated in this section, \$150,000 shall
15 be used for the provision of a program to provide technical
16 assistance, support, and consultation to providers of home and
17 community-based services under the medical assistance program.

18 3. Of the funds appropriated in this section, \$50,000
19 is transferred to the Iowa finance authority to be used
20 for administrative support of the council on homelessness
21 established in section 16.2D and for the council to fulfill its
22 duties in addressing and reducing homelessness in the state.

23 4. Of the funds appropriated in this section, \$200,000 shall
24 be transferred to and deposited in the administrative fund of
25 the Iowa ABLE savings plan trust created in section 121.4, to
26 be used for implementation and administration activities of the
27 Iowa ABLE savings plan trust.

28 5. Of the funds appropriated in this section, \$200,000 is
29 transferred to the economic development authority for the Iowa
30 commission on volunteer services to continue to be used for the
31 RefugeeRISE AmeriCorps program established under section 15H.8
32 for member recruitment and training to improve the economic
33 well-being and health of economically disadvantaged refugees in
34 local communities across Iowa. Funds transferred may be used
35 to supplement federal funds under federal regulations.

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1 6. Of the funds appropriated in this section, up to \$300,000
2 shall be used as follows:

3 a. To fund not more than 1.00 full-time equivalent position
4 to address the department's responsibility to support the work
5 of the children's behavioral health system state board and
6 implementation of the services required pursuant to section
7 331.397.

8 b. To support the cost of establishing and implementing new
9 or additional services required pursuant to sections 331.397
10 and 331.397A.

11 c. Of the amount allocated, \$32,000 shall be transferred
12 to the department of public health to support the costs of
13 establishing and implementing new or additional services
14 required pursuant to sections 331.397 and 331.397A.

15 7. Of the funds appropriated in this section, \$800,000 shall
16 be used for the renovation and construction of certain nursing
17 facilities, consistent with the provisions of chapter 249K.

18 8. Of the funds appropriated under this section, \$500,000
19 shall be used for the purposes of program administration and
20 provision of pregnancy support services through the more
21 options for maternal support program created in this Act.

22 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
23 from the general fund of the state to the department of human
24 services for the fiscal year beginning July 1, 2022, and ending
25 June 30, 2023, the following amount, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes at facilities under the purview of the department of
29 human services:

30	\$ 4,172,123
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31 Sec. 30. VOLUNTEERS. There is appropriated from the general
32 fund of the state to the department of human services for the
33 fiscal year beginning July 1, 2022, and ending June 30, 2023,
34 the following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

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1 For development and coordination of volunteer services:

2	\$ 84,686
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3 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
5 DEPARTMENT OF HUMAN SERVICES.

6 1. a. (1) Notwithstanding any provision of law to the
7 contrary, for the fiscal year beginning July 1, 2022, case-mix
8 nursing facilities shall be reimbursed in accordance with the
9 methodology in effect on June 30, 2022.

10 (b) For the fiscal year beginning July 1, 2022, non-case-mix
11 and special population nursing facilities shall be reimbursed
12 in accordance with the methodology in effect on June 30, 2022.

13 (c) For managed care claims, the department of human
14 services shall adjust the payment rate floor for nursing
15 facilities, annually, to maintain a rate floor that is no
16 lower than the Medicaid fee-for-service case-mix adjusted rate
17 calculated in accordance with subparagraph division (a) and
18 441 IAC 81.6. The department shall then calculate adjusted
19 reimbursement rates, including but not limited to add-on
20 payments, annually, and shall notify Medicaid managed care
21 organizations of the adjusted reimbursement rates within 30
22 days of determining the adjusted reimbursement rates. Any
23 adjustment of reimbursement rates under this subparagraph
24 division shall be budget neutral to the state budget.

25 (d) For the fiscal year beginning July 1, 2022, Medicaid
26 managed care long-term services and supports capitation rates
27 shall be adjusted to reflect the case-mix adjusted rates
28 specified pursuant to subparagraph division (a) for the patient
29 populations residing in Medicaid-certified nursing facilities.
30 (2) Medicaid managed care organizations shall adjust
31 facility-specific rates based upon payment rate listings issued
32 by the department. The rate adjustments shall be applied
33 prospectively from the effective date of the rate letter issued
34 by the department.
35 b. (1) For the fiscal year beginning July 1, 2022, the

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1 department shall establish the fee-for-service pharmacy
2 dispensing fee reimbursement at \$10.38 per prescription,
3 until a cost of dispensing survey is completed. The actual
4 dispensing fee shall be determined by a cost of dispensing
5 survey performed by the department and required to be completed
6 by all medical assistance program participating pharmacies
7 every two years, adjusted as necessary to maintain expenditures
8 within the amount appropriated to the department for this
9 purpose for the fiscal year. A change in the dispensing
10 fee shall become effective following federal approval of the
11 Medicaid state plan.
12 (2) The department shall utilize an average acquisition
13 cost reimbursement methodology for all drugs covered under the
14 medical assistance program in accordance with 2012 Iowa Acts,
15 chapter 1133, section 33.
16 c. (1) For the fiscal year beginning July 1, 2022,
17 reimbursement rates for outpatient hospital services shall
18 remain at the rates in effect on June 30, 2022, subject to
19 Medicaid program upper payment limit rules, and adjusted
20 as necessary to maintain expenditures within the amount
21 appropriated to the department for this purpose for the fiscal
22 year.
23 (2) For the fiscal year beginning July 1, 2022,
24 reimbursement rates for inpatient hospital services shall
25 remain at the rates in effect on June 30, 2022, subject to
26 Medicaid program upper payment limit rules, and adjusted
27 as necessary to maintain expenditures within the amount
28 appropriated to the department for this purpose for the fiscal
29 year.
30 (3) For the fiscal year beginning July 1, 2022, under
31 both fee-for-service and managed care administration of
32 the Medicaid program, critical access hospitals shall be
33 reimbursed for inpatient and outpatient services based on the
34 hospital-specific critical access hospital cost adjustment
35 factor methodology utilizing the most recent and complete cost

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1 reporting period as applied prospectively within the funds
2 appropriated for such purpose for the fiscal year.
3 (4) For the fiscal year beginning July 1, 2022, the graduate
4 medical education and disproportionate share hospital fund
5 shall remain at the amount in effect on June 30, 2022, except
6 that the portion of the fund attributable to graduate medical
7 education shall be reduced in an amount that reflects the
8 elimination of graduate medical education payments made to
9 out-of-state hospitals.
10 (5) In order to ensure the efficient use of limited state
11 funds in procuring health care services for low-income Iowans,
12 funds appropriated in this Act for hospital services shall
13 not be used for activities which would be excluded from a
14 determination of reasonable costs under the federal Medicare
15 program pursuant to 42 U.S.C. §1395x(v)(1)(N).
16 d. For the fiscal year beginning July 1, 2022, reimbursement
17 rates for hospices and acute psychiatric hospitals shall be
18 increased in accordance with increases under the federal
19 Medicare program or as supported by their Medicare audited
20 costs.
21 e. For the fiscal year beginning July 1, 2022, independent
22 laboratories and rehabilitation agencies shall be reimbursed
23 using the same methodology in effect on June 30, 2022.
24 f. (1) For the fiscal year beginning July 1, 2022,
25 reimbursement rates for home health agencies shall continue to
26 be based on the Medicare low utilization payment adjustment
27 (LUPA) methodology with state geographic wage adjustments. The
28 department shall continue to update the rates every two years
29 to reflect the most recent Medicare LUPA rates.
30 (2) For the fiscal year beginning July 1, 2022, the
31 department shall create a reimbursement rate structure that
32 provides incentives to home health care providers located in
33 rural areas and providing home health care to Medicaid members,
34 within the \$1,777,082 appropriated for this purpose. The rate
35 structure shall include a telehealth component to incentivize

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1 the provision of necessary supervision for skilled care without
2 requiring travel time. For the purposes of this subparagraph
3 (2), "rural area" means an area that is not an Iowa core based
4 statistical area as defined by the federal office of management
5 and budget.
6 (3) For the fiscal year beginning July 1, 2022, rates for
7 private duty nursing and personal care services under the early
8 and periodic screening, diagnostic, and treatment program
9 benefit shall be calculated based on the methodology in effect
10 on June 30, 2022.
11 g. For the fiscal year beginning July 1, 2022, federally
12 qualified health centers and rural health clinics shall receive

13 cost-based reimbursement for 100 percent of the reasonable
14 costs for the provision of services to recipients of medical
15 assistance.
16 h. For the fiscal year beginning July 1, 2022, the
17 reimbursement rates for dental services shall remain at the
18 rates in effect on June 30, 2022.
19 i. (1) For the fiscal year beginning July 1, 2022,
20 reimbursement rates for non-state-owned psychiatric medical
21 institutions for children shall be based on the reimbursement
22 methodology in effect on June 30, 2022.
23 (2) As a condition of participation in the medical
24 assistance program, enrolled providers shall accept the medical
25 assistance reimbursement rate for any covered goods or services
26 provided to recipients of medical assistance who are children
27 under the custody of a psychiatric medical institution for
28 children.
29 j. For the fiscal year beginning July 1, 2022, unless
30 otherwise specified in this Act, all noninstitutional medical
31 assistance provider reimbursement rates shall remain at the
32 rates in effect on June 30, 2022, except for area education
33 agencies, local education agencies, infant and toddler
34 services providers, home and community-based services providers
35 including consumer-directed attendant care providers under a

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1 section 1915(c) or 1915(i) waiver, targeted case management
2 providers, and those providers whose rates are required to be
3 determined pursuant to section 249A.20, or to meet federal
4 mental health parity requirements.
5 k. Notwithstanding any provision to the contrary, for the
6 fiscal year beginning July 1, 2022, the reimbursement rate for
7 anesthesiologists shall remain at the rates in effect on June
8 30, 2022, and updated on January 1, 2023, to align with the
9 most current Iowa Medicare anesthesia rate.
10 l. Notwithstanding section 249A.20, for the fiscal year
11 beginning July 1, 2022, the average reimbursement rate for
12 health care providers eligible for use of the federal Medicare
13 resource-based relative value scale reimbursement methodology
14 under section 249A.20 shall remain at the rate in effect on
15 June 30, 2022; however, this rate shall not exceed the maximum
16 level authorized by the federal government.
17 m. For the fiscal year beginning July 1, 2022, the
18 reimbursement rate for residential care facilities shall not
19 be less than the minimum payment level as established by the
20 federal government to meet the federally mandated maintenance
21 of effort requirement. The flat reimbursement rate for
22 facilities electing not to file annual cost reports shall not
23 be less than the minimum payment level as established by the
24 federal government to meet the federally mandated maintenance
25 of effort requirement.
26 n. (1) For the fiscal year beginning July 1, 2022, the

27 reimbursement rates for inpatient mental health services
28 provided at hospitals shall remain at the rates in effect on
29 June 30, 2022, subject to Medicaid program upper payment limit
30 rules and adjusted as necessary to maintain expenditures within
31 the amount appropriated to the department for this purpose for
32 the fiscal year; and psychiatrists shall be reimbursed at the
33 medical assistance program fee-for-service rate in effect on
34 June 30, 2022.

35 (2) Notwithstanding any conflicting application of

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1 subparagraph (1), if 2022 Iowa Acts, House File 2546, is
2 enacted, by January 1, 2023, the department of human services
3 shall implement a tiered rate reimbursement methodology for
4 psychiatric intensive inpatient care utilizing the tiered rate
5 reimbursement methodology developed in accordance with that
6 Act, subject to the limitations of the appropriation made for
7 this purpose.

8 o. For the fiscal year beginning July 1, 2022, community
9 mental health centers may choose to be reimbursed for the
10 services provided to recipients of medical assistance through
11 either of the following options:

12 (1) For 100 percent of the reasonable costs of the services.
13 (2) In accordance with the alternative reimbursement rate
14 methodology approved by the department of human services in
15 effect on June 30, 2022.

16 p. For the fiscal year beginning July 1, 2022, the
17 reimbursement rate for providers of family planning services
18 that are eligible to receive a 90 percent federal match shall
19 remain at the rates in effect on June 30, 2022.

20 q. For the fiscal year beginning July 1, 2022, reimbursement
21 rates for intermediate care facility for persons with an
22 intellectual disability providers shall be increased over
23 the rates in effect on June 30, 2022, within the \$1,339,971
24 appropriated for this purpose. The entire rate increase
25 shall be used for wages and associated costs specific to
26 wages, benefits, and required withholding of direct support
27 professionals and frontline management.

28 r. For the fiscal year beginning July 1, 2022, the
29 reimbursement rates for emergency medical service providers
30 shall remain at the rates in effect on June 30, 2022, or as
31 approved by the centers for Medicare and Medicaid services of
32 the United States department of health and human services.

33 s. For the fiscal year beginning July 1, 2022, reimbursement
34 rates for substance-related disorder treatment programs
35 licensed under section 125.13 shall remain at the rates in

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1 effect on June 30, 2022.

2 t. For the fiscal year beginning July 1, 2022, assertive

3 community treatment per diem rates shall remain at the rates in
4 effect on June 30, 2022.

5 u. For the fiscal year beginning July 1, 2022, the
6 reimbursement rate for family-centered services providers shall
7 be established by contract.

8 v. For the fiscal year beginning July 1, 2022, the
9 reimbursement rate for air ambulance services shall remain at
10 the rate in effect on June 30, 2022.

11 w. For the fiscal year beginning July 1, 2022, all applied
12 behavioral analysis services reimbursement rates shall be
13 increased over the rates in effect on June 30, 2022, within the
14 \$385,000 appropriated for this purpose.

15 x. For the fiscal year beginning July 1, 2022, all
16 behavioral health intervention services reimbursement rates
17 shall be increased over the rates in effect on June 30, 2022,
18 within the \$1,277,082 appropriated for this purpose. The
19 entire rate increase shall be used for wages and associated
20 costs specific to wages, benefits, and required withholding of
21 direct support professionals and frontline management.

22 2. For the fiscal year beginning July 1, 2022, the
23 reimbursement rate for providers reimbursed under the
24 in-home-related care program shall not be less than the minimum
25 payment level as established by the federal government to meet
26 the federally mandated maintenance of effort requirement.

27 3. Unless otherwise directed in this section, when the
28 department's reimbursement methodology for any provider
29 reimbursed in accordance with this section includes an
30 inflation factor, this factor shall not exceed the amount
31 by which the consumer price index for all urban consumers
32 increased during the most recently ended calendar year.

33 4. Notwithstanding section 234.38, for the fiscal
34 year beginning July 1, 2022, the foster family basic daily
35 maintenance rate and the maximum adoption subsidy rate for

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1 children ages 0 through 5 years shall be \$16.78, the rate for
2 children ages 6 through 11 years shall be \$17.45, the rate for
3 children ages 12 through 15 years shall be \$19.10, and the
4 rate for children and young adults ages 16 and older shall
5 be \$19.35. For youth ages 18 to 23 who have exited foster
6 care, the preparation for adult living program maintenance
7 rate shall be up to \$602.70 per month as calculated based on
8 the age of the participant. The maximum payment for adoption
9 subsidy nonrecurring expenses shall be limited to \$500 and the
10 disallowance of additional amounts for court costs and other
11 related legal expenses implemented pursuant to 2010 Iowa Acts,
12 chapter 1031, section 408, shall be continued.

13 5. For the fiscal year beginning July 1, 2022, the maximum
14 reimbursement rates for social services providers under
15 contract shall remain at the rates in effect on June 30, 2022,
16 or the provider's actual and allowable cost plus inflation for

17 each service, whichever is less. However, if a new service
18 or service provider is added after June 30, 2022, the initial
19 reimbursement rate for the service or provider shall be based
20 upon a weighted average of provider rates for similar services.
21 a. For the fiscal year beginning July 1, 2022, the
22 reimbursement rates for resource family recruitment and
23 retention contractors shall be established by contract.
24 b. For the fiscal year beginning July 1, 2022, the
25 reimbursement rates for supervised apartment living foster care
26 providers shall be established by contract.
27 7. For the fiscal year beginning July 1, 2022, the
28 reimbursement rate for group foster care providers shall be the
29 combined service and maintenance reimbursement rate established
30 by contract.
31 8. The group foster care reimbursement rates paid for
32 placement of children out of state shall be calculated
33 according to the same rate-setting principles as those used for
34 in-state providers, unless the director of human services or
35 the director's designee determines that appropriate care cannot

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1 be provided within the state. The payment of the daily rate
2 shall be based on the number of days in the calendar month in
3 which service is provided.
4 9. a. For the fiscal year beginning July 1, 2022, the
5 reimbursement rate paid for shelter care and the child welfare
6 emergency services implemented to provide or prevent the need
7 for shelter care shall be established by contract.
8 b. For the fiscal year beginning July 1, 2022, the combined
9 service and maintenance components of the per day reimbursement
10 rate paid for shelter care services shall be based on the
11 financial and statistical report submitted to the department.
12 The maximum per day reimbursement rate shall be the maximum
13 per day reimbursement rate in effect on June 30, 2022, as
14 increased within the \$649,029 appropriated for this purpose.
15 The department shall reimburse a shelter care provider at the
16 provider's actual and allowable unit cost, plus inflation, not
17 to exceed the maximum reimbursement rate.
18 10. For the fiscal year beginning July 1, 2022, the
19 department shall calculate reimbursement rates for intermediate
20 care facilities for persons with an intellectual disability
21 at the 80th percentile. Beginning July 1, 2022, the rate
22 calculation methodology shall utilize the consumer price index
23 inflation factor applicable to the fiscal year beginning July
24 1, 2022.
25 11. Effective July 1, 2022, child care provider
26 reimbursement rates shall remain at the rates in effect on June
27 30, 2022. The department shall set rates in a manner so as
28 to provide incentives for a nonregistered provider to become
29 registered by applying any increase only to registered and
30 licensed providers.

31 12. The department may adopt emergency rules to implement
32 this section.

33 Sec. 32. EMERGENCY RULES.

34 1. If necessary to comply with federal requirements
35 including time frames, or if specifically authorized by a

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1 provision of this division of this Act, the department of
2 human services or the mental health and disability services
3 commission may adopt administrative rules under section 17A.4,
4 subsection 3, and section 17A.5, subsection 2, paragraph "b",
5 to implement the provisions of this division of this Act and
6 the rules shall become effective immediately upon filing or
7 on a later effective date specified in the rules, unless the
8 effective date of the rules is delayed or the applicability
9 of the rules is suspended by the administrative rules review
10 committee. Any rules adopted in accordance with this section
11 shall not take effect before the rules are reviewed by the
12 administrative rules review committee. The delay authority
13 provided to the administrative rules review committee under
14 section 17A.8, subsections 9 and 10, shall be applicable to a
15 delay imposed under this section, notwithstanding a provision
16 in those subsections making them inapplicable to section 17A.5,
17 subsection 2, paragraph "b". Any rules adopted in accordance
18 with the provisions of this section shall also be published as
19 a notice of intended action as provided in section 17A.4.

20 2. If during a fiscal year, the department of human
21 services is adopting rules in accordance with this section
22 or as otherwise directed or authorized by state law, and
23 the rules will result in an expenditure increase beyond the
24 amount anticipated in the budget process or if the expenditure
25 was not addressed in the budget process for the fiscal
26 year, the department shall notify the general assembly and
27 the department of management concerning the rules and the
28 expenditure increase. The notification shall be provided at
29 least 30 calendar days prior to the date notice of the rules
30 is submitted to the administrative rules coordinator and the
31 administrative code editor.

32 Sec. 33. REPORTS. Unless otherwise provided, any reports or
33 other information required to be compiled and submitted under
34 this Act during the fiscal year beginning July 1, 2022, shall
35 be submitted on or before the dates specified for submission

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1 of the reports or information.

2 Sec. 34. EFFECTIVE UPON ENACTMENT. The following provision
3 of this division of this Act, being deemed of immediate
4 importance, takes effect upon enactment:

5 The provision relating to section 232.141 and directing the
6 state court administrator and the division administrator of

7 the department of human services division of child and family
8 services to make the determination, by June 15, 2022, of the
9 distribution of funds allocated for the payment of the expenses
10 of court-ordered services provided to juveniles which are a
11 charge upon the state.

DIVISION VI

HEALTH CARE ACCOUNTS AND FUNDS — FY 2022–2023

14 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
15 appropriated from the pharmaceutical settlement account created
16 in section 249A.33 to the department of human services for the
17 fiscal year beginning July 1, 2022, and ending June 30, 2023,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purpose designated:

20 Notwithstanding any provision of law to the contrary, to
21 supplement the appropriations made in this Act for health
22 program operations under the medical assistance program for the
23 fiscal year beginning July 1, 2022, and ending June 30, 2023:
24 \$ 234,193

25 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
26 SERVICES. Notwithstanding any provision to the contrary and
27 subject to the availability of funds, there is appropriated
28 from the quality assurance trust fund created in section
29 249L.4 to the department of human services for the fiscal year
30 beginning July 1, 2022, and ending June 30, 2023, the following
31 amounts, or so much thereof as is necessary, for the purposes
32 designated:

33 To supplement the appropriation made in this Act from the
34 general fund of the state to the department of human services
35 for medical assistance for the same fiscal year:

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1 \$ 56,305,139

2 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
3 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
4 the contrary and subject to the availability of funds, there is
5 appropriated from the hospital health care access trust fund
6 created in section 249M.4 to the department of human services
7 for the fiscal year beginning July 1, 2022, and ending June
8 30, 2023, the following amounts, or so much thereof as is
9 necessary, for the purposes designated:

10 To supplement the appropriation made in this Act from the
11 general fund of the state to the department of human services
12 for medical assistance for the same fiscal year:
13 \$ 33,920,554

14 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
15 FOR FY 2022–2023. Notwithstanding section 8.33, if moneys
16 appropriated for purposes of the medical assistance program for
17 the fiscal year beginning July 1, 2022, and ending June 30,
18 2023, from the general fund of the state, the quality assurance
19 trust fund, and the hospital health care access trust fund, are
20 in excess of actual expenditures for the medical assistance

21 program and remain unencumbered or unobligated at the close
22 of the fiscal year, the excess moneys shall not revert but
23 shall remain available for expenditure for the purposes of the
24 medical assistance program until the close of the succeeding
25 fiscal year.

26 DIVISION VII

27 DECATEGORIZATION CARRYOVER FUNDING

28 Sec. 39. DECATEGORIZATION CARRYOVER FUNDING FY 2020 —
29 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
30 subsection 5, paragraph "b", any state-appropriated moneys in
31 the funding pool that remained unencumbered or unobligated
32 at the close of the fiscal year beginning July 1, 2019, and
33 were deemed carryover funding to remain available for the two
34 succeeding fiscal years that still remain unencumbered or
35 unobligated at the close of the fiscal year beginning July 1,

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1 2021, shall not revert but shall be transferred to the medical
2 assistance program for the fiscal year beginning July 1, 2022.
3 Sec. 40. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.
5 Sec. 41. RETROACTIVE APPLICABILITY. This division of this
6 Act applies retroactively to July 1, 2021.

7 DIVISION VIII

8 TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE

9 Sec. 42. TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE —
10 FY 2021–2022. Notwithstanding any provision to the contrary,
11 any funds remaining in the property tax relief fund created
12 in section 426B.1 at the close of the fiscal year beginning
13 July 1, 2021, shall be transferred to the region incentive fund
14 created in the mental health and disability services regional
15 service fund pursuant to section 225C.7A.

16 Sec. 43. EFFECTIVE DATE. This division of this Act, being
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION IX

19 PRIOR APPROPRIATIONS AND OTHER PROVISIONS
20 FAMILY INVESTMENT PROGRAM GENERAL FUND

21 Sec. 44. 2021 Iowa Acts, chapter 182, section 9, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
24 appropriated in this section that remain unencumbered or
25 unobligated at the close of the fiscal year shall not revert
26 but shall remain available for one-time purposes, and may be
27 transferred to the appropriation in this division of this Act
28 for general administration for technology purposes, until the
29 close of the succeeding fiscal year.

30 CHILD AND FAMILY SERVICES

31 Sec. 45. 2021 Iowa Acts, chapter 182, section 19, is amended
32 by adding the following new subsection:

33 NEW SUBSECTION. 24. Notwithstanding section 8.33, moneys
34 appropriated in this section that remain unencumbered or

35 unobligated at the close of the fiscal year shall not revert

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1 but shall remain available for the purposes designated until
2 the close of the succeeding fiscal year.

ADOPTION SUBSIDY

4 Sec. 46. 2021 Iowa Acts, chapter 182, section 20, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
7 appropriated in this section that remain unencumbered or
8 unobligated at the close of the fiscal year shall not revert
9 but shall remain available for the purposes designated until
10 the close of the succeeding fiscal year.

FIELD OPERATIONS

12 Sec. 47. 2021 Iowa Acts, chapter 182, section 27, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
15 appropriated in this section that remain unencumbered or
16 unobligated at the close of the fiscal year shall not revert
17 but shall remain available for one-time expenditure purposes
18 until the close of the succeeding fiscal year.

GENERAL ADMINISTRATION

20 Sec. 48. 2021 Iowa Acts, chapter 182, section 28, is amended
21 by adding the following new subsection:

22 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
23 appropriated in this section that remain unencumbered or
24 unobligated at the close of the fiscal year shall not revert
25 but shall remain available for one-time expenditure purposes
26 until the close of the succeeding fiscal year.

27 Sec. 49. EFFECTIVE DATE. This division of this Act, being
28 deemed of immediate importance, takes effect upon enactment.

DIVISION X

30 PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS

31 Sec. 50. COVID-19 FEDERAL REGULATIONS. For the time
32 period beginning on the effective date of this division of
33 this Act, and ending June 30, 2023, notwithstanding state
34 administrative rules to the contrary, to the extent federal
35 regulations relating to the COVID-19 pandemic differ from state

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1 administrative rules, including applicable federal waivers,
2 the federal regulations are controlling during the pendency of
3 the federally declared state of emergency and for such period
4 of time following the end of the federally declared state of
5 emergency applicable to the respective federal regulations.

DIVISION XI

7 HEALTH AND HUMAN SERVICES REALIGNMENT

8 SEC. 51. TRANSITION OF DEPARTMENT OF HUMAN SERVICES AND
9 DEPARTMENT OF PUBLIC HEALTH INTO DEPARTMENT OF HEALTH AND HUMAN
10 SERVICES

11 1. Definitions. For the purposes of this section:
12 a. "Department of health and human services" or
13 "department" means the department of health and human services
14 created under this section.
15 b. "Transition department" means the department of human
16 services or the department of public health.
17 c. "Transition departments" means the department of human
18 services and the department of public health.
19 d. "Transition period" means the period beginning July 1,
20 2022, and ending June 30, 2023.
21 2. Creation of department of health and human services
22 — transition period — powers and duties. Notwithstanding
23 any conflicting provision of law to the contrary, there is
24 created a department of health and human services. During
25 the transition period, the department of health and human
26 services shall have and may exercise all of the policymaking
27 functions, regulatory and enforcement powers, rights, duties,
28 and responsibilities of the department of human services and
29 the department of public health as prescribed by law or rule
30 in effect on July 1, 2022, including but not limited to those
31 relating to:
32 a. All obligations and contracts of a transition
33 department, including obligations and contracts related to a
34 grant program.
35 b. All property and records in the custody of a transition

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1 1. department.
2 2. c. All funds appropriated to a transition department by the
3 general assembly and all state, federal, and other funds for
4 which expenditure by a transition department is authorized.
5 3. d. Complaints, investigations, contested cases, causes of
6 action, and statutes of limitations involving a transition
7 department.
8 4. (1) All complaints, investigations, contested cases, or
9 a remand of an action by a reviewing court pending before a
10 transition department or an authorized person of a transition
11 department shall continue without change in status before
12 the department and shall be governed by the laws and rules
13 applicable to the complaint, investigation, contested case, or
14 remand action or proceeding in effect on July 1, 2022.
15 5. (2) Any cause of action or statute of limitation relating
16 to a transition department shall not be affected as a result
17 of the transition and such cause of action or statute of
18 limitation shall apply to the department.
19 6. e. Rules, policies, and forms. All rules, policies, and
20 forms adopted by or on behalf of a transition department shall
21 become rules, policies, and forms of the department and shall
22 remain in effect unless altered by the department.
23 7. f. Licenses, permits, and certifications. All licenses,
24 permits, and certifications issued by a transition department

25 shall continue in effect as a license, permit, or certification
26 of the department in accordance with the law or rule governing
27 the license, permit, or certification in effect on July 1,
28 2022, until the license, permit, or certification expires, is
29 suspended or revoked, or otherwise becomes invalid by the terms
30 of such law or rule.
31 g. References to a department or director. All references
32 to the department of public health or the department of human
33 services in law or in rule shall be interpreted to mean the
34 department of health and human services, and all references to
35 the director of public health or the director of human services

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1 shall be interpreted to mean the director of the department of
2 health and human services.
3 h. Departmental structure.
4 (1) Any transition department, transition department
5 subunit, or transition department body created or established
6 by law and in existence on July 1, 2022, shall continue in
7 full force and effect and shall not be permanently abolished,
8 merged, or otherwise altered until amended, repealed, or
9 supplemented by action of the general assembly.
10 (2) This paragraph shall not prohibit a transition
11 department, transition department subunit, or transition
12 department body created or established by law in existence on
13 July 1, 2022, from sharing or coordinating responsibilities
14 or functions under their respective purviews nor prohibit
15 the director from temporarily integrating such departments,
16 subunits, or bodies or the responsibilities or functions under
17 their respective purviews in furtherance of the transition plan
18 during the transition period.
19 3. Transition period leadership. During the transition
20 period, the director of human services shall continue to act
21 as the director of human services, shall assume the duties
22 of the director of public health, shall act as the director
23 of the department of health and human services, and may
24 thereby exercise any policymaking functions, regulatory and
25 enforcement powers, rights, duties, and responsibilities of the
26 director of human services and the director of public health
27 including those duties prescribed by law for the department
28 of human services or the department of public health in
29 effect on July 1, 2022. Notwithstanding any provision to the
30 contrary, the director of the department of health and human
31 services shall also be vested with administrative authority
32 to direct transition department employees with regard to the
33 implementation of statutory directives for the transition
34 departments or the boards, commissions, or other bodies
35 administratively supported by the transition departments,

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1 including boards administering the requirements of chapter
2 272C.
3 4. Federal authorization and effective date of
4 authorizations. If a transition department or the department
5 determines that a waiver or authorization from the federal
6 government is necessary to administer any provision of
7 this section, the department shall request the waiver or
8 authorization, and notwithstanding any other effective date to
9 the contrary, the provision shall take effect only upon receipt
10 of federal approval.
11 5. Initial written transition plan.
12 a. On or before September 30, 2022, the transition
13 departments or department shall publish on their respective
14 internet sites an initial written transition plan for merging
15 the functions of the transition departments into the department
16 of health and human services effective July 1, 2023, in order
17 to do all of the following:
18 (1) More efficiently and effectively manage health and
19 human services programs that are the responsibility of the
20 state.
21 (2) Establish a health and human services policy for the
22 state.
23 (3) Promote health and the quality of life in the health and
24 human services field.
25 b. The transition plan shall describe, at a minimum, all of
26 the following:
27 (1) The tasks that require completion before July 1, 2023,
28 including a description of how the transition departments shall
29 solicit comment from stakeholders, including employees of the
30 transition departments, clients and partners of the transition
31 departments, members of the public, and members of the general
32 assembly.
33 (2) The proposed organizational structure of the
34 department, at a minimum, including the division level of
35 the table of organization. Any personnel in the state merit

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1 system of employment who are mandatorily transferred due to the
2 transition shall be so transferred without any loss in salary,
3 benefits, or accrued years of service.
4 (3) Proposed changes to any transition department boards,
5 commissions, committees, councils, or other bodies and their
6 functions.
7 (4) Office space and infrastructure requirements related
8 to the transition.
9 (5) Any work site location changes for transitioning
10 employees.
11 (6) The transition of service delivery sites.
12 (7) Procedures for the transfer and reconciliation of

13 budgeting and funding between the transition departments and
14 the department.
15 (8) The transition of technology services of the transition
16 departments to the department.
17 (9) Any additional known tasks that may require completion
18 after the transition on July 1, 2023.
19 c. The written transition plan published under paragraph
20 "b" shall:
21 (1) Include a detailed timeline for the completion of the
22 tasks described.
23 (2) Be updated quarterly during the remainder of the
24 transition period.
25 (3) Describe how information will be provided to clients
26 of the transition departments and the department regarding any
27 changes in service delivery.
28 (4) Describe how the transition to the department will be
29 funded, including how expenses associated with the transition
30 will be managed; how funding for services provided by the
31 transition departments will be managed to ensure provision
32 of services by the transition departments and the department
33 without interruption; and how federal funds will be used by
34 or transferred between the transition departments and the
35 department to ensure provision of services by the transition

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1 departments and the department without interruption.
2 6. Statutory and administrative rule updates.
3 a. Legislative changes required to implement the
4 transition. Additional legislation is necessary to fully
5 implement the transition. The director of the department
6 of health and human services shall, in compliance with
7 section 2.16, prepare draft legislation for submission to the
8 legislative services agency, as necessary, for consideration
9 by the general assembly during the 2023 legislative
10 session, to implement the transition effective July 1, 2023.
11 Notwithstanding any provision to the contrary in section 2.16,
12 the draft legislation shall be submitted to the legislative
13 services agency by October 1, 2022.
14 b. Update of administrative code required by the
15 transition. In updating references and the format in the
16 Iowa administrative code, in order to correspond to the
17 transferring of duties of the transition departments, the
18 administrative rules coordinator and the administrative rules
19 review committee, in consultation with the administrative code
20 editor, shall collectively develop a schedule for the necessary
21 updating of the Iowa administrative code.
22 DIVISION XII
23 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY
24 OF CARE RATE ADD-ON PROGRAM
25 Sec. 52. Section 249L.2, subsections 6 and 7, Code 2022, are
26 amended by striking the subsections.

27 Sec. 53. Section 249L.2, subsection 8, Code 2022, is amended
28 to read as follows:

29 8. "Nursing facility" means a licensed nursing facility as
30 defined in section 135C.1 that is a freestanding facility or
31 a nursing facility operated by a hospital licensed pursuant
32 to chapter 135B, but does not include a distinct-part skilled
33 nursing unit or a swing-bed unit operated by a hospital, or
34 a nursing facility owned by the state or federal government
35 or other governmental unit. "Nursing facility" includes a

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1 non state government owned nursing facility if the nursing
2 facility participates in the non state government owned nursing
3 facility quality of care rate add on program.

4 Sec. 54. REPEAL. 2019 Iowa Acts, chapter 85, sections 103,
5 104, and 108, are repealed.

6 Sec. 55. REPEAL. 2020 Iowa Acts, chapter 1063, section 390,
7 is repealed.

DIVISION XIII

HEARING AIDS AND AUDIOLOGIC SERVICES FUNDING PROGRAM — FY 2021–2022 NONREVERSION

11 Sec. 56. 2021 Iowa Acts, chapter 182, section 3, subsection
12 2, paragraph e, is amended to read as follows:

13 e. Of the funds appropriated in this subsection, \$156,000
14 shall be used to provide audiological services and hearing
15 aids for children. Notwithstanding section 8.33, moneys
appropriated in this paragraph that remain unencumbered or
unobligated at the close of the fiscal year shall not revert
but shall remain available for expenditure for the purposes
designated until the close of the succeeding fiscal year. The
amount that does not revert shall be reported by the department
to the general assembly.

22 Sec. 57. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

DIVISION XIV

ADMISSION OR TRANSFER OF PERSONS WITH A DIAGNOSIS OF AN INTELLECTUAL DISABILITY TO A STATE MENTAL HEALTH INSTITUTE

27 Sec. 58. Section 4.1, subsection 9A, Code 2022, is amended
28 by striking the subsection and inserting in lieu thereof the
29 following:

30 9A. "Intellectual disability" means a diagnosis of
31 intellectual disability or intellectual developmental disorder,
32 global developmental delay, or unspecified intellectual
33 disability or intellectual developmental disorder which
34 diagnosis shall be made only when the onset of the person's
35 condition was during the developmental period and based on an

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1 assessment of the person's intellectual functioning and level
2 of adaptive skills. A diagnosis of intellectual disability

3 shall be made by a licensed psychologist or psychiatrist who
4 is professionally trained to administer the tests required to
5 assess intellectual functioning and to evaluate a person's
6 adaptive skills and shall be made in accordance with the
7 criteria provided in the current version of the diagnostic
8 and statistical manual of mental disorders published by the
9 American psychiatric association.

10 Sec. 59. Section 226.8, Code 2022, is amended to read as
11 follows:

12 **226.8 Persons with a diagnosis of an intellectual disability
13 not receivable — exception — admission or transfer to state
14 mental health institute.**

15 1. A Admission or transfer pursuant to section 222.7 to
16 a state mental health institute of a person who has with a
17 diagnosis of an intellectual disability, as defined in section
18 4.1, shall not be admitted, or transferred pursuant to section
19 222.7, to a state mental health institute unless a professional
20 diagnostic evaluation indicates that such only occur under the
21 following conditions:

22 a. If all of the following requirements are met:
23 (1) The person has been determined by the state mental
24 health institute to meet admission criteria for inpatient
25 psychiatric care.

26 (2) The state mental health institute has determined the
27 person will benefit from psychiatric treatment or from some
28 other specific program available at the state mental health
29 institute to which it is proposed to admit or transfer the
30 person.

31 (3) There is sufficient capacity available at the state
32 mental health institute to support the needs of the person.
33 b. If determined appropriate for the person at the
34 sole discretion of the director of human services, the
35 administrator, or the director's or administrator's designee.

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1 2. Charges for the care of any person with a diagnosis of

2 an intellectual disability admitted to a state mental health

3 institute shall be made by the institute in the manner provided

4 by chapter 230, but the liability of any other person to any

5 county mental health and disability services region for the

6 cost of care of such person with a diagnosis of an intellectual

7 disability shall be as prescribed by section 222.78.

8 DIVISION XV

9 HEALTH-RELATED DATA

10 Sec. 60. Section 11.41, subsection 3, Code 2022, is amended
11 to read as follows:

12 3. If the information, records, instrumentalities, and
13 properties sought by the auditor of state are required by law
14 to be kept confidential, the auditor of state shall have access
15 to the information, records, instrumentalities, and properties,
16 but shall maintain the confidentiality of all such information

17 and is subject to the same penalties as the lawful custodian
18 of the information for dissemination of the information.
19 However, the auditor of state shall not have access to the
20 income tax returns of individuals or to an individual's name
21 or residential address from a reportable disease report under
22 section 139A.3.

23 Sec. 61. Section 135.166, subsection 2, Code 2022, is
24 amended to read as follows:

25 2. Unless otherwise authorized or required by state or
26 federal law, data collected under this section shall not
27 include the social security number or name of the individual
28 subject of the data.

29 Sec. 62. Section 139A.3, Code 2022, is amended by adding the
30 following new subsection:

31 **NEW SUBSECTION.** 1A. A state or local agency employee
32 or agent shall not have access to personally identifiable
33 information included in a reportable disease report provided
34 to or maintained by the department, a local board, or a local
35 department, unless the employee or agent has completed data

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1 confidentiality training.

2 DIVISION XVI

3 MEDICAID AND HAWK-I PROGRAMS — INSURANCE PROVISIONS
4 APPLICABILITY

5 Sec. 63. **NEW SECTION.** **505.34 Medical assistance and hawk-i**
6 **programs — applicability of subtitle.**

7 1. The medical assistance program under chapter 249A and the
8 healthy and well kids in Iowa (hawk-i) program under chapter
9 514I shall not be subject to this subtitle unless otherwise
10 provided by law.

11 2. A managed care organization acting pursuant to a contract
12 with the department of human services to administer the medical
13 assistance program under chapter 249A, or the healthy and well
14 kids in the Iowa (hawk-i) program under chapter 514I, shall not
15 be subject to this subtitle unless otherwise provided by law.

16 Sec. 64. Section 514B.32, Code 2022, is amended by adding
17 the following new subsection:

18 **NEW SUBSECTION.** 5. The provisions of this chapter shall be
19 applicable to a managed care organization acting pursuant to a
20 contract with the department of human services to administer
21 the medical assistance program under chapter 249A, or the
22 healthy and well kids in Iowa (hawk-i) program under chapter
23 514I, only with respect to licensure and solvency standards
24 as evidenced by the managed care organization obtaining
25 and maintaining a certificate of authority, and maintaining
26 compliance with the solvency standards set forth in this
27 chapter.

28 Sec. 65. Section 514I.2, subsection 9, Code 2022, is amended
29 to read as follows:

30 9. *"Participating insurer"* means any of the following:

31 a. An entity licensed by the division of insurance of the
32 department of commerce to provide health insurance in Iowa that
33 has contracted with the department to provide health insurance
34 coverage to eligible children under this chapter.

35 b. A managed care organization acting pursuant to a contract

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1 with the department of human services to administer the hawk-i
2 program.

3 Sec. 66. Section 514I.5, subsection 9, Code 2022, is amended
4 to read as follows:

5 9. The hawk-i board shall monitor the capacity of Medicaid
6 managed care organizations acting pursuant to a contract with
7 the department to administer the hawk-i program to specifically
8 and appropriately address the unique needs of children and
9 children's health delivery.

10 DIVISION XVII

11 MORE OPTIONS FOR MATERNAL SUPPORT PROGRAM — MEDICAID
12 POSTPARTUM COVERAGE REPORT

13 Sec. 67. NEW SECTION. 217.41C More options for maternal
14 support program.

15 1. a. The department of human services shall create the
16 more options for maternal support program, a statewide program
17 to promote healthy pregnancies and childbirth through nonprofit
18 organizations that provide pregnancy support services.

19 b. The more options for maternal support program is designed
20 to do all of the following:

21 (1) Provide an approach and personalized support to
22 pregnant women to provide stabilization to families.

23 (2) Promote improved pregnancy outcomes, including reducing
24 abortions, by helping women practice sound health-related
25 behaviors and improve prenatal nutrition.

26 (3) Improve child health and development by helping parents
27 provide responsible and competent care for their children.

28 (4) Improve family economic self-sufficiency by linking
29 parents to services that address individual economic and social
30 needs.

31 c. For the purposes of this section, "pregnancy support
32 services" means those nonmedical services that promote
33 childbirth by providing information, counseling, and support
34 services that assist pregnant women or women who believe they
35 may be pregnant to choose childbirth and to make informed

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1 decisions regarding the choice of adoption or parenting with
2 respect to their children.

3 2. The program may provide and support all of the following
4 pregnancy support services:

5 a. Nutritional services and education.

6 b. Housing, education, and employment assistance during

7 pregnancy and up to one year following a birth.
8 c. Adoption education, planning, and services.
9 d. Child care assistance if necessary for a pregnant woman
10 to receive pregnancy support services.
11 e. Parenting education and support services for up to one
12 year following a child's birth.
13 f. Material items which are supportive of pregnancy and
14 childbirth including but not limited to cribs, car seats,
15 clothing, diapers, formula, or other safety devices.
16 g. Information regarding health care benefits, including but
17 not limited to available Medicaid coverage for pregnancy care
18 and health care coverage for a child following birth.
19 h. A call center for information or to schedule
20 appointments.
21 i. Medical information and referrals for medical care,
22 including but not limited to pregnancy tests, sexually
23 transmitted infection tests, other health screenings,
24 ultrasound services, prenatal care, and birth classes and
25 planning.
26 j. Counseling, mentoring, educational information, and
27 classes relating to pregnancy, parenting, adoption, life
28 skills, and employment readiness.
29 3. The department of human services shall issue a request
30 for proposals to select a program administrator for the
31 program. A program administrator shall meet all of the
32 following requirements:
33 a. Be a nonprofit entity incorporated in this state with a
34 tax-exempt status pursuant to section 501(c)(3) of the Internal
35 Revenue Code.

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1 b. Have systems and processes in place that have been used
2 for at least three years to successfully manage a statewide
3 network of subcontractors providing pregnancy support services.
4 c. Have a commitment to promoting healthy pregnancies and
5 childbirth instead of abortion as a fundamental part of the
6 program administrator's mission.
7 d. Create and maintain a network of subcontractors to
8 provide pregnancy support services.
9 e. Maintain records for each subcontractor.
10 f. Monitor compliance with the terms and conditions of a
11 subcontractor.
12 4. A subcontractor providing pregnancy support services
13 under the program shall meet all of the following requirements:
14 a. Be a nonprofit organization incorporated in this state
15 with a tax-exempt status pursuant to section 501(c)(3) of the
16 Internal Revenue Code.
17 b. Have a minimum of one year of operational experience in
18 either providing core pregnancy support services or managing
19 a network of providers of pregnancy support services as a
20 subcontractor.

- 21 c. Have a primary mission of promoting healthy pregnancies
22 and childbirth instead of abortion.
- 23 d. Have a system of financial accountability consistent with
24 generally accepted accounting principles, including an annual
25 budget.
- 26 e. Have a board that hires and supervises a director who
27 manages the organization's operations.
- 28 f. Offer, at a minimum, counseling for women who are or may
29 be experiencing unplanned pregnancies.
- 30 g. Provide confidential and free pregnancy support and other
31 program services.
- 32 h. Provide each pregnant woman with accurate information
33 on the developmental characteristics of unborn children and
34 babies.
- 35 i. Ensure that program funds are not used to provide

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- 1 or refer pregnant women for terminations of pregnancy, or
2 to encourage or affirmatively counsel a pregnant woman to
3 terminate a pregnancy unless the pregnant woman's attending
4 physician confirms the termination of pregnancy is medically
5 necessary to prevent the pregnant woman's death.
- 6 j. Maintain confidentiality of all data, files, and records
7 related to the program services provided to persons accessing
8 program services in compliance with state and federal laws.
- 9 5. The department of human services shall publish the
10 program administrator and subcontractor criteria on the
11 department's internet site.
- 12 6. The department of human services shall adopt rules
13 pursuant to chapter 17A to administer the program, and shall
14 provide technical assistance to the program administrator,
15 monitor the program administrator for adherence to state and
16 federal requirements, and collect and maintain program data.
- 17 7. Beginning October 1, 2023, and on or before October
18 annually thereafter, the department of human services
19 shall submit to the general assembly the following program
20 information relative to the prior fiscal year:
- 21 a. The total number of subcontractors by geographical region
22 and the total number of unduplicated clients served by each
23 subcontractor by gender and age.
- 24 b. A description of outreach efforts by the administrator,
25 subcontractors, and the department.
- 26 c. Total program expenditures.
- 27 d. The amounts attributable to the administrator contract
28 and to each contract with the subcontractors.
- 29 e. The outcomes based on outcome measures included in the
30 contracts with the administrator and each subcontractor.
- 31 Sec. 68. MEDICAID POSTPARTUM COVERAGE — REPORT. The
32 department of human services shall review data regarding
33 the postpartum coverage available to recipients of

34 pregnancy-related Medicaid coverage and shall submit a report
35 to the general assembly by December 15, 2022, that includes

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1 the number of recipients of postpartum services, the services
2 utilized, and the costs of such services for the period
3 beginning January 1, 2020, through June 30, 2022, as well as
4 information regarding the number of states that have expanded
5 Medicaid postpartum coverage beyond sixty days, such states'
6 postpartum coverage expansion period, the amount of cost
7 savings realized by the states that expanded coverage to twelve
8 months postpartum, and whether a state expanded coverage
9 pursuant to a Medicaid waiver or a state plan amendment.

10 DIVISION XVIII

11 MENTAL HEALTH AND DISABILITY SERVICES REGIONS

12 Sec. 69. Section 331.389, Code 2022, is amended to read as

13 follows:

14 **331.389 Mental health and disability services regions —
15 criteria.**

16 1. ~~a.~~ Local access to mental health and disability services
17 ~~for adults~~ shall be provided either by counties organized
18 into a regional service system or by individual counties that
19 are exempted as provided by this subsection. The department
20 of human services shall encourage counties to enter into
21 a regional system when the regional approach is likely to
22 increase the availability of services to residents of the state
23 who need the services comprised of mental health and disability
24 services regions approved by the director of the department.

25 It is the intent of the general assembly that the ~~adult~~
26 residents of this state should have access to needed mental
27 health and disability services regardless of the location of
28 their residence.

29 b. If a county has been exempted prior to July 1, 2014, from
30 the requirement to enter into a regional service system, the
31 county and the county's board of supervisors shall fulfill all
32 requirements and be eligible as a region under this chapter and
33 chapters ~~222, 225, 225C, 226, 227, 229, and 230~~ for a regional
34 service system, regional service system management plan,
35 regional governing board, and regional administrator, and any

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1 other provisions applicable to a region of counties providing
2 local mental health and disability services. Additionally, a
3 county exempted under this subsection shall be considered a
4 region for purposes of chapter 426B.

5 2. The director of human services shall approve ~~any~~ a region
6 meeting the requirements of subsection 3.

7 3. Each county in the state shall participate in an
8 approved mental health and disability services region, unless
9 exempted pursuant to subsection 1. A region exempted from

10 the requirement to form a multicounty region prior to July 1,
11 2014, shall adhere to and fulfill all of the requirements of a
12 multicounty region. A mental health and disability services
13 region shall comply with all of the following requirements, as
14 applicable:

15 a. The counties comprising the a multicounty region are
16 contiguous.

17 b. The A multicounty region has at least three counties.

18 c. The region has the capacity to provide provides
19 required core services and perform performs all other required
20 functions.

21 d. At least one community mental health center or a
22 federally qualified health center with providers qualified
23 to provide psychiatric services, either directly or through
24 contractual arrangements with mental health professionals
25 qualified to provide psychiatric services, is located within
26 the region, has the capacity to provide outpatient services for
27 the region, and is either under contract with the region or has
28 provided documentation of intent to contract with the region
29 to provide the services.

30 e. A hospital with an inpatient psychiatric unit or a state
31 mental health institute is located in or within reasonably
32 close proximity to the region, has the capability to provide
33 inpatient services for the region, and is either under contract
34 with the region or has provided documentation of intent to
35 contract with the region to provide the services.

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1 f. The regional administrator structure proposed for
2 or utilized by the region has demonstrates clear lines of
3 accountability and the regional administrator functions as a
4 lead agency utilizing shared county staff or other appropriate
5 means of limiting administrative costs.

6 4. County formation of a A mental health and disability
7 services region is subject to all of the following:

8 a. On or before April 1, 2013, counties voluntarily
9 participating in a The approved region have complied shall
10 comply with all of the following formation criteria:

11 (1) The Any counties forming comprising the region have
12 been shall be identified and the board of supervisors of the
13 counties have approved a written letter of intent to join
14 together to form the region.

15 (2) (a) The proposed region complies with the requirements
16 in subsection 3.

17 (2) (b) The department provides shall provide written
18 notice to the boards of supervisors of the counties identified
19 for the region in the letter of intent a region's regional
20 administrator that the counties have complied region is in
21 compliance with the requirements in subsection 3.

22 b. Upon the department's determination that a region is in
23 compliance with the provisions of paragraph "a" requirements of

24 subsection 3, the participating counties are region shall be
25 eligible for technical assistance provided by the department.
26 c. The department shall work with any county that has not
27 agreed to be part of a region in accordance with paragraph
28 "a" and with the regions forming around the county to resolve
29 issues preventing the county from joining a region. In
30 addition to the regional governance agreement requirements
31 in section 331.392, the department may compel the county and
32 region to engage in mediation for resolution of a dispute.
33 The costs incurred for mediation shall be paid by the county
34 and the region in dispute according to their governance
35 agreement. A county that has not agreed to be part of a

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1 region in accordance with paragraph "a" shall be assigned by
2 the department to a region, unless exempted prior to July 1,
3 2014. A county assigned by the department to a region shall
4 be included in that region's amended governance agreement
5 pursuant to this section as of an effective date designated by
6 the department. The assigned county and region shall operate
7 according to the region's existing governance agreement until
8 the regional governance agreement is amended.

9 d. (1) On or before December 31, 2013, all counties shall
10 be part of a region that is in compliance with the provisions
11 of paragraph "a" other than meeting the April 1, 2013, date. If
12 the department withdraws approval for a region, or if a county
13 is not approved by the department as a single county region and
14 otherwise not assigned to a region, the department may assign
15 the county or counties no longer assigned to an approved region
16 to an approved region.

17 (2) An approved region that has a county assigned to the
18 region pursuant to subparagraph (1) shall amend the region's
19 existing governance agreement to include the assigned county.
20 The amended governance agreement shall include an effective
21 date designated by the department.

22 (3) A county assigned to a region by the department pursuant
23 to subparagraph (1) shall operate according to the governance
24 agreement in existence at the time the county was assigned to
25 the region until the region's amended governance agreement
26 created pursuant to subparagraph (2) becomes effective.

27 e. On or before June 30, 2014, unless exempted prior to July
28 1, 2014, all counties A region shall be in compliance with all
29 of the following mental health and disability services region
30 implementation criteria:

31 (1) The board of supervisors of each county participating
32 in the a multicounty region has voted to approve a chapter 28E
33 agreement.

34 (2) The duly authorized representatives of all the counties
35 participating in the a multicounty region have signed the

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1 chapter 28E agreement that is in compliance with section
2 331.390.
3 (3) The ~~county board of supervisors'~~ or ~~supervisors'~~
4 ~~designee members and other members~~ of the region's governing
5 board have been appointed in accordance with section 331.390.
6 (4) Executive staff for the region's regional administrator
7 have been identified ~~or engaged~~.
8 (5) An initial draft of a ~~A~~ regional service management
9 ~~transition~~ plan has been developed which identifies ~~the steps~~
10 to be taken by the region to do all of the following:
11 (a) ~~Designate local~~ Local access points for the disability
12 services administered by the region.
13 (b) ~~Designate the~~ The region's targeted case manager
14 providers funded by the medical assistance program.
15 (c) ~~Identify the~~ The service provider network for the
16 region.
17 (d) ~~Define the~~ The service access and service authorization
18 process to be utilized ~~for~~ by the region.
19 (e) ~~Identify the~~ The information technology and data
20 management capacity to be employed to support regional
21 functions.
22 (f) Establish business Business functions, funds accounting
23 procedures, and other administrative processes.
24 (g) Comply with ~~data~~ Data reporting and other information
25 technology requirements identified by the department.
26 (6) The department has approved the region's chapter 28E
27 agreement ~~and the initial draft of the regional management~~
28 ~~transition plan unless the county was exempted from the~~
29 ~~requirements of subparagraph (1) prior to July 1, 2014.~~
30 (7) The department has approved the region's regional
31 management plan.
32 f. If the department, in consultation with the state
33 commission, determines that a region is in substantial
34 compliance with the implementation criteria in paragraph "e"
35 and has sufficient operating capacity to begin operations, the

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1 region may commence partial or full operations prior to July
2 2014.
3 5. a. If the department determines that a region ~~or an~~
4 ~~exempted county~~ is not adequately fulfilling the requirements
5 under this chapter for a regional service system, the
6 department shall address the region ~~or county~~ in the following
7 order:
8 (1) Require compliance with a corrective action plan.
9 (2) Reduce the amount of the annual state funding provided
10 for the regional service system ~~or exempted county~~, including
11 amounts received under section 225C.7A, not to exceed fifteen
12 percent of the amount.

13 (3) Withdraw approval for the region ~~or for the county~~
14 ~~exemption, as applicable.~~

15 b. The department shall rely on all information available,
16 including annual audits submitted under section 331.391,
17 regional governance agreements submitted under section 331.392,
18 and annual service and budget plans submitted under section
19 331.393 in determining whether a region ~~or an exempted county~~
20 is adequately fulfilling the requirements for a regional
21 service system. The department may request and review
22 financial documents, contracts, and other audits, and may
23 perform on-site reviews and interviews to gather information.

24 Sec. 70. Section 331.390, subsection 1, Code 2022, is
25 amended to read as follows:

26 1. a. The counties comprising a mental health and
27 disability services region shall enter into an agreement under
28 chapter 28E to form a regional administrator under the control
29 of a governing board to function on behalf of those counties.

30 b. A region exempted from the requirement to enter into
31 a chapter 28E agreement prior to July 1, 2014, shall submit
32 written documents demonstrating that the region has formed a
33 regional administrator under the control of a governing board
34 to function on behalf of that region and otherwise comply with
35 the requirements of this section.

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1 Sec. 71. Section 331.391, subsection 1, Code 2022, is
2 amended to read as follows:

3 1. The funding under the control of the governing board
4 shall be maintained in a combined account. A county exempted
5 ~~under section 331.389, subsection 1 from joining a multicounty~~
6 ~~region prior to July 1, 2014,~~ shall maintain a county mental
7 health and disability services fund for the deposit of funding
8 received under section 225C.7A and appropriations specifically
9 authorized to be made from the county mental health and
10 disability services fund shall not be made from any other fund
11 of the county. A county mental health and disability services
12 fund established by an exempt county, to the extent feasible,
13 shall be considered to be the same as a region combined account
14 and shall be subject to the same requirements as a region's
15 combined account.

16 Sec. 72. Section 331.392, subsection 1, Code 2022, is
17 amended to read as follows:

18 1. a. In addition to compliance with the applicable
19 provisions of chapter 28E, the chapter 28E agreement entered
20 into by the counties comprising a mental health and disability
21 services region in forming the regional administrator to
22 function on behalf of the counties shall comply with the
23 requirements of this section.

24 b. Documents submitted by a region exempted from the
25 requirement to enter into a chapter 28E agreement prior to July
26 1, 2014, pursuant to section 331.390, subsection 1, paragraph

27 "b", shall also demonstrate compliance with the requirements of
28 this section.

29 Sec. 73. Section 331.393, subsection 1, Code 2022, is
30 amended to read as follows:

31 1. a. The mental health and disability services provided
32 by counties operating as a region shall be delivered in
33 accordance with a regional service system management plan
34 approved by the region's governing board and implemented by the
35 regional administrator in accordance with this section. The

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1 requirements for a regional service system management plan and
2 plan format shall be specified in rule adopted by the state
3 commission pursuant to a recommendation made by the department.
4 A regional management plan shall include an annual service and
5 budget plan, a policies and procedures manual, and an annual
6 report. ~~Each region's initial plan shall be submitted to the~~
7 ~~department by April 1, 2014.~~

8 b. A region, regardless of whether the region is a
single county or multicounty region, shall comply with all
9 requirements of this section.

11 Sec. 74. Section 331.393, subsection 6, Code 2022, is
12 amended by striking the subsection.

13 Sec. 75. Section 331.910, subsection 2, paragraph d, Code
14 2022, is amended to read as follows:

15 *d. "Region"* means a mental health and disability services
16 region formed in accordance with section 331.389 ~~or a county~~
17 ~~that has been exempted by the director of human services from~~
18 ~~being required to be a part of a mental health and disability~~
19 ~~services region in accordance with section 331.389.~~

20 DIVISION XIX

21 HEALTH CARRIERS — TELEHEALTH

22 Sec. 76. Section 514C.34, subsection 3, Code 2022, is
23 amended to read as follows:

24 3. a. Health care services that are delivered by telehealth
25 must be appropriate and delivered in accordance with applicable
26 law and generally accepted health care practices and standards
27 prevailing at the time the health care services are provided,
28 including all rules adopted by the appropriate professional
29 licensing board, pursuant to chapter 147, having oversight
30 of the health care professional providing the health care
31 services.

32 b. A health carrier shall not exclude a health care
professional who provides services for mental health
33 conditions, illnesses, injuries, or diseases and who is
34 physically located out-of-state from participating as a

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1 provider, via telehealth, under a policy, plan, or contract
2 offered by the health carrier in the state if all of the

3 following requirements are met:

4 (1) The health care professional is licensed in this state
5 by the appropriate professional licensing board and is able
6 to deliver health care services for mental health conditions,
7 illnesses, injuries, or diseases via telehealth in compliance
8 with paragraph "a".

9 (2) The health care professional is able to satisfy the same
10 criteria that the health carrier uses to qualify a health care
11 professional who is located in the state, and who holds the
12 same license as the out-of-state professional, to participate
13 as a provider, via telehealth, under a policy, plan, or
14 contract offered by the health carrier in the state.

15 Sec. 77. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17 Sec. 78. APPLICABILITY. This division of this Act applies
18 to health carriers that deliver, issue for delivery, continue,
19 or renew a policy, contract, or plan in this state on or after
20 the effective date of this Act.

DIVISION XX

NURSING FACILITY CONSTRUCTION OR EXPANSION RELIEF

23 Sec. 79. Section 249K.2, subsection 4, Code 2022, is amended
24 to read as follows:

25 4. "*Major renovations*" means construction or facility
26 improvements to a nursing facility in which the total amount
27 expended exceeds one million five seven hundred fifty thousand
28 dollars.

29 Sec. 80. Section 249K.5, subsection 2, Code 2022, is amended
30 by adding the following new paragraph:

31 **NEW PARAGRAPH.** c. The nursing facility for which relief
32 or an exception is requested is proposing replacement or
33 enhancement of an HVAC, as defined in section 105.2, system for
34 improved infection control.

35 Sec. 81. ADMINISTRATIVE RULES — ADOPTION AND

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1 AMENDMENT. The department of human services shall adopt or
2 amend rules pursuant to chapter 17A to administer this division
3 of this Act. Specifically, the department shall amend rules
4 relating to nursing facility additional requirements for all
5 requests for the capital cost per diem instant relief add-on
6 and enhanced nondirect care rate component limit to provide
7 that with regard to the additional requirements a nursing
8 facility must meet, the facility has Medicaid utilization at
9 or above forty percent for the two-month period before the
10 request for additional reimbursement is submitted. Medicaid
11 utilization for this purpose is calculated as total nursing
12 facility Medicaid patient days divided by total in-house
13 patient days as reported on the facility's most current
14 financial and statistical report.

DIVISION XXI

PSYCHIATRY RESIDENCY PROGRAM

17 Sec. 82. **NEW SECTION.** **135.180 State-funded psychiatry**
18 **residency program — fund — appropriations.**
19 1. The university of Iowa hospitals and clinics shall
20 administer a state-funded psychiatry residency program
21 in cooperation with the state mental health institutes at
22 Independence and Cherokee, the state resource center at
23 Woodward, the state training school at Eldora, and the Iowa
24 medical and classification center at Oakdale. The university
25 of Iowa hospitals and clinics shall expand the psychiatry
26 residency program to provide additional residency positions
27 by providing financial support for residency positions
28 which are in excess of the federal residency cap established
29 by the federal Balanced Budget Act of 1997, Pub. L. No.
30 105-33. Participating residents shall complete a portion of
31 their psychiatry training at one of the state mental health
32 institutes, the state resource center, the state training
33 school, or the Iowa medical and classification center at
34 Oakdale. For accreditation-required clinical experiences not
35 available at the state mental health institutes, the state

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1 resource center, the state training school, or the Iowa medical
2 and classification center at Oakdale, the psychiatry residency
3 program and its residents may utilize clinical rotations at the
4 university of Iowa hospitals and clinics and its affiliates
5 across the state.
6 2. The university of Iowa hospitals and clinics shall apply
7 to the accreditation council for graduate medical education
8 for approval of twelve additional residency positions for each
9 class of residents and the psychiatry residency program shall
10 award the total number of residency positions approved for each
11 class of residents. Preference in the awarding of residency
12 positions shall be given to candidates who are residents of
13 Iowa, attended and earned an undergraduate degree from an Iowa
14 college or university, or attended and earned a medical degree
15 from a medical school in Iowa.
16 3. A psychiatry residency program fund is created in
17 the state treasury consisting of the moneys appropriated or
18 credited to the fund by law. Notwithstanding section 8.33,
19 moneys in the fund at the end of each fiscal year shall not
20 revert to any other fund but shall remain in the psychiatry
21 residency program fund for use in subsequent fiscal years.
22 Moneys in the fund are appropriated to the university of Iowa
23 hospitals and clinics to be used for the purposes of the
24 program. For the fiscal years beginning on or after July 1,
25 2023, there is appropriated from the general fund of the state
26 to the psychiatry residency program fund one hundred thousand
27 dollars for each residency position approved and awarded under
28 the program.>

MARK COSTELLO

S-5156

1 Amend the amendment, S-5154, to House File 2575, as amended,
 2 passed, and reprinted by the House, as follows:

- 3 1. Page 19, line 25, by striking <5.50> and inserting <7.00>
 4 2. Page 30, after line 34 by inserting:

<DIVISION _____

FY 2021–2022 APPROPRIATION — COOPERATIVE EXTENSION SERVICE IN
 AGRICULTURE AND HOME ECONOMICS

8 Sec. ___. 2021 Iowa Acts, chapter 170, section 10,

9 subsection 3, paragraph c, is amended to read as follows:

10 c. Cooperative extension service in agriculture and home
 11 economics

12 For the cooperative extension service in agriculture
 13 and home economics salaries, support, maintenance, and
 14 miscellaneous purposes, and for not more than the following
 15 full-time equivalent positions:

16	\$	18,157,366
17	FTEs	385.34

18 (1) From the moneys appropriated in this lettered
 19 paragraph, \$150,000 shall be used for the costs incurred by
 20 the Iowa agricultural extension association as host of the
 21 2023 national meeting of the national association of county
 22 agricultural agents.

23 (2) Notwithstanding section 8.33, if moneys appropriated
 24 in this lettered paragraph remain unencumbered or unobligated
 25 at the close of the fiscal year, an amount of not more than
 26 \$150,000 shall not revert but shall remain available until the
 27 close of the fiscal year that begins July 1, 2023, for costs
 28 incurred by the Iowa agricultural extension association as host
 29 of the 2023 national meeting of the national association of
 30 county agricultural agents.

31 Sec. ___. EFFECTIVE DATE. This division of this Act, being
 32 deemed of immediate importance, takes effect upon enactment.>

33 3. By renumbering as necessary.

CHRIS COURNOYER

S-5157

1 Amend House File 2080, as amended, passed, and reprinted by
 2 the House, as follows:

3 1. Page 1, line 11, after <examiners,> by inserting <school

4 resource officer,>

5 2. Page 1, line 29, after <examiners;> by inserting <a

6 school resource officer,>

7 3. Page 2, after line 15 by inserting:

8 <Sec. ___. Section 257.11, subsection 5, paragraph a,

9 subparagraph (2), Code 2022, is amended by adding the following
 10 new subparagraph division:

11 NEW SUBPARAGRAPH DIVISION. (0b) “*School resource officer*”

12 means the same as defined in 34 U.S.C. §10389.>

- 13 4. Title page, by striking line 3 and inserting <school
14 resource officer, superintendent management, and special
15 education director,>
16 5. By renumbering as necessary.

CHRIS COURNOYER

S-5158

- 1 Amend Senate File 2231 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 505.26, subsection 1, paragraph b, Code
5 2022, is amended to read as follows:
6 b. *"Pharmacy benefits manager"* means the same as defined in
7 section ~~510B.1~~ 510C.1.
8 Sec. 2. Section 507B.4, subsection 3, Code 2022, is amended
9 by adding the following new paragraph:
10 **NEW PARAGRAPH.** t. *Pharmacy benefits managers.* Any
11 violation of chapter 510B by a pharmacy benefits manager.
12 Sec. 3. Section 510B.1, Code 2022, is amended by striking
13 the section and inserting in lieu thereof the following:
14 **510B.1 Definitions.**
15 As used in this chapter, unless the context otherwise
16 requires:
17 1. *"Clean claim"* means a claim that has no defect or
18 impropriety, including a lack of any required substantiating
19 documentation, or other circumstances requiring special
20 treatment, that prevents timely payment from being made on the
21 claim.
22 2. *"Commissioner"* means the commissioner of insurance.
23 3. *"Cost-sharing"* means any coverage limit, copayment,
24 coinsurance, deductible, or other out-of-pocket cost obligation
25 imposed by a health benefit plan on a covered person.
26 4. *"Covered person"* means a policyholder, subscriber, or
27 other person participating in a health benefit plan that has
28 a prescription drug benefit managed by a pharmacy benefits
29 manager.
30 5. *"Health benefit plan"* means the same as defined in
31 section 514J.102.
32 6. *"Health care professional"* means the same as defined in
33 section 514J.102.
34 7. *"Health carrier"* means an entity subject to the
35 insurance laws and regulations of this state, or subject

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- 1 to the jurisdiction of the commissioner, including an
2 insurance company offering sickness and accident plans, a
3 health maintenance organization, a nonprofit health service
4 corporation, a plan established pursuant to chapter 509A
5 for public employees, or any other entity providing a plan

6 of health insurance, health care benefits, or health care
7 services. "*Health carrier*" does not include the department
8 of human services, or a managed care organization acting
9 pursuant to a contract with the department of human services to
10 administer the medical assistance program under chapter 249A
11 or the healthy and well kids in Iowa (hawk-i) program under
12 chapter 514I.

13 8. "*Maximum allowable cost*" means the maximum amount that a
14 pharmacy will be reimbursed by a pharmacy benefits manager or a
15 health carrier for a generic drug, brand-name drug, biologic
16 product, or other prescription drug, and that may include any
17 of the following:

18 a. Average acquisition cost.
19 b. National average acquisition cost.
20 c. Average manufacturer price.
21 d. Average wholesale price.
22 e. Brand effective rate.
23 f. Generic effective rate.
24 g. Discount indexing.
25 h. Federal upper limits.
26 i. Wholesale acquisition cost.
27 j. Any other term used by a pharmacy benefits manager or a
28 health carrier to establish reimbursement rates for a pharmacy.

29 9. "*Maximum allowable cost list*" means a list of
30 prescription drugs that includes the maximum allowable cost
31 for each prescription drug and that is used, directly or
32 indirectly, by a pharmacy benefits manager.

33 10. "*Pharmacist*" means the same as defined in section
34 155A.3.

35 11. "*Pharmacy*" means the same as defined in section 155A.3.

Page 3

1 12. "*Pharmacy acquisition cost*" means the cost to a
2 pharmacy for a prescription drug as invoiced by a wholesale
3 distributor, and reduced by any discounts, rebates, or other
4 price concessions applicable to the prescription drug that are
5 not shown on the invoice and are known at the time that the
6 pharmacy files an appeal with a pharmacy benefits manager.

7 13. "*Pharmacy benefits manager*" means the same as defined
8 in section 510C.1.

9 14. "*Pharmacy benefits manager affiliate*" means a pharmacy or
10 a pharmacist that directly or indirectly through one or more
11 intermediaries, owns or controls, is owned and controlled by,
12 or is under common ownership or control of, a pharmacy benefits
13 manager.

14 15. "*Pharmacy network*" or "*network*" means pharmacies that
15 have contracted with a pharmacy benefits manager to dispense
16 or sell prescription drugs to covered persons of a health
17 benefit plan for which the pharmacy benefits manager manages
18 the prescription drug benefit.

19 16. "*Prescription drug*" means the same as defined in section

20 155A.3.
21 17. "Prescription drug benefit" means the same as defined
22 in section 510C.1.
23 18. "Prescription drug order" means the same as defined in
24 section 155A.3.
25 19. "Rebate" means the same as defined in section 510C.1.
26 20. "Wholesale distributor" means the same as defined in
27 section 155A.3.
28 Sec. 4. Section 510B.4, Code 2022, is amended to read as
29 follows:
30 **510B.4 Performance of duties — good faith — conflict of
31 interest.**
32 1. A pharmacy benefits manager shall ~~perform the pharmacy~~
33 ~~benefits manager's duties exercising exercise~~ good faith and
34 fair dealing in the performance of its ~~the pharmacy benefits~~
35 ~~manager's~~ contractual obligations toward ~~the covered entity a~~

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1 health carrier.
2 2. A pharmacy benefits manager shall notify ~~the covered~~
3 ~~entity a health carrier~~ in writing of any activity, policy,
4 practice ownership interest, or affiliation of the pharmacy
5 benefits manager that presents any conflict of interest.
6 3. A pharmacy benefits manager shall act in the best
7 interest of each health carrier for whom the pharmacy benefits
8 manager manages a prescription drug benefit provided by the
9 health carrier, and shall discharge its duties in accordance
10 with applicable state and federal law.
11 4. A pharmacy benefits manager, health carrier, or health
12 benefit plan shall not discriminate against a pharmacy
13 or a pharmacist with respect to participation, referral,
14 reimbursement of a covered service, or indemnification if a
15 pharmacist is acting within the scope of the pharmacist's
16 license.
17 Sec. 5. Section 510B.5, Code 2022, is amended to read as
18 follows:
19 **510B.5 Contacting covered individual persons — requirements.**
20 A pharmacy benefits manager, unless authorized pursuant to
21 the terms of its contract with a ~~covered entity~~ health carrier,
22 shall not contact any covered individual person without
23 the express written permission of the ~~covered entity~~ health
24 carrier.
25 Sec. 6. Section 510B.6, Code 2022, is amended to read as
26 follows:
27 **510B.6 Dispensing of substitute Substitute prescription drug
28 for prescribed drug drugs.**
29 1. The following provisions shall apply ~~when if~~ a pharmacy
30 benefits manager requests the dispensing of a substitute
31 prescription drug for a ~~prescribed drug to~~ prescribed for a
32 covered individual person:
33 a. The pharmacy benefits manager may request the

34 substitution of a lower priced generic and therapeutically
35 equivalent prescription drug for a higher priced prescribed

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1 prescription drug.
2 b. If the substitute prescription drug's net cost to the
3 covered individual person or covered entity to the health
4 carrier exceeds the cost of the prescribed prescription drug
5 originally prescribed for the covered person, the substitution
6 shall be made only for medical reasons that benefit the covered
7 individual person.
8 2. A pharmacy benefits manager shall obtain the approval of
9 the prescribing practitioner health care professional prior to
10 requesting any substitution under this section.

11 3. A pharmacy benefits manager shall not substitute an
12 equivalent prescription drug contrary to a prescription drug
13 order that prohibits a substitution.

14 Sec. 7. Section 510B.7, Code 2022, is amended by striking
15 the section and inserting in lieu thereof the following:

16 **510B.7 Pharmacy networks.**

17 1. A pharmacy located in the state shall not be prohibited
18 from participating in a pharmacy network provided that the
19 pharmacy accepts the same terms and conditions as the pharmacy
20 benefits manager imposes on the pharmacies in the network.

21 2. A pharmacy benefits manager shall not assess, charge, or
22 collect any form of remuneration that passes from a pharmacy
23 or a pharmacist in a pharmacy network to the pharmacy benefits
24 manager including but not limited to claim processing fees,
25 performance-based fees, network participation fees, or
26 accreditation fees.

27 Sec. 8. Section 510B.8, Code 2022, is amended by striking
28 the section and inserting in lieu thereof the following:

29 **510B.8 Prescription drugs — point of sale.**

30 1. A covered person shall not be required to make a
31 cost-sharing payment at the point of sale for a prescription
32 drug in an amount that exceeds the total amount that the
33 pharmacy at which the covered person fills the covered person's
34 prescription drug order is reimbursed.

35 2. A pharmacy benefits manager shall not prohibit a pharmacy

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1 from disclosing the availability of a lower-cost prescription
2 drug option to a covered person, or from selling a lower-cost
3 prescription drug option to a covered person.
4 3. Any amount paid by a covered person for a prescription
5 drug purchased pursuant to this section shall be applied to any
6 deductible imposed by the covered person's health benefit plan
7 in accordance with the health benefit plan coverage documents.
8 4. A covered person shall not be prohibited from filling
9 a prescription drug order at any pharmacy located in the

10 state provided that the pharmacy accepts the same terms and
11 conditions as the pharmacies participating in the covered
12 person's health benefit plan's network.

13 5. Excluding incentives in value-based programs established
14 by a health carrier or a pharmacy benefits manager to promote
15 the use of higher quality pharmacies, a pharmacy benefits
16 manager shall not impose different cost-sharing or additional
17 fees on a covered person based on the pharmacy at which the
18 covered person fills the covered person's prescription drug
19 order.

20 6. A pharmacy benefits manager shall not require a covered
21 person, as a condition of payment or reimbursement, to purchase
22 pharmacy services, including prescription drugs, exclusively
23 through a mail-order pharmacy.

24 7. a. For purposes of calculating a covered person's
25 contribution toward the covered person's cost-sharing, a
26 pharmacy benefits manager shall include all cost-sharing paid
27 by the covered person and all cost-sharing paid by any other
28 person on behalf of the covered person.

29 b. If application of paragraph "a" will result in health
30 savings account ineligibility under section 223 of the Internal
31 Revenue Code, paragraph "a" shall only apply to the covered
32 person's deductible for a health savings account qualified-high
33 deductible health plan after the covered person has satisfied
34 the minimum deductible under section 223 of the Internal
35 Revenue Code, except for items or services that are preventive

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1 care, in which case, the requirement shall apply regardless of
2 if the minimum deductible under section 223 of the Internal
3 Revenue Code has been satisfied. For purposes of this section,
4 "*preventive care*" means the same as under section 223(c)(2)(C)
5 of the Internal Revenue Code.

6 c. Paragraph "a" shall not apply to cost-sharing paid by
7 a covered person, or to cost-sharing paid by any other person
8 on behalf of the covered person, for a specialty drug or for
9 a prescription drug for which a medically appropriate A-rated
10 generic equivalent or an interchangeable biological product is
11 available to the covered person.

12 d. Paragraph "a" shall not apply to a state-regulated
13 high-deductible health plan to the extent application
14 of paragraph "a" will result in the state-regulated
15 high-deductible health plan not qualifying as a high-deductible
16 health plan under section 223 of the Internal Revenue Code.

17 e. If paragraph "a" conflicts with a federal law or a
18 federal regulation as applied to a specific health carrier or
19 to a specific circumstance, paragraph "a" shall apply to all
20 health carriers and in all circumstances in which the federal
21 law or federal regulation does not conflict.

22 Sec. 9. **NEW SECTION. 510B.8A Maximum allowable cost lists.**
23 1. Prior to placement of a particular prescription drug on a

24 maximum allowable cost list, a pharmacy benefits manager shall
25 ensure that all of the following requirements are met:
26 a. The particular prescription drug must be listed as
27 therapeutically and pharmaceutically equivalent in the most
28 recent edition of the publication entitled "Approved Drug
29 Products with Therapeutic Equivalence Evaluations", published
30 by the United States food and drug administration, otherwise
31 known as the orange book.
32 b. The particular prescription drug must not be obsolete or
33 temporarily unavailable.
34 c. The particular prescription drug must be available for
35 purchase, without limitations, by all pharmacies in the state

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1 from a national or regional wholesale distributor that is
2 licensed in the state.
3 2. For each maximum allowable cost list that a pharmacy
4 benefits manager uses in the state, the pharmacy benefits
5 manager shall do all of the following:
6 a. Provide each pharmacy in a pharmacy network reasonable
7 access to the maximum allowable cost list to which the pharmacy
8 is subject.
9 b. Update the maximum allowable cost list within seven
10 calendar days from the date of an increase of ten percent or
11 more in the pharmacy acquisition cost of a prescription drug on
12 the list by one or more wholesale distributors doing business
13 in the state.
14 c. Update the maximum allowable cost list within seven
15 calendar days from the date of a change in the methodology, or
16 a change in the value of a variable applied in the methodology,
17 on which the maximum allowable cost list is based.
18 d. Provide a reasonable process for each pharmacy in a
19 pharmacy network to receive prompt notice of all changes to the
20 maximum allowable cost list to which the pharmacy is subject.
21 Sec. 10. **NEW SECTION. 510B.8C Pharmacy benefits manager**
22 **affiliates — reimbursement.**
23 A pharmacy benefits manager shall not reimburse any pharmacy
24 located in the state in an amount less than the amount that
25 the pharmacy benefits manager reimburses a pharmacy benefits
26 manager affiliate for dispensing the same prescription drug
27 as dispensed by the pharmacy. The reimbursement amount shall
28 be calculated on a per unit basis based on the same generic
29 product identifier or generic code number.
30 Sec. 11. **NEW SECTION. 510B.8D Clean claims.**
31 After the date of receipt of a clean claim submitted by a
32 pharmacy in a pharmacy network, a pharmacy benefits manager
33 shall not retroactively reduce payment on the claim, either
34 directly or indirectly except in the following circumstances:
35 a. The claim is found not to be a clean claim during the

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- 1 course of a routine audit.
- 2 b. The claim submission was fraudulent.
- 3 c. The claim submission was a duplicate submission of a
- 4 claim for which the pharmacy had already received payment.
- 5 Sec. 12. **NEW SECTION. 510B.8E Appeals and disputes.**
- 6 1. A pharmacy benefits manager shall provide a reasonable
- 7 process to allow a pharmacy to appeal a maximum allowable cost
- 8 or reimbursement rate for a specific prescription drug for any
- 9 of the following reasons:
 - 10 a. The pharmacy benefits manager violated section 510B.8A.
 - 11 b. The maximum allowable cost or the reimbursement rate is
 - 12 below the pharmacy acquisition cost.
 - 13 2. The appeal process must include all of the following:
 - 14 a. A dedicated telephone number at which a pharmacy may
 - 15 contact the pharmacy benefits manager and speak directly with
 - 16 an individual involved in the appeal process.
 - 17 b. A dedicated electronic mail address or internet site for
 - 18 the purpose of submitting an appeal directly to the pharmacy
 - 19 benefits manager.
 - 20 c. A period of at least thirty business days after the date
 - 21 of a pharmacy's initial submission of a clean claim during
 - 22 which the pharmacy may initiate an appeal.
 - 23 3. A pharmacy benefits manager shall respond to an appeal
 - 24 within seven business days after the date on which the pharmacy
 - 25 benefits manager receives the appeal.
 - 26 a. If the pharmacy benefits manager grants a pharmacy's
 - 27 appeal, the pharmacy benefits manager shall do all of the
 - 28 following:
 - 29 (1) Adjust the maximum allowable cost or the reimbursement
 - 30 rate of the prescription drug that is the subject of the appeal
 - 31 and provide the national drug code number that the adjustment
 - 32 is based on to the appealing pharmacy.
 - 33 (2) Permit the appealing pharmacy to reverse and resubmit
 - 34 the claim that is the subject of the appeal.
 - 35 (3) Make the adjustment pursuant to subparagraph (1)

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- 1 applicable to all of the following:
 - 2 (a) Each pharmacy that is under common ownership with the
 - 3 pharmacy that submitted the appeal.
 - 4 (b) Each pharmacy in the state that demonstrates the
 - 5 inability to purchase the prescription drug for less than the
 - 6 established maximum allowable cost or reimbursement rate.
 - 7 b. If the pharmacy benefits manager denies a pharmacy's
 - 8 appeal, the pharmacy benefits manager shall do all of the
 - 9 following:
 - 10 (1) Provide the appealing pharmacy the national drug
 - 11 code number and the name of a wholesale distributor licensed
 - 12 pursuant to section 155A.17 from which the pharmacy can obtain

13 the prescription drug at or below the maximum allowable cost
14 or reimbursement rate.
15 (2) If the prescription drug identified by the national drug
16 code number provided by the pharmacy benefits manager pursuant
17 to subparagraph (1) is not available below the pharmacy
18 acquisition cost from the wholesale distributor from whom the
19 pharmacy purchases the majority of its prescription drugs for
20 resale, the pharmacy benefits manager shall adjust the maximum
21 allowable cost or the reimbursement rate above the appealing
22 pharmacy's pharmacy acquisition cost, and permit the pharmacy
23 to reverse and resubmit each claim affected by the pharmacy's
24 inability to procure the prescription drug at a cost that is
25 equal to or less than the previously appealed maximum allowable
26 cost or the reimbursement rate.

27 Sec. 13. Section 510B.9, Code 2022, is amended to read as
28 follows:

29 **510B.9 Submission, approval, and use of prior Prior**
30 **authorization form.**

31 A pharmacy benefits manager shall file with and have
32 approved by the commissioner a single prior authorization
33 form as provided in section 505.26 comply with all applicable
34 prior authorization requirements pursuant to section 505.26.

35 A pharmacy benefits manager shall use the single prior

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1 ~~authorization form as provided in section 505.26.~~

2 Sec. 14. Section 510B.10, Code 2022, is amended by striking
3 the section and inserting in lieu thereof the following:

4 **510B.10 Enforcement.**

5 1. The commissioner may take any enforcement action under
6 the commissioner's authority to enforce compliance with this
7 chapter.

8 2. After notice and hearing, the commissioner may issue any
9 order or impose any penalty pursuant to section 507B.7, and may
10 suspend or revoke a pharmacy benefits manager's certificate
11 of registration as a third-party administrator upon a finding
12 that the pharmacy benefits manager violated this chapter,
13 or any applicable requirements pertaining to third-party
14 administrators under chapter 510.

15 3. A pharmacy benefits manager shall be subject to the
16 commissioner's authority to conduct an examination pursuant to
17 chapter 507.

18 4. A pharmacy benefits manager is subject to the
19 commissioner's authority to conduct a proceeding pursuant
20 to chapter 507B. The procedures set forth in chapter 507B
21 regarding proceedings shall apply to a proceeding related to a
22 pharmacy benefits manager under this chapter.

23 5. A pharmacy benefits manager is subject to the
24 commissioner's authority to conduct an examination, audit,
25 or inspection pursuant to chapter 510 for third-party
26 administrators. The procedures set forth in chapter 510 for

27 third-party administrators shall apply to an examination,
28 audit, or inspection of a pharmacy benefits manager under this
29 chapter.
30 6. If the commissioner conducts an examination of a pharmacy
31 benefits manager under chapter 507; a proceeding under chapter
32 507B; or an examination, audit, or inspection under chapter
33 510, all information received from the pharmacy benefits
34 manager, and all notes, work papers, or other documents related
35 to the examination, proceeding, audit, or inspection shall

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1 be confidential records pursuant to chapter 22 and shall be
2 accorded the same confidentiality as notes, work papers,
3 investigatory materials, or other documents related to the
4 examination of an insurer as provided in section 507.14.
5 7. A violation of this chapter shall be an unfair or
6 deceptive act or practice in the business of insurance pursuant
7 to section 507B.4, subsection 3.
8 Sec. 15. **NEW SECTION. 510B.11 Rules.**
9 The commissioner may adopt rules pursuant to chapter 17A to
10 administer this chapter.
11 Sec. 16. **NEW SECTION. 510B.12 Severability.**
12 If a provision of this chapter or its application to any
13 person or circumstance is held invalid, the invalidity does
14 not affect other provisions or applications of this chapter
15 which can be given effect without the invalid provision or
16 application, and to this end the provisions of this chapter are
17 severable.
18 Sec. 17. REPEAL. Section 510B.3, Code 2022, is repealed.
19 Sec. 18. APPLICABILITY. 1. This Act applies to pharmacy
20 benefits managers that manage a health carrier's prescription
21 drug benefit in the state on or after the effective date of
22 this Act.
23 2. The following applies to all health benefit plans
24 delivered, issued for delivery, continued, or renewed in this
25 state on or after January 1, 2023:
26 The section of this Act amending section 510B.8, subsection
27 7.>

MIKE KLIMESH

S-5159

1 Amend House File 2384, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, by striking lines 1 through 4 and inserting:
4 **<DIVISION I**
5 **PHARMACY BENEFITS MANAGERS, PHARMACIES, AND PRESCRIPTION DRUG**
6 **BENEFITS>**
7 2. Page 1, after line 26 by inserting:
8 <___. "Facility" means an institution providing health

9 care services or a health care setting, including but not
10 limited to hospitals and other licensed inpatient centers,
11 ambulatory surgical or treatment centers, skilled nursing
12 centers, residential treatment centers, diagnostic, laboratory
13 and imaging centers, and rehabilitation and other therapeutic
14 health settings.>

15 3. Page 1, by striking lines 27 through 30 and inserting:
16 <___. “*Health benefit plan*” means a policy, contract,
17 certificate, or agreement offered or issued by a third-party
18 payor to provide, deliver, arrange for, pay for, or reimburse
19 any of the costs of health care services.

20 _____. “*Health care professional*” means a physician or other
21 health care practitioner licensed, accredited, registered, or
22 certified to perform specified health care services consistent
23 with state law.

24 _____. “*Health care provider*” means a health care professional
25 or a facility.>

26 4. Page 2, by striking lines 1 through 9 and inserting
27 <corporation, or a plan established pursuant to chapter 509A
28 for public employees. “*Health carrier*” does not include any of
29 the following:>

30 5. Page 2, before line 10 by inserting:

31 <a. The department of human services.

32 b. A managed care organization acting pursuant to a contract
33 with the department of human services to administer the medical
34 assistance program under chapter 249A or the healthy and well
35 kids in Iowa (hawk-i) program under chapter 514I.

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1 c. A policy or contract providing a prescription drug
2 benefit pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.
3 d. A plan offered or maintained by a multiple employer
4 welfare arrangement established under chapter 513D before
5 January 1, 2022.>

6 6. Page 3, by striking lines 4 and 5 and inserting:

7 <___. “*Pharmacy benefits manager*” means a person who,
8 pursuant to a contract or other relationship with a third-party
9 payor, either directly or through an intermediary, manages a
10 prescription drug benefit provided by the third-party payor.>

11 7. Page 3, by striking lines 18 and 19 and inserting:

12 <___. “*Prescription drug benefit*” means a health benefit
13 plan providing for third-party payment or prepayment for
14 prescription drugs.>

15 8. Page 3, by striking line 22 and inserting:

16 <___. “*Rebate*” means all discounts and other negotiated
17 price concessions paid directly or indirectly by a
18 pharmaceutical manufacturer or other entity, other than a
19 covered person, in the prescription drug supply chain to a
20 pharmacy benefits manager, and which may be based on any of the
21 following:

22 a. A pharmaceutical manufacturer’s list price for a

23 prescription drug.
24 b. Utilization.
25 c. To maintain a net price for a prescription drug for a
26 specified period of time for the pharmacy benefits manager
27 in the event the pharmaceutical manufacturer's list price
28 increases.
29 d. Reasonable estimates of the volume of a prescribed drug
30 that will be dispensed by a pharmacy to covered persons.
31 —. *"Third-party payor"* means any entity other than a
32 covered person or a health care provider that is responsible
33 for any amount of reimbursement for a prescription drug
34 benefit. *"Third-party payor"* includes health carriers and other
35 entities that provide a plan of health insurance or health

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1 care benefits. *"Third-party payor"* does not include any of the
2 following:
3 a. The department of human services.
4 b. A managed care organization acting pursuant to a contract
5 with the department of human services to administer the medical
6 assistance program under chapter 249A or the healthy and well
7 kids in Iowa (hawk-i) program under chapter 514I.
8 c. A policy or contract providing a prescription drug
9 benefit pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.>
10 9. Page 3, line 33, by striking <health carrier> and
11 inserting <third-party payor>
12 10. Page 3, line 35, by striking <health carrier> and
13 inserting <third-party payor>
14 11. Page 4, line 4, by striking <health carrier> and
15 inserting <third-party payor>
16 12. Page 4, line 6, by striking <health carrier> and
17 inserting <third-party payor>
18 13. Page 4, line 8, before <A> by inserting <A health
19 carrier, or a pharmacy benefits manager providing pharmacy
20 benefits management services on behalf of a health carrier
21 pursuant to a contract or other arrangement for compensation,
22 shall not discriminate against a pharmacy or pharmacist with
23 respect to participation.>
24 14. Page 4, line 8, by striking <or>
25 15. Page 4, line 9, by striking <plan> and inserting <plan,
26 or third-party payor>
27 16. Page 4, line 10, by striking <participation>
28 17. Page 4, line 18, by striking <health carrier> and
29 inserting <third-party payor>
30 18. Page 4, lines 20 and 21, by striking <health carrier>
31 and inserting <third-party payor>
32 19. Page 4, line 35, by striking <health> and inserting
33 <third-party payor>
34 20. Page 5, line 1, by striking <carrier>
35 21. Page 5, by striking line 14 and inserting:

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1 <___. A pharmacy benefits manager providing pharmacy
2 benefits management services on behalf of a health carrier
3 pursuant to a contract or other arrangement for compensation
4 shall not prohibit a pharmacy located in the state>
5 22. Page 6, by striking lines 5 through 9 and inserting:
6 <___. A pharmacy benefits manager providing pharmacy
7 benefits management services on behalf of a health carrier
8 pursuant to a contract or other arrangement for compensation
9 shall not prohibit a covered person from filling a prescription
10 drug order at any pharmacy located in the state provided that
11 the pharmacy accepts the same terms and conditions as the
12 pharmacies participating in the pharmacy benefits manager's
13 pharmacy network for the health carrier of the covered person.>
14 23. Page 7, by striking lines 3 through 18 and inserting:
15 <c. (1) Paragraph "a" shall not apply to cost-sharing
16 paid by a covered person, or to cost-sharing paid by any other
17 person on behalf of the covered person, for a specialty drug
18 for which a medically appropriate A-rated generic equivalent is
19 available to the covered person.
20 (2) Notwithstanding subparagraph (1), paragraph "a"
21 shall apply to cost-sharing paid by a covered person, or to
22 cost-sharing paid by any other person on behalf of the covered
23 person, for a specialty drug for which a medically appropriate
24 A-rated generic equivalent is available to the covered person
25 in the following circumstances:
26 (a) The prescribing health care professional has determined
27 that the prescribed specialty drug is medically necessary.
28 (b) The covered person obtained access to the prescribed
29 specialty drug via a prior authorization, a step therapy
30 protocol, or the covered person's health carrier's exception
31 and appeal process.>
32 24. Page 12, line 16, before <Act> by inserting <division
33 of this>
34 25. Page 12, line 17, by striking <health carrier's>
35 26. Page 12, line 23, before <Act> by inserting <division

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1 of this>
2 27. Page 12, after line 24 by inserting:
3 <DIVISION ____
4 PHARMACY BENEFITS MANAGER REPORTING
5 Sec. ___. Section 510C.1, Code 2022, is amended to read as
6 follows:
7 **510C.1 Definitions.**
8 As used in this chapter unless the context otherwise
9 requires:
10 1. "Administrative fees" means a fee or payment, other than
11 a rebate, under a contract between a pharmacy benefits manager
12 and a pharmaceutical drug manufacturer in connection with the

13 pharmacy benefits manager's management of a ~~health carrier's~~
14 ~~third-party payor's~~ prescription drug benefit, that is paid
15 by a pharmaceutical drug manufacturer to a pharmacy benefits
16 manager or is retained by the pharmacy benefits manager.
17 2. "Aggregate retained rebate percentage" means the
18 percentage of all rebates received by a pharmacy benefits
19 manager that is not passed on to the pharmacy benefits
20 manager's ~~health carrier~~ ~~third-party payor~~ clients.
21 3. "Commissioner" means the commissioner of insurance.
22 4. "Covered person" means the same as defined in section
23 ~~514J.102~~ ~~510B.1~~.
24 5. "Formulary" means a complete list of prescription drugs
25 eligible for coverage under a health benefit plan.
26 6. "Health benefit plan" means the same as defined in
27 section ~~514J.102~~ ~~510B.1~~.
28 7. "Health carrier" means the same as defined in section
29 ~~514J.102~~ ~~510B.1~~.
30 8. "~~Health carrier administrative service fee~~" means a fee or
31 payment under a contract between a ~~pharmacy~~ benefits manager
32 and a ~~health carrier~~ in connection with the ~~pharmacy~~ benefits
33 manager's administration of the ~~health carrier's~~ prescription
34 drug benefit that is paid by a ~~health carrier~~ to a ~~pharmacy~~
35 benefits manager or is otherwise retained by a ~~pharmacy~~

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1 ~~benefits manager.~~
2 9. 8. "Pharmacy benefits manager" means a person who,
3 pursuant to a contract or other relationship with a ~~health~~
4 carrier, either directly or through an intermediary, manages a
5 prescription drug benefit provided by the ~~health carrier~~ the
6 same as defined in section 510B.1.
7 10. 9. "Prescription drug benefit" means a health benefit
8 plan providing for third party payment or prepayment for
9 prescription drugs the same as defined in section 510B.1.
10 11. 10. "Rebate" means all discounts and other
11 negotiated price concessions paid directly or indirectly by
12 a pharmaceutical manufacturer or other entity, other than a
13 covered person, in the prescription drug supply chain to a
14 pharmacy benefits manager, and which may be based on any of the
15 following: the same as defined in section 510B.1.
16 a. A pharmaceutical manufacturer's list price for a
17 prescription drug.
18 b. Utilization.
19 c. To maintain a net price for a prescription drug for a
20 specified period of time for the ~~pharmacy~~ benefits manager
21 in the event the pharmaceutical manufacturer's list price
22 increases.
23 d. Reasonable estimates of the volume of a prescribed drug
24 that will be dispensed by a pharmacy to covered persons.
25 11. "Third-party payor" means the same as defined in section
26 510B.1.

27 12. "Third-party payor administrative service fee" means a
28 fee or payment under a contract between a pharmacy benefits
29 manager and a third-party payor in connection with the pharmacy
30 benefits manager's administration of the third-party payor's
31 prescription drug benefit that is paid by a third-party payor
32 to a pharmacy benefits manager or is otherwise retained by a
33 pharmacy benefits manager.

34 Sec. ___. Section 510C.2, subsection 1, unnumbered
35 paragraph 1, Code 2022, is amended to read as follows:

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1 Each pharmacy benefits manager shall provide a report
2 annually by February 15 to the commissioner that contains
3 all of the following information regarding prescription drug
4 benefits provided to covered persons of each ~~health carrier~~
5 third-party payor with whom the pharmacy benefits manager has
6 contracted during the prior calendar year:
7 Sec. ___. Section 510C.2, subsection 1, paragraphs c, d, e,
8 and g, Code 2022, are amended to read as follows:
9 c. The aggregate dollar amount of all ~~health carrier~~
10 third-party payor administrative service fees received by the
11 pharmacy benefits manager.
12 d. The aggregate dollar amount of all rebates received
13 by the pharmacy benefits manager that the pharmacy benefits
14 manager did not pass through to the ~~health carrier~~ third-party
15 payor.
16 e. The aggregate amount of all administrative fees received
17 by the pharmacy benefits manager that the pharmacy benefits
18 manager did not pass through to the ~~health carrier~~ third-party
19 payor.
20 g. Across all ~~health carrier~~ third-party payor clients with
21 whom the pharmacy benefits manager was contracted, the highest
22 and the lowest aggregate retained rebate percentages.
23 Sec. ___. Section 510C.2, subsection 2, paragraph a,
24 subparagraph (1), Code 2022, is amended to read as follows:
25 (1) The identity of a specific ~~health carrier~~ third-party
26 payor.
27 Sec. ___. Section 510C.2, subsection 2, paragraph b, Code
28 2022, is amended to read as follows:
29 b. Information provided under this section by a pharmacy
30 benefits manager to the commissioner that may reveal the
31 identity of a specific ~~health carrier~~ third-party payor, the
32 price charged by a specific pharmaceutical manufacturer for
33 a specific prescription drug or class of prescription drugs,
34 or the amount of rebates provided for a specific prescription
35 drug or class of prescription drugs shall be considered a

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1 confidential record and be recognized and protected as a trade
2 secret pursuant to section 22.7, subsection 3.>

3 28. By renumbering, redesignating, and correcting internal
4 references as necessary.

MIKE KLIMESH

S-5160

1 1. Amend House File 2497, as passed by the House, as follows:
2 1. Page 1, by striking lines 10 and 11 and inserting <to
3 cashless wagering systems where a person accesses a cash
4 account through a mobile application used by the licensee
5 to conduct cashless wagering. The mobile application shall
6 include the statewide telephone number authorized by the
7 Iowa department of public health to provide problem gambling
8 information and extensive responsible gaming features in
9 addition to those described in section 99D.7, subsection 23.>
10 2. Page 1, by striking lines 19 and 20 and inserting <apply
11 to cashless wagering systems where a person accesses a cash
12 account through a mobile application used by the licensee
13 to conduct cashless wagering. The mobile application shall
14 include the statewide telephone number authorized by the
15 Iowa department of public health to provide problem gambling
16 information and extensive responsible gaming features in
17 addition to those described in section 99F.4, subsection 22.>
18 3. By striking page 1, line 23, through page 6, line 2, and
19 inserting:
20 <Sec. ___. Section 99D.7, subsection 23, Code 2022, is
21 amended to read as follows:
22 23. To establish a process to allow a person to be
23 voluntarily excluded from advance deposit wagering as defined
24 in section 99D.11, from an internet fantasy sports contest as
25 defined in section 99E.1, from advance deposit sports wagering
26 as defined in section 99F.9, and from the wagering area of
27 a racetrack enclosure, from the gaming floor, and from the
28 sports wagering area, as defined in section 99F.1, of all
29 other licensed facilities under this chapter and chapter 99F
30 as provided in this subsection. The process shall provide
31 that an initial request by a person to be voluntarily excluded
32 shall be for a period of five years or life and any subsequent
33 request following any five-year period shall be for a period of
34 five years or life. The process established shall require that
35 licensees be provided electronic access to names and social

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1 security numbers of persons voluntarily excluded through a
2 secured interactive internet site maintained by the commission
3 and information regarding persons voluntarily excluded shall
4 be disseminated to all licensees under this chapter, chapter
5 99E, and chapter 99F. The names, social security numbers, and
6 information regarding persons voluntarily excluded shall be
7 kept confidential unless otherwise ordered by a court or by

8 another person duly authorized to release such information.
9 The process established shall also require a person requesting
10 to be voluntarily excluded be provided information compiled
11 by the Iowa department of public health on gambling treatment
12 options. The state and any licensee under this chapter,
13 chapter 99E, or chapter 99F shall not be liable to any person
14 for any claim which may arise from this process. In addition
15 to any other penalty provided by law, any money or thing of
16 value that has been obtained by, or is owed to, a voluntarily
17 excluded person as a result of wagers made by the person after
18 the person has been voluntarily excluded shall be forfeited by
19 the person and shall be credited to the general fund of the
20 state. The commission shall not initiate any administrative
action or impose penalties on a licensee who voluntarily
reports to the commission activity described in section 99D.24,
subsection 4, paragraph "c".

24 Sec. ___. Section 99D.24, subsection 4, Code 2022, is
25 amended by adding the following new paragraphs:

26 NEW PARAGRAPH. *c.* Knowingly or intentionally passes a
27 winning wager or share to another person or provides fraudulent
28 identification in order to avoid the forfeiture of any money or
29 thing of value as a voluntarily excluded person pursuant to the
30 processes established under section 99D.7, subsection 23.

31 NEW PARAGRAPH. *d.* Knowingly or intentionally passes a
32 winning wager or share to another person or provides fraudulent
33 identification in order to avoid the application of a setoff
34 as provided in section 99D.28.

35 Sec. ___. Section 99D.28, subsection 7, Code 2022, is

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1 amended to read as follows:
2 7. A claimant agency or licensee, acting in good faith,
3 shall not be liable to any person for actions taken pursuant to
4 this section. In addition, the commission shall not initiate
any administrative action or impose penalties on a licensee who
voluntarily reports to the commission activity described in
section 99D.24, subsection 4, paragraph "d".

8 Sec. ___. Section 99F.4, subsection 22, Code 2022, is
9 amended to read as follows:

10 22. To establish a process to allow a person to be
11 voluntarily excluded from advance deposit wagering as defined
12 in section 99D.11, from an internet fantasy sports contest
13 as defined in section 99E.1, from advance deposit sports
14 wagering as defined in section 99F.9, from the gaming floor
15 and sports wagering area of an excursion gambling boat, from
16 the wagering area, as defined in section 99D.2, and from the
17 gaming floor and sports wagering area of all other licensed
18 facilities under this chapter and chapter 99D as provided in
19 this subsection. The process shall provide that an initial
20 request by a person to be voluntarily excluded shall be for
21 a period of five years or life and any subsequent request

22 following any five-year period shall be for a period of five
23 years or life. The process established shall require that
24 licensees be provided electronic access to names and social
25 security numbers of persons voluntarily excluded through a
26 secured interactive internet site maintained by the commission
27 and information regarding persons voluntarily excluded shall
28 be disseminated to all licensees under this chapter, chapter
29 99D, and chapter 99E. The names, social security numbers, and
30 information regarding persons voluntarily excluded shall be
31 kept confidential unless otherwise ordered by a court or by
32 another person duly authorized to release such information.
33 The process established shall also require a person requesting
34 to be voluntarily excluded be provided information compiled
35 by the Iowa department of public health on gambling treatment

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1 options. The state and any licensee under this chapter,
2 chapter 99D, or chapter 99E shall not be liable to any person
3 for any claim which may arise from this process. In addition
4 to any other penalty provided by law, any money or thing of
5 value that has been obtained by, or is owed to, a voluntarily
6 excluded person as a result of wagers made by the person after
7 the person has been voluntarily excluded shall be forfeited by
8 the person and shall be credited to the general fund of the
9 state. The commission shall not initiate any administrative
10 action or impose penalties on a licensee who voluntarily
11 reports to the commission activity described in section 99F.15,
12 subsection 4, paragraph "n".
13 Sec. _____. Section 99F.15, subsection 4, Code 2022, is
14 amended by adding the following new paragraphs:
15 NEW PARAGRAPH. n. Knowingly or intentionally passes a
16 winning wager or share to another person or provides fraudulent
17 identification in order to avoid the forfeiture of any money or
18 thing of value as a voluntarily excluded person pursuant to the
19 processes established under section 99F.4, subsection 22.
20 NEW PARAGRAPH. o. Knowingly or intentionally passes a
21 winning wager or share to another person or provides fraudulent
22 identification in order to avoid the application of a setoff
23 as provided in section 99F.19.
24 Sec. _____. Section 99F.19, subsection 7, Code 2022, is
25 amended to read as follows:
26 7. A claimant agency or licensee, acting in good faith,
27 shall not be liable to any person for actions taken pursuant to
28 this section. In addition, the commission shall not initiate
29 any administrative action or impose penalties on a licensee who
30 voluntarily reports to the commission activity described in
31 section 99F.15, subsection 4, paragraph "o".>
32 4. Page 6, by striking lines 5 through 20.
33 5. Page 7, by striking lines 12 through 15 and inserting <a
34 collegiate team from this state is a participant, or placing a
35 wager on the performance of athletes>

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Page 6

1 source market fees related to simultaneously telecast horse
2 or dog races may submit an application to the commission for
3 a license under this chapter to conduct pari-mutuel wagering
4 on simultaneously telecast horse or dog races, subject to
5 the requirements of this section. Unless inconsistent with
6 the requirements of this section, an entity submitting an
7 application for a license under this section shall comply with
8 all requirements for submitting an application for a license
9 under this chapter.

10 2. If an application for a license under subsection 1 is
11 approved by the commission pursuant to the requirements of
12 this section and section 99D.9, the entity submitting the

13 application shall be granted a license under this section to
14 conduct pari-mutuel wagering on simultaneously telecast horse
15 or dog races conducted at a facility of a licensee authorized
16 to conduct gambling games under chapter 99D or chapter 99F
17 pursuant to an agreement with the licensee of that facility
18 as authorized by this section. A licensee issued a license
19 pursuant to this section shall comply with all requirements
20 of this chapter applicable to licensees unless otherwise
21 inconsistent with the provisions of this section.

22 3. A license issued pursuant to this section shall authorize
23 the licensee to enter into an agreement with any licensee
24 authorized to operate an excursion gambling boat or gambling
25 structure under chapter 99F to conduct, without the requirement
26 to conduct live horse or dog races at the facility, pari-mutuel
27 wagering on simultaneously telecast horse or dog races at the
28 facility of the licensee authorized to operate an excursion
29 gambling boat or gambling structure under chapter 99F.

30 4. The commission shall establish an annual license fee
31 and regulatory fee for any entity issued a license under this
32 section to conduct pari-mutuel wagering on simultaneously
33 telecast horse or dog races as authorized by this section. The
34 commission shall not impose any other fees for simultaneously
35 telecast horse or dog races conducted by any licensee under

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1 this section.

2 5. The commission shall require that an annual audit
3 be conducted and submitted to the commission, in a manner
4 determined by the commission, concerning the operation of the
5 simultaneously telecast horse or dog races by any licensee
6 under this section.

7 Sec. ___. Section 99D.15, subsection 4, Code 2022, is
8 amended by striking the subsection and inserting in lieu
9 thereof the following:

10 4. A tax is imposed on the gross sum wagered by the
11 pari mutuel method on horse races and dog races which are
12 simultaneously telecast, in lieu of the taxes imposed pursuant
13 to subsection 1 or 3. The rate of tax is determined as follows:

14 a. If wagering on simultaneously telecast horse races and
15 dog races is not conducted by a licensee under section 99D.9D,
16 a tax of two percent is imposed on the gross sum wagered by
17 the pari-mutuel method on horse races and dog races which are
18 simultaneously telecast. The tax revenue from simulcast horse
19 races under this paragraph shall be distributed as provided in
20 subsection 1 and the tax revenue from simulcast dog races under
21 this paragraph shall be distributed as provided in subsection
22 3.

23 b. If wagering on simultaneously telecast horse races and
24 dog races is conducted by a licensee under section 99D.9D,
25 a tax of two percent is imposed on the gross sum wagered by
26 the pari-mutuel method on horse races and dog races which

27 are simultaneously telecast in excess of twenty-five million
28 dollars in a calendar year. Of the tax revenue collected
29 from simulcast horse races under this paragraph, one-half of
30 one percent of the gross sum wagered shall be remitted to the
31 treasurer of the county in which a horse racetrack is located
32 in this state and licensed under this chapter. The remaining
33 amount of tax revenue shall be deposited with the commission.>
34 7. Title page, line 3, by striking <and> and inserting
35 <limitations on gambling game licenses, and simulcasting

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1 licensure and taxation,>
2 8. Title page, line 4, after <penalties> by inserting <and
3 making penalties applicable, and including effective date and
4 retroactive applicability provisions>
5 9. By renumbering, redesignating, and correcting internal
6 references as necessary.

ROBY SMITH

S-5161

1 Amend the amendment, S-5155, to House File 2578, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 13, line 35, by striking <4,466,601> and inserting
4 <4,706,601>
5 2. Page 14, line 19, by striking <\$500,000> and inserting
6 <\$740,000>

JACKIE SMITH

S-5162

1 Amend the amendment, S-5153, to House File 2579, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 6, by striking lines 26 through 28 and inserting
4 <improvements to a levee, notwithstanding section>
5 2. Page 22, lines 25 and 26, by striking <entity, including>
6 and inserting <entity that is>
7 3. Page 22, line 26, by striking <district> and inserting
8 <district>
9 4. Page 22, line 33, after <entity> by inserting <However,
10 financial assistance shall not be provided to an applicant
11 from the sports tourism infrastructure program fund created
12 in section 15F.404 for infrastructure projects located in a
13 reinvestment district as defined and approved by the authority
14 pursuant to section 15J.4 or to applicants that have received a
15 rebate of sales tax imposed and collected by retailers pursuant
16 to section 423.4, subsection 5.>
17 5. Page 22, line 34, by striking <subsections 5> and
18 inserting <subsections 4, 5,>
19 6. Page 22, after line 35 by inserting:

20 <4. a. An applicant shall demonstrate matching funds in
21 order to receive financial assistance pursuant to this section.
22 The amount of matching funds that may be required shall be at
23 the board's discretion subject to the requirements of this
24 subsection.
25 b. An applicant under the program shall not receive
26 financial assistance from the sports tourism marketing
27 program fund created in section 15F.403 or the sports tourism
28 infrastructure program fund created in section 15F.404 in
29 an amount exceeding fifty percent of the total cost of the
30 project.
31 c. An applicant under the program shall not receive
32 financial assistance from the sports tourism infrastructure
33 program fund created in section 15F.404 until all financing
34 for the sports tourism infrastructure project is secured and
35 documented and the applicant can demonstrate the availability

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1 of matching moneys for financing the sports tourism
2 infrastructure project in the form of a private and public
3 partnership with financing from city, county, and private
4 sources.>
5 7. Page 25, line 9, before <public> by inserting <eligible>
6 8. By renumbering as necessary.

CRAIG JOHNSON

S-5163

1 Amend the amendment, S-5152, to House File 2559, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 22, after line 10 by inserting:
4 <DIVISION __
5 COLLECTIVE BARGAINING
6 Sec. __. Section 20.1, subsection 2, paragraph a, Code
7 2022, is amended to read as follows:
8 a. Determining appropriate bargaining units, amending
9 the composition of previously determined bargaining units
10 represented by a certified employee organization, reconsidering
11 and altering the composition of previously determined
12 bargaining units which are not represented by a certified
13 employee organization, and conducting representation elections.
14 Sec. __. Section 20.3, subsection 11, Code 2022, is amended
15 by adding the following new paragraphs:
16 NEW PARAGRAPH. g. An employee of the Iowa department of
17 corrections who is responsible for the custody and supervision
18 of inmates through ongoing direct inmate contact, to enforce
19 and maintain discipline, safety, and security within a
20 correctional facility.
21 NEW PARAGRAPH. h. A jailer or detention officer who
22 performs duties as a jailer, including but not limited to the

23 transportation of inmates, who is certified as having completed
24 jailer training pursuant to chapter 80B, and who is employed
25 by a county as a jailer.
26 NEW PARAGRAPH. *i.* An emergency dispatcher for a county
27 sheriff.
28 NEW PARAGRAPH. *j.* A probation or parole officer employed by
29 the Iowa department of corrections.
30 NEW PARAGRAPH. *k.* A residential officer employed by
31 the department of corrections working at a community-based
32 corrections residential facility.
33 Sec. ___. Section 20.13, Code 2022, is amended to read as
34 follows:
35 **20.13 Bargaining unit determination, amendment, and**

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1 **reconsideration.**
2 1. ~~The board's~~ The board's determination of an appropriate
3 bargaining unit shall be upon petition filed by a public
4 employer, public employee, or employee organization. Except
5 as provided in subsection 4, the board's amendment of the
6 composition of a represented bargaining unit shall be upon
7 petition filed by the employer or certified representative
8 of the bargaining unit. The board's reconsideration of the
9 composition of a previously determined bargaining unit which is
10 not represented by a certified representative shall be upon the
11 combined petition of an employee organization which also seeks
12 a representation election pursuant to section 20.14, subsection
13 2.
14 2. Within thirty days of receipt of a petition, the board
15 shall conduct a public hearing, receive written or oral
16 testimony, and promptly thereafter file an order defining
17 the appropriate bargaining unit, amending or refusing to
18 amend the composition of a represented bargaining unit or
19 reconsidering and altering or refusing to alter the composition
20 of an unrepresented bargaining unit. In defining the unit,
21 or determining whether a unit should be amended or altered
22 in response to a petition for amendment or reconsideration.
23 the board shall take into consideration, along with other
24 relevant factors, the principles of efficient administration
25 of government, the existence of a community of interest among
26 public employees, the history and extent of public employee
27 organization, geographical location, and the recommendations
28 of the parties involved.
29 3. Appeals from such order shall be governed by the
30 provisions of chapter 17A.
31 4. Professional and nonprofessional employees shall not
32 be included in the same bargaining unit unless a majority of
33 both agree.
34 4. Notwithstanding the provisions of subsection 1, a
35 petition to amend the composition of a represented bargaining

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1 unit by the removal of public safety employees may be filed
2 by a public safety employee who is a member of the bargaining
3 unit. If the petition is accompanied by evidence satisfactory
4 to the board that the public safety employees in the bargaining
5 unit do not constitute at least thirty percent of the employees
6 in the unit and that a majority of the public safety employees
7 in the unit support the petition, the board shall conduct
8 a hearing within thirty days of its finding such evidence
9 satisfactory and shall promptly thereafter issue an order
10 granting or denying the requested amendment. If the board
11 amends the composition of the bargaining unit by removing
12 public safety employees, those employees may immediately be the
13 subject of a separate bargaining unit determination petition
14 filed in accordance with subsection 1.

15 5. Appeals from such orders shall be governed by the
16 provisions of chapter 17A.

17 Sec. ___. Section 20.15, Code 2022, is amended by striking
18 the section and inserting in lieu thereof the following:

19 **20.15 Elections.**

20 1. Upon the filing of a petition for certification of an
21 employee organization, the board shall submit a question to
22 the public employees at an election in the bargaining unit
23 found appropriate by the board. The question on the ballot
24 shall permit the public employees to vote for no bargaining
25 representation or for any employee organization which has
26 petitioned for certification or which has presented proof
27 satisfactory to the board of support of ten percent or more of
28 the public employees in the appropriate unit.

29 2. If a majority of the votes cast on the question is
30 for no bargaining representation, the public employees in
31 the bargaining unit found appropriate by the board shall not
32 be represented by an employee organization. If a majority
33 of the votes cast on the question is for a listed employee
34 organization, then that employee organization shall represent
35 the public employees in the bargaining unit found appropriate

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1 by the board.
2 3. If none of the choices on the ballot receives the vote
3 of a majority of the public employees voting, the board shall
4 conduct a runoff election among the two choices receiving the
5 greatest number of votes.
6 4. Upon written objections filed by any party to the
7 election within ten days after notice of the results of
8 the election, if the board finds that misconduct or other
9 circumstances prevented the public employees eligible to
10 vote from freely expressing their preferences, the board may
11 invalidate the election and hold a second election for the
12 public employees.

13 5. Upon completion of a valid election in which the majority
14 choice of the employees voting is determined, the board shall
15 certify the results of the election and shall give reasonable
16 notice of the order to all employee organizations listed on the
17 ballot, the public employers, and the public employees in the
18 appropriate bargaining unit.

19 6. a. A petition for certification as exclusive bargaining
20 representative of a bargaining unit shall not be considered
21 by the board for a period of one year from the date of the
22 noncertification of an employee organization as the exclusive
23 bargaining representative of that bargaining unit following a
24 certification election. A petition for certification as the
25 exclusive bargaining representative of a bargaining unit shall
26 also not be considered by the board if the bargaining unit is
27 at that time represented by a certified exclusive bargaining
28 representative.

29 b. A petition for the decertification of the exclusive
30 bargaining representative of a bargaining unit shall not be
31 considered by the board for a period of one year from the date
32 of its certification, or within one year of its continued
33 certification following a decertification election, or during
34 the duration of a collective bargaining agreement which, for
35 purposes of this section, shall be deemed not to exceed two

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1 years. However, if a petition for decertification is filed
2 during the duration of a collective bargaining agreement, the
3 board shall award an election under this section not more than
4 one hundred eighty days and not less than one hundred fifty
5 days prior to the expiration of the collective bargaining
6 agreement. If an employee organization is decertified, the
7 board may receive petitions under section 20.14, provided that
8 no such petition and no election conducted pursuant to such
9 petition within one year from decertification shall include as
10 a party the decertified employee organization.

11 7. A collective bargaining agreement with the state, its
12 boards, commissions, departments, and agencies shall be for two
13 years. The provisions of a collective bargaining agreement or
14 arbitrator's award affecting state employees shall not provide
15 for renegotiations which would require the refinancing of
16 salary and fringe benefits for the second year of the term of
17 the agreement, except as provided in section 20.17, subsection

18 6. The effective date of any such agreement shall be July 1 of
19 odd-numbered years, provided that if an exclusive bargaining
20 representative is certified on a date which will prevent the
21 negotiation of a collective bargaining agreement prior to
22 July 1 of odd-numbered years for a period of two years, the
23 certified collective bargaining representative may negotiate
24 a one-year contract with the public employer which shall be
25 effective from July 1 of the even-numbered year to July 1
26 of the succeeding odd-numbered year when new contracts shall

27 become effective.

28 Sec. ___. Section 22.7, subsections 69 and 70, Code 2022,
29 are amended to read as follows:

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

35 70. Information indicating whether a public employee

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1 voted in a certification, ~~retention and recertification~~, or
2 decertification election held pursuant to section 20.15 or
3 how the employee voted on any question on a ballot in such an
4 election.

5 Sec. ___. Section 602.1401, subsection 3, paragraph b, Code
6 2022, is amended to read as follows:

7 b. For purposes of chapter 20, the certified representative,
8 which on July 1, 1983, represents employees who become judicial
9 branch employees as a result of 1983 Iowa Acts, ch. 186, shall
10 remain the certified representative when the employees become
11 judicial branch employees and thereafter, unless the public
12 employee organization is ~~not retained and recertified or is~~
13 decertified in an election held under section 20.15 or amended
14 or absorbed into another certified organization pursuant to
15 chapter 20. Collective bargaining negotiations shall be
16 conducted on a statewide basis and the certified employee
17 organizations which engage in bargaining shall negotiate on a
18 statewide basis, although bargaining units shall be organized
19 by judicial district. The public employment relations board
20 shall adopt rules pursuant to chapter 17A to implement this
21 subsection.

22 Sec. ___. Section 905.4, subsection 2, Code 2022, is amended
23 to read as follows:

24 2. Employ a director having the qualifications required by
25 section 905.6 to head the district department's community-based
26 correctional program and, within a range established by the
27 Iowa Department of Corrections, fix the compensation of and
28 have control over the director and the district department's
29 staff. For purposes of collective bargaining under chapter
30 20, employees of the district board who are not exempt from
31 chapter 20 are employees of the state, and the employees of all
32 of the district boards shall be included within one collective
33 bargaining unit. Furthermore, employees of the district board
34 shall be considered state employees for purposes of section
35 8A.415, subsection 2.

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1 Sec. ___. DIRECTIVES TO PUBLIC EMPLOYMENT RELATIONS BOARD.
2 1. The public employment relations board shall cancel any

3 elections scheduled or in process pursuant to section 20.15,
4 subsection 2, Code 2022, as of the effective date of this
5 division of this Act.

6 2. Notwithstanding section 20.15, subsection 1, paragraph
7 "c", Code 2022, the public employment relations board
8 shall consider a petition for certification of an employee
9 organization as the exclusive representative of a bargaining
10 unit for which an employee organization was not retained and
11 recertified as the exclusive representative of that bargaining
12 unit regardless of the amount of time that has elapsed since
13 the retention and recertification election at which an employee
14 organization was not retained or recertified.

DIVISION

16 HEALTH INSURANCE COVERAGE — SURVIVING SPOUSE AND CHILDREN OF
17 CERTAIN DEPARTMENT OF CORRECTIONS EMPLOYEES

18 Sec. ___. Section 509A.13D, subsection 3, Code 2022, is
19 amended to read as follows:

3. The governing body of the state shall ~~not~~ be required
to pay for the ~~full~~ cost of the health insurance under this
section; however, the governing body of the state may pay the
~~full cost or a portion of the cost of the health insurance. If~~
~~the full cost or a portion of the cost of the coverage is not~~
~~paid by the governing body of the state, the surviving spouse~~
~~and each surviving child who is eligible for health insurance~~
~~under this section may elect to continue coverage by paying~~
~~that portion of the cost of the health insurance not paid by~~
~~the governing body of the state.~~

DIVISION

ASSAULTS ON PERSONS ENGAGED IN CERTAIN OCCUPATIONS

31 ASSAULTS ON PERSONS ENGAGED IN CERTAIN OCCUPATIONS
32 Sec. ___. Section 708.3A, subsections 3 and 4, Code 2022,
33 are amended to read as follows:

34 3. A person who commits an assault, as defined in section
35 708.1, against a peace officer, jailer, correctional staff.

- 1 member or employee of the board of parole, health care
- 2 provider, employee of the department of human services,
- 3 employee of the department of revenue, civilian employee of a
- 4 law enforcement agency, civilian employee of a fire department,
- 5 or fire fighter, whether paid or volunteer, who knows that
- 6 the person against whom the assault is committed is a peace
- 7 officer, jailer, correctional staff, member or employee of
- 8 the board of parole, health care provider, employee of the
- 9 department of human services, employee of the department
- 10 of revenue, civilian employee of a law enforcement agency,
- 11 civilian employee of a fire department, or fire fighter, and
- 12 who causes bodily injury or mental illness, is guilty of ~~an~~
- 13 aggravated misdemeanor a class "D" felony.
- 14 4. Any other assault, as defined in section 708.1, committed
- 15 against a peace officer, jailer, correctional staff, member
- 16 or employee of the board of parole, health care provider,

17 employee of the department of human services, employee of the
18 department of revenue, civilian employee of a law enforcement
19 agency, civilian employee of a fire department, or fire
20 fighter, whether paid or volunteer, by a person who knows
21 that the person against whom the assault is committed is a
22 peace officer, jailer, correctional staff, member or employee
23 of the board of parole, health care provider, employee of
24 the department of human services, employee of the department
25 of revenue, civilian employee of a law enforcement agency,
26 civilian employee of a fire department, or fire fighter, is a
27 serious misdemeanor an aggravated misdemeanor.

28 Sec. ___. Section 708.3A, Code 2022, is amended by adding
29 the following new subsections:

30 NEW SUBSECTION. 4A. Any person who commits an assault,
31 as defined in section 708.1, against a jailer or correctional
32 staff while the person is in the custody and control of the
33 department of corrections in a correctional institution,
34 community-based correctional facility, or an institution under
35 the management of the Iowa department of corrections which

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1 is used for the purposes of confinement of persons who have
2 committed public offenses, or a county jail or other facility
3 used for purposes of confinement of persons who have committed
4 public offenses, shall, upon conviction of a violation of
5 this section, in addition to any other sentence imposed, lose
6 one-half of all earned time accumulated pursuant to section
7 903A.2 for a first conviction, and shall lose all earned
8 time accumulated pursuant to section 903A.2 for a second or
9 subsequent conviction.

10 NEW SUBSECTION. 4B. If the county attorney of the county
11 where a violation of this section occurs against a jailer
12 or correctional staff by a person who is in the custody
13 and control of the department of corrections while in any
14 correctional institution or a county jail or other facility
15 used for purposes of confinement fails to prosecute the case
16 against the person, the area prosecutions division of the
17 attorney general's office may elect to prosecute the case.

18 DIVISION _____

19 DEPARTMENT OF CORRECTIONS

20 Sec. ___. Section 904.108, subsection 1, Code 2022, is
21 amended by adding the following new paragraphs:

22 NEW PARAGRAPH. *p.* Establish a training program for
23 employees of the department with ongoing direct contact with
24 inmates in self-defense and other de-escalation techniques when
25 confronted with potentially violent interactions involving
26 inmates. The training program shall include an in-person
27 component.

28 NEW PARAGRAPH. *q.* Establish uniform safety practices to
29 be implemented at all correctional institutions under the
30 control of the department that provide guidelines designed to

31 protect the safety of employees and inmates at correctional
32 institutions.
33 NEW PARAGRAPH. *r.* Adopt rules to allow an employee of
34 the department who has witnessed a trauma event to take
35 between five and thirty days of paid leave depending upon the

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1 severity of the trauma event. If the appointing authority of a
2 correctional institution determines that an employee has been
3 held hostage, the employee shall be eligible for a paid leave
4 of absence of up to ninety days, as determined by a licensed
5 physician, to allow for recovery from mental and physical
6 stress and any related conditions. Such paid leave shall not
7 be charged against the employee's sick leave account.
8 NEW PARAGRAPH. *s.* Establish protocols for allowing
9 employees of the department with ongoing direct contact with
10 inmates access to information identified in section 904.602,
11 subsection 2, for purposes of the administration of the
12 department's programs of services or assistance to inmates.
13 Sec. ___. DEPARTMENT OF CORRECTIONS — CONTRACT
14 EMPLOYEES. The Iowa department of corrections shall not enter
15 into an employment contract with a person to perform a function
16 of the department and provide the contract employee with pay or
17 benefits in excess of pay and benefits provided an employee of
18 the state performing similar work.
19 Sec. ___. DEPARTMENT OF CORRECTIONS — CONTRABAND AND
20 SURVEILLANCE CAMERAS — TRAUMA EVENTS.
21 1. For fiscal years beginning on or after July 1, 2022,
22 the department of corrections shall increase funding for
23 screening for contraband and surveillance cameras at all state
24 correctional facilities and for upgrades to provide for an
25 enhanced technology system to improve the safety and efficiency
26 of operations at all state correctional facilities.
27 2. The department of corrections shall amend its
28 administrative rules pursuant to chapter 17A to allow an
29 employee of the department who has witnessed a trauma event to
30 take between five and thirty days of paid leave depending upon
31 the severity of the trauma event. If the appointing authority
32 of a correctional institution determines that an employee
33 has been held hostage, the employee shall be eligible for a
34 paid leave of absence of up to ninety days, as determined by
35 a licensed physician, to allow for recovery from stress and

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1 any related conditions. Such paid leave shall not be charged
2 against the employee's sick leave account.>
3 2. By renumbering as necessary.

TODD TAYLOR
NATE BOULTON

S-5164

1 Amend Senate File 2129 as follows:
2 1. By striking everything after the enacting clause and
3 inserting:
4 <Section 1. Section 84A.1B, subsection 14, unnumbered
5 paragraph 1, Code 2022, is amended to read as follows:
6 Create, and update as necessary, a list of high-demand jobs
7 statewide for purposes of the future ready Iowa registered
8 apprenticeship programs created in chapter 15C, the summer
9 youth intern pilot program established under section 84A.12,
10 the Iowa employer innovation program established under section
11 84A.13, the future ready Iowa skilled workforce last-dollar
12 scholarship program established under section 261.131, the
13 future ready Iowa skilled workforce grant program established
14 under section 261.132, and postsecondary summer classes
15 for high school students as provided under section 261E.8,
16 subsection 8. In addition to the list created by the workforce
17 development board under this subsection, each community
18 college, in consultation with regional career and technical
19 education planning partnerships, and with the approval of the
20 board of directors of the community college, may identify and
21 maintain a list of not more than five regional high-demand jobs
22 in the community college region, and shall share the lists
23 with the workforce development board. The lists submitted by
24 community colleges under the subsection may be used in that
25 community college region for purposes of programs identified
26 under this subsection. The workforce development board
27 shall have full discretion to select and prioritize statewide
28 high-demand jobs after consulting with business and education
29 stakeholders, as appropriate, and seeking public comment. The
30 workforce development board may add to the list of high-demand
31 jobs as it deems necessary. For purposes of this subsection,
32 "*high-demand job*" means a job in the state that the workforce
33 development board, or a community college in accordance
34 with this subsection, has identified in accordance with this
35 subsection. In creating a list under this subsection, the

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1 following criteria, at a minimum, shall apply to the list of
2 high-demand jobs created by the workforce development board but
3 not a list created by a community college:
4 Sec. 2. Section 261.131, subsection 1, paragraph g,
5 subparagraph (1), subparagraph division (a), Code 2022, is
6 amended to read as follows:
7 (a) A graduate of an Iowa high school, or a person who
8 completed private instruction under chapter 299A, or a person
9 who is a recipient of a high school equivalency diploma, and
10 who prior to becoming an adult learner enrolls full-time or
11 part-time during the academic year; or part time for a summer
12 semester; in an eligible program at an eligible institution.>

13 2. Title page, by striking lines 1 through 3 and inserting
14 <An Act relating to employment, including modifying provisions
15 related to the list of high-demand jobs created by community
16 colleges and students who are eligible to receive a scholarship
17 from the future ready Iowa skilled workforce last-dollar
18 scholarship fund.>

AMY SINCLAIR

S-5165

1 Amend the amendment, S-5152, to House File 2559, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 15, line 21, by striking <5,946,368> and inserting
4 <6,946,368>
5 2. Page 15, after line 22 by inserting:
6 . Of the moneys appropriated in this subsection,
7 \$1,000,000 shall be used by the department to award grants to
8 municipal police departments and county sheriff departments for
9 the following purposes:
10 (1) For the purchase of equipment and training, the
11 establishment of information storage and retrieval procedures
12 and facilities, and other expenses properly related to
13 initiating a program for peace officers to wear and operate
14 body cameras while on duty in the community.
15 (2) For recruiting, training, and paying a portion of the
16 first-year salary and benefits of a community mental health
17 advocate position within a municipal police department or
18 county sheriff department.
19 b. A municipal police department or county sheriff
20 department may make separate applications for each of the two
21 purposes specified in paragraph "a" to assist peace officers
22 in identifying individuals who may be in need of mental health
23 services and to facilitate the connection of such individuals
24 to mental health providers. Grant awards may be made for up
25 to \$50,000 per grant awarded. The department shall allocate
26 at least 30 percent of available funds for grants for each of
27 the two purposes specified in paragraph "a", provided that
28 adequate qualified applications are received in each category.
29 The department shall distribute funds as equitably as possible
30 to achieve a balanced distribution of funds geographically
31 within the state and among large and small communities. In the
32 alternative, grant funds may be used by a police department
33 or county sheriff's department to pay the first-year costs
34 of contracting with an outside agency to perform similar
35 functions.

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1 c. Notwithstanding section 8.33, any of the \$1,000,000
2 allocated under paragraph "a" remaining on June 30 of a fiscal
3 year shall not revert to the general fund of the state but

4 shall remain available for expenditure purposes designated for
5 subsequent fiscal years.>

HERMAN C. QUIRMBACH

S-5166

1 Amend House File 2165, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, by striking lines 1 through 35.
4 2. Title page, by striking lines 1 through 5 and inserting
5 <An Act modifying provisions relating to eligibility for
6 scholarships under the future ready Iowa skilled workforce
7 last-dollar scholarship program.>
8 3. By renumbering as necessary.

AMY SINCLAIR

S-5167

1 Amend the amendment, S-5152, to House File 2559, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 11, line 35, by striking <1,239,824> and inserting
4 <2,239,824>
5 2. Page 12, after line 1 by inserting:
6 <Of the moneys appropriated in this lettered paragraph,
7 \$1,000,000 shall be used by the Iowa law enforcement academy to
8 assist local law enforcement agencies with the tuition costs
9 associated with attending the Iowa law enforcement academy.>
10 3. By renumbering as necessary.

NATE BOULTON

S-5168

1 Amend House File 2496, as passed by the House, as follows:
2 1. Page 1, line 8, after <question.> by inserting <This
3 paragraph is repealed July 1, 2023.>
4 2. Page 1, lines 29 and 30, by striking <The officer's
5 right to receive written notice at least ten days before
6 the prosecuting agency considers placing the> and inserting
7 <The officer's right to receive written notice before the
8 prosecuting agency places the>
9 3. Page 2, by striking lines 11 through 14.
10 4. Page 2, lines 15 and 16, by striking <At least ten days
11 before a prosecuting agency considers placing an officer's
12 name on a Brady-Giglio list, the> and inserting <Before a
13 prosecuting agency places an officer's name on a Brady-Giglio
14 list, the>
15 5. Page 4, line 9, by striking <thirty> and inserting <ten>

16 6. Page 4, by striking lines 11 through 17.
17 7. Page 4, before line 32 by inserting:
18 <___. This subsection does not create a private cause
19 of action against a prosecuting agency or an employee of a
20 prosecuting agency.>
21 8. By renumbering, redesignating, and correcting internal
22 references as necessary.

DAN DAWSON

S-5169

1 Amend the amendment, S-5154, to House File 2575, as amended,
2 passed, and reprinted by the House as follows:
3 1. Page 30, after line 34 by inserting:
4 <DIVISION __
5 WAIVER OF FEES
6 Sec. ___. Section 272C.14, Code 2022, as amended by 2022
7 Iowa Acts, Senate File 2383, section 22, is amended to read as
8 follows:
9 **272C.14 Waiver of fees.**
10 1. A licensing board, agency, or department, ~~or the board~~
11 of educational examiners shall waive any fee charged to an
12 applicant for a license if the applicant's household income
13 does not exceed two hundred percent of the federal poverty
14 income guidelines and the applicant is applying for the license
15 for the first time in this state.
16 2. A licensing board, agency, or department, ~~or the board of~~
17 educational examiners shall waive an initial application fee
18 and one renewal fee for an applicant that has been honorably or
19 generally discharged from federal active duty or national guard
20 duty, as those terms are defined in section 29A.1, that would
21 otherwise be charged within five years of the discharge.
22 Sec. ___. 2022 Iowa Acts, Senate File 2383, section 23, is
23 amended by striking the section and inserting in lieu thereof
24 the following:
25 SEC. 23. IMPLEMENTATION. Each board, as defined in section
26 272C.1, shall adopt rules pursuant to chapter 17A as necessary
27 to implement the section of this division of this Act amending
28 section 272C.14, by January 11, 2023.>
29 2. By renumbering as necessary.

AMY SINCLAIR

S-5170

HOUSE AMENDMENT TO
SENATE FILE 2367

1 Amend Senate File 2367, as passed by the Senate, as follows:
2 1. By striking everything after the enacting clause and
3 inserting:

4 **<DIVISION I**
5 SALES, USE, AND EXCISE TAX — RETURNS DUE
6 Section 1. Section 9C.3, subsection 3, Code 2022, is amended
7 to read as follows:
8 3. The application shall state whether or not the applicant
9 has an Iowa retailers sales or use tax permit and if the
10 applicant has such permit, shall state the number of such
11 permit.

12 Sec. 2. Section 9C.5, Code 2022, is amended to read as
13 follows:

14 **9C.5 Issuance of license.**

15 Upon receiving an application for a transient merchant's
16 license, the secretary of state shall investigate or cause to
17 be investigated, the reputation and character of the applicant.
18 If, upon making such investigation, the secretary of state is
19 satisfied that the statements and representations contained in
20 the application are true, and that the applicant is of good
21 reputation and character, and the holder of an Iowa ~~retailer's~~
22 sales or use tax permit, and if a foreign corporation, has
23 authority to do business in the state of Iowa, the secretary
24 shall issue to the applicant a license as a transient merchant
25 upon payment of the fee as herein prescribed for the period of
26 time requested in said application and for use at the location
27 and place where it is stated in said application the sale will
28 be held or the business conducted, both of which shall be set
29 out in said license. Such license shall be valid only for the
30 period of time and at the location and place described therein.

31 Sec. 3. Section 99G.30A, subsection 2, paragraph c, Code
32 2022, is amended to read as follows:

33 c. Frequency of deposits and quarterly monthly reports of
34 the monitor vending machine excise tax with the department of
35 revenue are governed by the tax provisions in section 423.31.

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1 Monitor vending machine excise tax collections shall not be
2 included in computation of the total tax to determine frequency
3 of filing under section 423.31.

4 Sec. 4. Section 321.105A, subsection 4, paragraph b, Code
5 2022, is amended to read as follows:

6 b. Section 422.25, subsection 4, sections 422.30, 422.67,
7 and 422.68, section 422.69, subsection 1, sections 422.70,
8 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
9 2, and sections 423.23, 423.24, 423.25, ~~423.32~~, 423.33, 423.35,
10 423.37 through 423.42, 423.45, and 423.47, consistent with the
11 provisions of this section, apply with respect to the fees
12 for new registration authorized under this section in the
13 same manner and with the same effect as if the fees for new
14 registration were retail use taxes within the meaning of those
15 statutes.

16 Sec. 5. Section 421.26, Code 2022, is amended to read as
17 follows:

18 421.26 Personal liability for tax due.

19 If a licensee or other person under section 452A.65, a
20 retailer or purchaser under chapter 423A, 423B, 423C, 423D,
21 or 423E, or section 423.14, 423.14A, 423.29, 423.31, ~~423.32~~,
22 or 423.33, or a user under section 423.34, or a permit holder
23 or licensee under section 453A.13, 453A.16, or 453A.44 fails
24 to pay a tax under those sections when due, an officer of a
25 corporation or association, notwithstanding section 489.304,
26 a member or manager of a limited liability company, or a
27 partner of a partnership, having control or supervision of
28 or the authority for remitting the tax payments and having
29 a substantial legal or equitable interest in the ownership
30 of the corporation, association, limited liability company,
31 or partnership, who has intentionally failed to pay the tax
32 is personally liable for the payment of the tax, interest,
33 and penalty due and unpaid. However, this section shall
34 not apply to taxes on accounts receivable. The dissolution
35 of a corporation, association, limited liability company,

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1 or partnership shall not discharge a person's liability for
2 failure to remit the tax due.

3 Sec. 6. Section 423.2, subsection 1, paragraph b, Code 2022,
4 is amended to read as follows:

5 b. Sales of building materials, supplies, and equipment
6 to owners, contractors, subcontractors, or builders for the
7 erection of buildings or the alteration, repair, or improvement
8 of real property are retail sales of tangible personal property
9 in whatever quantity sold. Where the owner, contractor,
10 subcontractor, or builder is also a retailer holding a ~~retail~~
11 sales or use tax permit and transacting retail sales of
12 building materials, supplies, and equipment, the person shall
13 purchase such items of tangible personal property without
14 liability for the tax if such property will be subject to the
15 tax at the time of resale or at the time it is withdrawn from
16 inventory for construction purposes. The sales tax shall be
17 due in the reporting period when the materials, supplies,
18 and equipment are withdrawn from inventory for construction
19 purposes or when sold at retail. The tax shall not be due when
20 materials are withdrawn from inventory for use in construction
21 outside of Iowa and the tax shall not apply to tangible
22 personal property purchased and consumed by the manufacturer as
23 building materials in the performance by the manufacturer or
24 its subcontractor of construction outside of Iowa. The sale
25 of carpeting is not a sale of building materials. The sale of
26 carpeting to owners, contractors, subcontractors, or builders
27 shall be treated as the sale of ordinary tangible personal
28 property and subject to the tax imposed under this subsection
29 and the use tax.

30 Sec. 7. Section 423.3, subsection 39, paragraph a,
31 subparagraph (2), Code 2022, is amended to read as follows:

32 (2) The sale of all or substantially all of the tangible
33 personal property, or specified digital products, or services
34 held or used by a seller in the course of the seller's trade
35 or business for which the seller is required to hold a sales

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1 or use tax permit when the seller sells or otherwise transfers
2 the trade or business to another person who shall engage in a
3 similar trade or business.

4 Sec. 8. Section 423.3, subsection 80, paragraph d, Code
5 2022, is amended to read as follows:

6 d. Subject to the limitations in paragraph "c", where the
7 owner, contractor, subcontractor, or builder is also a retailer
8 holding a retail sales or use tax permit and transacting
9 retail sales of building materials, supplies, and equipment,
10 the tax shall not be due when materials are withdrawn from
11 inventory for use in construction performed for a designated
12 exempt entity if an exemption certificate is received from such
13 entity.

14 Sec. 9. Section 423.3, subsection 104, paragraph b,
15 subparagraph (1), Code 2022, is amended to read as follows:

16 (1) "*Commercial enterprise*" means the same as defined in
17 section 423.3, subsection 47, paragraph "d", subparagraph (1),
18 but also includes professions and occupations, and includes
19 public utilities as defined in section 476.1, subsection 3.

20 Sec. 10. Section 423.5, subsection 2, Code 2022, is amended
21 to read as follows:

22 2. The excise tax is imposed upon every person using
23 the property within this state until the tax has been paid
24 directly to the county treasurer, the state department of
25 transportation, a retailer, or the department. This tax is
26 imposed on every person using the services or the product of
27 the services in this state until the user has paid the tax
28 either to an Iowa sales or use tax permit holder or to the
29 department.

30 Sec. 11. Section 423.14, subsection 2, paragraph b, Code
31 2022, is amended to read as follows:

32 b. The tax upon the use of all tangible personal property
33 and specified digital products other than that enumerated in
34 paragraph "a", which is sold by a seller who is a retailer or
35 its agent that is not otherwise required to collect sales tax

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1 under the provisions of this chapter, may be collected by the
2 retailer or agent and remitted to the department, pursuant to
3 the provisions of paragraph "e", and sections 423.24, 423.29,
4 423.30, ~~423.32~~ 423.31, and 423.33.

5 Sec. 12. Section 423.14A, subsection 3, paragraph c,
6 subparagraph (2), Code 2022, is amended to read as follows:

7 (2) A marketplace facilitator shall collect sales and

8 use tax on the entire sales price or purchase price paid by
9 a purchaser on each Iowa sale subject to sales and use tax
10 that is made or facilitated by the marketplace facilitator,
11 regardless of whether the marketplace seller for whom an Iowa
12 sale is made or facilitated has or is required to have a ~~retail~~
13 sales or use tax permit or would have been required to collect
14 sales and use tax had the sale not been facilitated by the
15 marketplace facilitator, and regardless of the amount of the
16 sales price or purchase price that will ultimately accrue
17 to or benefit the marketplace facilitator, the marketplace
18 seller, or any other person. This sales and use tax collection
19 responsibility of a marketplace facilitator applies but shall
20 not be limited to sales facilitated through a computer software
21 application, commonly referred to as in-app purchases, or
22 through another specified digital product.

23 Sec. 13. Section 423.31, subsections 1, 3, 5, and 6, Code
24 2022, are amended to read as follows:

25 1. a. Each Except as provided in paragraph "b", each person
26 subject to this section and section 423.36 and in accordance
27 with the provisions of this section and section 423.36 shall,
28 on or before the last day of the month following the close of
29 each calendar ~~quarter~~ month during which such person is or
30 has become or ceased being subject to the provisions of this
31 section and section 423.36, make, sign, and file electronically
32 a return for the calendar ~~quarter~~ month in the form as may be
33 required. Returns shall show information relating to sales
34 prices including tangible personal property, specified digital
35 products, and services converted to the use of such person,

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1 the amounts of sales prices excluded and exempt from the tax,
2 the amounts of sales prices subject to tax, a calculation of
3 tax due, and any other information for the period covered by
4 the return as may be required. Returns shall be signed by
5 the retailer or the retailer's authorized agent and must be
6 certified by the retailer to be correct in accordance with
7 forms and rules prescribed by the director. A person required
8 to file a sales or use tax return who is unable to do so may
9 request permission from the director to file a return by
10 another method.

11 b. Notwithstanding paragraph "a", each person subject to
12 this section who collects and remits less than one thousand
13 two hundred dollars in sales or use tax to the department per
14 calendar year may file a return on or before the last day of the
15 month following the close of the calendar year.

16 3. The sales tax forms prescribed by the director shall be
17 referred to as "retailers tax deposit". Deposit forms shall
18 be signed by the retailer or the retailer's duly authorized
19 agent, and shall be duly certified by the retailer or agent to
20 be correct. The director may authorize incorporated banks and
21 trust companies or other depositories authorized by law which

22 are depositories or financial agents of the United States,
23 or of this state, to receive any sales or use tax imposed
24 under this chapter, in the manner, at the times, and under
25 the conditions the director prescribes. The director shall
26 prescribe the manner, times, and conditions under which the
27 receipt of the tax by those depositories is to be treated as
28 payment of the tax to the department.

29 5. *a.* Upon making application and receiving approval
30 from the director, a person and its affiliates that make
31 retail sales of tangible personal property, specified digital
32 products, or taxable enumerated services may make deposits and
33 file a consolidated sales or use tax return for the affiliated
34 group, pursuant to rules adopted by the director. A person and
35 each affiliate that files a consolidated return are jointly and

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1 severally liable for all tax, penalty, and interest found due
2 for the tax period for which a consolidated return is filed or
3 required to be filed.

4 *b.* A business required to file a consolidated sales or use
5 tax return shall file a form entitled "schedule of consolidated
6 business locations" with its quarterly sales or use tax
7 return that shows the taxpayer's consolidated permit number,
8 the permit number for each Iowa business location, the state
9 sales tax amount by business location, and the amount of state
10 sales tax due on goods consumed that are not assigned to a
11 specific business location. Consolidated quarterly sales or
12 use tax returns that are not accompanied by the schedule of
13 consolidated business locations form are considered incomplete
14 and are subject to penalty under section 421.27.

15 6. If necessary or advisable in order to insure ensure
16 the payment of the tax, the director may require returns and
17 payment of the tax to be made for other than quarterly monthly
18 periods, the provisions of this section or other provision to
19 the contrary notwithstanding.

20 Sec. 14. Section 423.31, subsection 2, Code 2022, is amended
21 by striking the subsection.

22 Sec. 15. Section 423.33, subsection 1, paragraph a, Code
23 2022, is amended to read as follows:

24 *a.* If a purchaser fails to pay sales tax to the retailer
25 required to collect the tax, then in addition to all of the
26 rights, obligations, and remedies provided, a use tax is
27 payable by the purchaser directly to the department, and
28 sections 423.31, ~~423.32~~, 423.37, 423.38, 423.39, 423.40, 423.41,
29 and 423.42 apply to the purchaser.

30 Sec. 16. Section 423.33, subsection 3, Code 2022, is amended
31 to read as follows:

32 *3. Event sponsor's liability for sales tax.* A person
33 sponsoring a flea market or a craft, antique, coin, or stamp
34 show or similar event shall obtain from every retailer selling
35 tangible personal property, specified digital products, or

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1 taxable services at the event proof that the retailer possesses
2 a valid sales or use tax permit or secure from the retailer
3 a statement, taken in good faith, that tangible personal
4 property, specified digital products, or services offered
5 for sale are not subject to sales tax. Failure to do so
6 renders a sponsor of the event liable for payment of any sales
7 tax, interest, and penalty due and owing from any retailer
8 selling property or services at the event. Sections 423.31,
9 ~~423.32~~, 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 apply
10 to the sponsors. For purposes of this subsection, a “person
11 *sponsoring a flea market or a craft, antique, coin, or stamp show*
12 *or similar event*” does not include a marketplace facilitator as
13 defined in section 423.14A, subsection 1, an organization which
14 sponsors an event determined to qualify as an event involving
15 casual sales pursuant to section 423.3, subsection 39, or the
16 state fair or a fair as defined in section 174.1.

17 Sec. 17. Section 423.34, Code 2022, is amended to read as
18 follows:

19 **423.34 Liability of user.**

20 Any person who uses any tangible personal property,
21 specified digital products, or services enumerated in section
22 423.2 upon which the use tax has not been paid, either to the
23 county treasurer or to a retailer or direct to the department
24 as required by this subchapter, shall be liable for the payment
25 of tax, and shall on or before the last day of the month next
26 succeeding each quarterly monthly period pay the use tax upon
27 all tangible personal property, specified digital products,
28 or services used by the person during the preceding quarterly
29 monthly period in the manner and accompanied by such returns
30 as the director shall prescribe. All of the provisions of
31 sections ~~423.32~~ ~~423.31~~ and 423.33 with reference to the returns
32 and payments shall be applicable to the returns and payments
33 required by this section.

34 Sec. 18. Section 423.36, subsection 4, paragraph b, Code
35 2022, is amended to read as follows:

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1 b. If an applicant is making sales outside Iowa for use in
2 this state or furnishing services outside Iowa, the product
3 or result of which will be used in this state, that applicant
4 shall be issued one sales or use tax permit by the department
5 applicable to these out-of-state sales or services.

6 Sec. 19. Section 423.36, subsection 4, Code 2022, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. c. If an applicant is required to collect
9 sales or use tax and is not included in the definition of a
10 retailer maintaining a place of business in this state in
11 section 423.1, subsection 48, paragraph “a”, subparagraph (1),
12 the applicant shall be issued one sales or use tax permit by

13 the department regardless of the number of locations from which
14 sales are made.

15 Sec. 20. Section 423.36, subsections 7 and 8, Code 2022, are
16 amended to read as follows:

17 7. a. Sellers who are not regularly engaged in selling
18 at retail and do not have a permanent place of business, but
19 who are temporarily engaged in selling from trucks, portable
20 roadside stands, concessionaires at state, county, district,
21 or local fairs, carnivals, or the like, shall report and remit
22 the sales tax on a temporary seasonal basis, under rules
23 the director shall provide for the efficient collection of
24 the sales tax. This subsection applies to sellers who are
25 temporarily engaged in furnishing services.

26 b. Persons engaged in selling tangible personal property,
27 specified digital products, or furnishing services shall not
28 be required to obtain or retain a sales or use tax permit for a
29 place of business at which taxable sales of tangible personal
30 property, specified digital products, or taxable performance of
31 services will not occur.

32 8. The provisions of subsection 1, dealing with the lawful
33 right of a retailer to transact business, as applicable, apply
34 to persons having receipts from furnishing services enumerated
35 in section 423.2, except that a person holding a permit

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1 pursuant to subsection 1 shall not be required to obtain any
2 separate sales or use tax permit for the purpose of engaging in
3 business involving the services.

4 Sec. 21. Section 423.40, subsections 1, 2, 3, and 5, Code
5 2022, are amended to read as follows:

6 1. In addition to the sales or use tax or additional sales
7 or use tax, the taxpayer shall pay a penalty as provided in
8 section 421.27. The taxpayer shall also pay interest on the
9 sales or use tax or additional sales or use tax at the rate
10 in effect under section 421.7 for each month counting each
11 fraction of a month as an entire month, computed from the date
12 the semimonthly or monthly tax deposit form or return was
13 required to be filed. The penalty and interest shall be paid
14 to the department and disposed of in the same manner as other
15 receipts under this subchapter. Unpaid penalties and interest
16 may be enforced in the same manner as the taxes imposed by this
17 chapter.

18 2. a. Any person who knowingly sells tangible personal
19 property, specified digital products, tickets or admissions
20 to places of amusement and athletic events, or gas, water,
21 electricity, or communication service at retail, or engages in
22 the furnishing of services enumerated in section 423.2, in this
23 state without procuring a permit to collect tax, as provided
24 in section 423.36, or who violates section 423.24 and the
25 officers of any corporation who so act are guilty of a serious
26 misdemeanor.

27 b. A person who knowingly sells tangible personal property,
28 specified digital products, tickets or admissions to places of
29 amusement and athletic events, or gas, water, electricity, or
30 communication service at retail, or engages in the furnishing
31 of services enumerated in section 423.2, in this state after
32 the person's sales or use tax permit has been revoked and
33 before it has been restored as provided in section 423.36,
34 subsection 6, and the officers of any corporation who so act
35 are guilty of an aggravated misdemeanor.

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1 3. A person who willfully attempts in any manner to evade
2 any tax imposed by this chapter or the payment of the tax or
3 a person who makes or causes to be made a false or fraudulent
4 ~~semimonthly or monthly tax deposit form or~~ return with intent
5 to evade any tax imposed by subchapter II or III or the payment
6 of the tax is guilty of a class "D" felony.

7 5. A person required to pay sales or use tax, or to make,
8 sign, or file a ~~tax deposit form or~~ return or supplemental
9 return, who willfully makes a false or fraudulent ~~tax deposit~~
10 ~~form or~~ return, or willfully fails to pay at least ninety
11 percent of the tax or willfully fails to make, sign, or file
12 the ~~tax deposit form or~~ return, at the time required by law, is
13 guilty of a fraudulent practice.

14 Sec. 22. Section 423.45, subsection 4, paragraph b, Code
15 2022, is amended to read as follows:

16 b. The sales tax liability for all sales of tangible
17 personal property and specified digital products and all sales
18 of services is upon the seller and the purchaser unless the
19 seller takes from the purchaser a valid exemption certificate
20 stating under penalty of perjury that the purchase is for a
21 nontaxable purpose and is not a retail sale as defined in
22 section 423.1, or the seller is not obligated to collect tax
23 due, or unless the seller takes a fuel exemption certificate
24 pursuant to subsection 5. If the tangible personal property,
25 specified digital products, or services are purchased tax free
26 pursuant to a valid exemption certificate and the tangible
27 personal property, specified digital products, or services are
28 used or disposed of by the purchaser in a nonexempt manner,
29 the purchaser is solely liable for the taxes and shall remit
30 the taxes directly to the department and sections 423.31,
31 ~~423.32,~~ 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42 shall
32 apply to the purchaser.

33 Sec. 23. Section 423.45, subsection 5, paragraph c, Code
34 2022, is amended to read as follows:

35 c. The seller may accept a completed fuel exemption

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1 certificate, as prepared by the purchaser, for three
2 years unless the purchaser files a new completed exemption

3 certificate. If the fuel is purchased tax free pursuant to a
4 fuel exemption certificate which is taken by the seller, and
5 the fuel is used or disposed of by the purchaser in a nonexempt
6 manner, the purchaser is solely liable for the taxes, and shall
7 remit the taxes directly to the department and sections 423.31,
8 ~~423.32, 423.37, 423.38, 423.39, 423.40, 423.41, and 423.42~~ shall
9 apply to the purchaser.

10 Sec. 24. Section 423.50, subsection 1, Code 2022, is amended
11 to read as follows:

12 1. Only one remittance of tax per return is required ~~except~~
13 ~~as provided in this subsection. Sellers that collect more~~
14 ~~than thirty thousand dollars in sales and use taxes for this~~
15 ~~state during the preceding calendar year shall be required to~~
16 ~~make additional remittances as required under rules adopted by~~
17 ~~the director. The filing of a return is not required with an~~
18 ~~additional remittance.~~

19 Sec. 25. Section 423.57, Code 2022, is amended to read as
20 follows:

21 **423.57 Statutes applicable.**

22 The director shall administer this subchapter as it relates
23 to the taxes imposed in this chapter in the same manner and
24 subject to all the provisions of, and all of the powers,
25 duties, authority, and restrictions contained in sections
26 423.14, 423.14A, 423.14B, 423.15, 423.16, 423.17, 423.19,
27 423.20, 423.21, 423.22, 423.23, 423.24, 423.25, 423.29, 423.31,
28 ~~423.32,~~ 423.33, 423.34, 423.34A, 423.35, 423.37, 423.38, 423.39,
29 423.40, 423.41, and 423.42, section 423.43, subsection 1, and
30 sections 423.45, 423.46, and 423.47.

31 Sec. 26. Section 423.58, Code 2022, is amended to read as
32 follows:

33 **423.58 Collection, permit, and tax return exemption for**
34 **certain out-of-state businesses.**

35 Notwithstanding sections 423.14, 423.14A, 423.14B, 423.29,

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1 423.31, ~~423.32,~~ and 423.36, a person meeting the requirements
2 of section 29C.24 is not required to obtain a sales or use tax
3 permit, collect and remit sales and use tax, or make and file
4 applicable sales or use tax returns, as provided in section
5 29C.24, subsection 3, paragraph "a", subparagraph (2).

6 Sec. 27. Section 423A.6, subsection 4, Code 2022, is amended
7 to read as follows:

8 4. Section 422.25, subsection 4, sections 422.30, 422.67,
9 and 422.68, section 422.69, subsection 1, sections 422.70,
10 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
11 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
12 423.35, 423.37 through 423.42, and 423.47, consistent with the
13 provisions of this chapter, apply with respect to the taxes
14 authorized under this chapter, in the same manner and with the
15 same effect as if the state and local hotel and motel taxes
16 were retail sales taxes within the meaning of those statutes.

17 Notwithstanding this subsection, the director shall provide
18 for ~~quarterly monthly~~ filing of returns and for other than
19 ~~quarterly monthly~~ filing of returns both as prescribed in
20 section 423.31. The director may require all persons who are
21 engaged in the business of deriving any sales price subject
22 to tax under this chapter to register with the department.
23 All taxes collected under this chapter by a retailer, lodging
24 provider, lodging facilitator, lodging platform, or any other
25 person are deemed to be held in trust for the state of Iowa and
26 the local jurisdictions imposing the taxes.

27 Sec. 28. Section 423B.5, subsection 3, Code 2022, is amended
28 to read as follows:

29 3. A tax permit other than the state sales or use tax permit
30 required under section 423.36 shall not be required by local
31 authorities.

32 Sec. 29. Section 423B.6, subsection 2, paragraph c, Code
33 2022, is amended to read as follows:

34 c. Frequency of deposits and ~~quarterly monthly~~ reports of a
35 local sales and services tax with the department of revenue are

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1 governed by the tax provisions in section 423.31. Local tax
2 collections shall not be included in computation of the total
3 tax to determine frequency of filing under section 423.31.
4 Sec. 30. Section 423C.4, Code 2022, is amended to read as
5 follows:

6 **423C.4 Administration and enforcement.**

7 All powers and requirements of the director of revenue
8 to administer the state sales tax law under chapter 423 are
9 applicable to the administration of the tax imposed under
10 section 423C.3, including but not limited to section 422.25,
11 subsection 4, sections 422.30, 422.67, and 422.68, section
12 422.69, subsection 1, sections 422.70 through 422.75, section
13 423.14, subsection 1, and sections 423.15, 423.23, 423.24,
14 423.25, 423.31, 423.33, 423.35 and 423.37 through 423.42,
15 423.45, 423.46, and 423.47. However, as an exception to the
16 powers specified in section 423.31, the director shall only
17 require the filing of ~~quarterly monthly~~ reports.

18 Sec. 31. Section 423D.4, subsection 3, Code 2022, is amended
19 to read as follows:

20 3. Section 422.25, subsection 4, sections 422.30, 422.67,
21 and 422.68, section 422.69, subsection 1, sections 422.70,
22 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
23 1, and sections 423.23, 423.24, 423.25, 423.31 through
24 423.35, 423.37 through 423.42, and 423.47, consistent with
25 the provisions of this chapter, apply with respect to the tax
26 authorized under this chapter, in the same manner and with the
27 same effect as if the excise taxes on equipment sales or use
28 were retail sales taxes within the meaning of those statutes.
29 Notwithstanding this subsection, the director shall provide
30 for ~~quarterly monthly~~ filing of returns and for other than

31 quarterly monthly filing of returns both as prescribed in
32 section 423.31. All taxes collected under this chapter by a
33 retailer or any user are deemed to be held in trust for the
34 state of Iowa.

35 Sec. 32. Section 423G.5, subsection 3, Code 2022, is amended

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1 to read as follows:
2 3. Section 422.25, subsection 4, sections 422.30, 422.67,
3 and 422.68, section 422.69, subsection 1, sections 422.70,
4 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
5 1, and sections 423.23, 423.24, 423.25, 423.31 through
6 423.35, 423.37 through 423.42, and 423.47, consistent with the
7 provisions of this chapter, shall apply with respect to the tax
8 authorized under this chapter, in the same manner and with the
9 same effect as if the excise taxes on the sale or furnishing of
10 a water service were retail sales taxes within the meaning of
11 those statutes. Notwithstanding this subsection, the director
12 shall provide for quarterly monthly filing of returns and
13 for other than quarterly monthly filing of returns both as
14 prescribed in section 423.31. All taxes collected under this
15 chapter by a retailer or any user are deemed to be held in trust
16 for the state of Iowa.

17 Sec. 33. Section 728.1, subsection 6, Code 2022, is amended
18 to read as follows:

19 6. "*Place of business*" means the premises of a business
20 required to obtain a sales or use tax permit pursuant to
21 chapter 423, the premises of a nonprofit or not-for-profit
22 organization, and the premises of an establishment which is
23 open to the public at large or where entrance is limited by a
24 cover charge or membership requirement.

25 Sec. 34. Section 728.5, subsection 1, unnumbered paragraph
26 1, Code 2022, is amended to read as follows:

27 An owner, manager, or person who exercises direct control
28 over a place of business required to obtain a sales or use tax
29 permit shall be guilty of a serious misdemeanor under any of
30 the following circumstances:

31 Sec. 35. REPEAL. Section 423.32, Code 2022, is repealed.

32 Sec. 36. TEMPORARY PENALTY AND INTEREST GRACE PERIOD. A
33 taxpayer shall file a return and pay tax pursuant to section
34 423.31, subsection 1, as amended by this division of this Act.
35 However, if a taxpayer is unable to file a return or pay tax in

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1 accordance with the changes to section 423.31, subsection 1,
2 as amended by this division of this Act, by July 1, 2022, the
3 taxpayer shall file returns and pay tax for tax periods ending
4 on or before September 30, 2022, according to the taxpayer's
5 registration as of June 30, 2022, and such a taxpayer shall
6 not incur a penalty for doing so. Interest on unpaid payments

7 for such taxpayers unable to file a return or pay a tax in
8 accordance with the changes to section 423.31, subsection 1, as
9 amended by this division of this Act, shall be suspended until
10 October 1, 2022.

11 Sec. 37. AUTHORITY TO MODIFY PERMITS. Notwithstanding any
12 provision of law to the contrary, the department of revenue
13 shall have authority to convert, renumber, or combine existing
14 sales tax, retailer's use tax, and consumer's use tax permits
15 for taxpayers holding multiple tax permits in accordance with
16 section 423.31, subsection 1, as amended by this division of
17 this Act.

18 Sec. 38. IMPLEMENTATION — EMERGENCY RULES. The department
19 of revenue may adopt emergency rules under section 17A.4,
20 subsection 3, and section 17A.5, subsection 2, paragraph "b",
21 to implement the provisions of this division of this Act and
22 the rules shall be effective immediately upon filing unless
23 a later date is specified in the rules. Any rules adopted
24 in accordance with this section shall also be published as a
25 notice of intended action as provided in section 17A.4.

26 Sec. 39. EFFECTIVE DATE. The following, being deemed of
27 immediate importance, takes effect upon enactment:

28 The section of this division of this Act enacting emergency
29 rules relating to the implementation of this division of this
30 Act.

31 Sec. 40. EFFECTIVE DATE. The following takes effect January
32 1, 2023:

33 The section of this division of this Act amending section
34 423.3, subsection 104, paragraph "b", subparagraph (1).

DIVISION II

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SALES AND USE TAX EXEMPTIONS

2 Sec. 41. Section 423.3, subsection 47, paragraph a,
3 subparagraph (4), Code 2022, is amended by striking the
4 subparagraph.

5 Sec. 42. Section 423.3, subsection 68, paragraph c,
6 subparagraph (1), subparagraph division (a), Code 2022, is
7 amended to read as follows:

8 (a) "*Clothing*" includes but is not limited to the
9 following: aprons, household and shop; athletic supporters;
10 baby receiving blankets; bathing suits and caps; beach capes
11 and coats; belts and suspenders; boots; coats and jackets;
12 costumes; ~~diapers (children and adults, including disposable~~
13 ~~diapers)~~; earmuffs; footlets; formal wear; garters and garter
14 belts; girdles; gloves and mittens for general use; hats
15 and caps; hosiery; insoles for shoes; lab coats; neckties;
16 overshoes; pantyhose; rainwear; rubber pants; sandals;
17 scarves; shoes and shoelaces; slippers; sneakers; socks and
18 stockings; steel-toed shoes; underwear; uniforms, athletic and
19 nonathletic; and wedding apparel.

20 Sec. 43. Section 423.3, Code 2022, is amended by adding the

21 following new subsections:

22 NEW SUBSECTION. 108. The sales price from the sale of
23 feminine hygiene products. For purposes of this subsection,
24 "feminine hygiene products" means tampons, panty liners,
25 menstrual cups, sanitary napkins, and other similar tangible
26 personal property designed for feminine hygiene in connection
27 with the human menstrual cycle.

28 NEW SUBSECTION. 109. The sales price from the sale of a
29 child or adult diaper, whether cloth or disposable.

30 Sec. 44. EFFECTIVE DATE. Except as otherwise provided, this
31 division of this Act takes effect January 1, 2023.

32 Sec. 45. EFFECTIVE DATE. The following takes effect January
33 1, 2024:

34 The section of this division of this Act amending section
35 423.3, subsection 47, paragraph "a", subparagraph (4).

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DIVISION III

DISTRIBUTIONS OF REVENUE TO LOCAL GOVERNMENTS AND SCHOOL DISTRICTS

4 Sec. 46. Section 423B.7, subsection 2, paragraph a, Code
5 2022, is amended to read as follows:

6 a. The director of revenue by August 15 of each fiscal year ~~the last day of each month~~ shall send transfer to each
7 city or county where the local option tax is imposed, ~~an~~
8 ~~estimate of the amount of tax moneys remitted to the department~~
9 ~~attributable to each city or county will receive for the year~~
10 ~~and for each month of the year from the preceding month. At the~~
11 ~~end of each month, the director may revise the estimates for~~
12 ~~the year and remaining months.~~

13 Sec. 47. Section 423B.7, subsection 2, paragraphs b and c,
14 Code 2022, are amended by striking the paragraphs.

15 Sec. 48. Section 423F.2, subsection 4, paragraph a, Code
16 2022, is amended to read as follows:

17 a. The director of revenue by August 15 of each fiscal year ~~the last day of each month~~ shall send transfer to each school
18 district ~~an estimate of the amount of tax moneys remitted~~
19 ~~to the department attributable to each school district will~~
20 ~~receive for the year and for each month of the year from the~~
21 ~~preceding month. At the end of each month, the director may~~
22 ~~revise the estimates for the year and remaining months.~~

23 Sec. 49. Section 423F.2, subsection 4, paragraph b, Code
24 2022, is amended by striking the paragraph and inserting in
25 lieu thereof the following:

26 b. On or before August 15 of each fiscal year the director
27 of revenue shall provide to each school district an estimate
28 of the amount of tax moneys to be distributed to each school
29 district for the current fiscal year.

30 Sec. 50. Section 423F.2, subsection 4, paragraph c, Code
31 2022, is amended by striking the paragraph.

34 Sec. 51. TRANSITION PROVISION FOR LOCAL OPTION SALES TAX
35 AND SECURING AN ADVANCED VISION FOR EDUCATION — TRANSFER

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1 AMOUNTS. Notwithstanding any other provision of law to the
2 contrary, the department of revenue shall estimate monthly
3 local option sales tax and securing an advanced vision for
4 education transfer amounts through the end of the 2022 calendar
5 year. The department of revenue shall transfer estimated
6 amounts to each local government or school district for the
7 months of July, August, and September 2022. Beginning with the
8 October 2022 transfer, the department shall not use estimated
9 amounts and shall transfer the amount of tax attributable to
10 each local government or school district for the tax remitted
11 in September 2022. Any adjustment amount that is necessary to
12 the July, August, or September 2022 estimated transfer amount
13 to reflect the accurate attributable amount shall be made by
14 the department of revenue or the local government or school
15 district by the close of business on December 30, 2022.

16 DIVISION IV

17 LIABILITY OF SELLERS USING CERTIFIED SERVICE PROVIDER

18 Sec. 52. Section 423.48, subsection 3, paragraph a, Code
19 2022, is amended to read as follows:

20 a. A model 1 seller's obligation to calculate, collect, and
21 remit sales and use taxes shall be performed by its certified
22 service provider, except for the seller's obligation to remit
23 tax on its own purchases. As the seller's agent, the certified
24 service provider is liable for its model 1 seller's sales
25 and use tax due Iowa on all sales transactions it processes
26 for the seller except as set out in this section. A seller
27 that contracts with a certified service provider is not
28 liable to the state for sales or use tax due on transactions
29 processed by the certified service provider unless the ~~seller~~
30 ~~misrepresents the types of items or services it sells or~~
31 ~~commits fraud certified service provider establishes that~~
32 ~~the certified service provider is not liable in accordance~~
33 ~~with the agreement.~~ In the absence of ~~probable cause to~~
34 ~~believe that the seller has committed fraud or made a material~~
35 ~~misrepresentation liability relief established by the certified~~

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1 ~~service provider~~, the seller is not subject to audit on the
2 transactions processed by the certified service provider.
3 A model 1 seller is subject to audit for transactions not
4 processed by the certified service provider. The director is
5 authorized to perform a system check of the model 1 seller and
6 review the seller's procedures to determine if the certified
7 service provider's system is functioning properly and the
8 extent to which the seller's transactions are being processed
9 by the certified service provider.

10 DIVISION V

11 AUTHORITY TO CANCEL VARIOUS PERMITS ISSUED BY THE DEPARTMENT
12 Sec. 53. Section 421.17, Code 2022, is amended by adding the
13 following new subsection:
14 NEW SUBSECTION. 37. Notwithstanding any other provision
15 of law to the contrary, to cancel the following permits upon
16 verification by the department of revenue the permits are no
17 longer in use: income tax withholding, sales or use tax, or
18 motor fuel tax.

19 DIVISION VI

20 ECONOMIC DEVELOPMENT AUTHORITY SALES AND USE TAX REFUND
21 INCENTIVES

22 Sec. 54. Section 15.331A, subsection 2, Code 2022, is
23 amended to read as follows:

24 2. To receive the refund, a claim shall be filed by the
25 eligible business with the department of revenue as follows:
26 a. The contractor or subcontractor shall state under oath,
27 on forms provided by the department of revenue, the amount of
28 the sales of tangible personal property or services rendered,
29 furnished, or performed including water, sewer, gas, and
30 electric utility services upon which sales or use tax has been
31 paid prior to the project contract completion, and shall file
32 the forms with the eligible business before final settlement
33 is made.

34 b. The eligible business shall, not more than one year after
35 project contract completion, make application to the department

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1 of revenue for any refund of the amount of the sales and use
2 taxes paid pursuant to chapter 423 upon any tangible personal
3 property, or services rendered, furnished, or performed,
4 including water, sewer, gas, and electric utility services.
5 The application shall be made in the manner and upon forms to
6 be provided by the department of revenue, and the department of
7 revenue shall audit the claim and, if approved, issue a warrant
8 to the eligible business in the amount of the sales or use tax
9 which has been paid to the state of Iowa under a contract. The
10 application must be made within one year after the project
11 completion date. A claim filed by the eligible business in
12 accordance with this section shall not be denied by reason of a
13 limitation provision set forth in chapter 421 or 423.

14 c. The eligible business shall inform the department of
15 revenue in writing after project contract completion. For
16 purposes of this section, "project completion" means the
17 first date upon which the average annualized production of
18 finished product for the preceding ninety day period at the
19 manufacturing facility operated by the eligible business is
20 at least fifty percent of the initial design capacity of the
21 facility.

22 Sec. 55. Section 15.331A, Code 2022, is amended by adding
23 the following new subsection:

24 **NEW SUBSECTION.** 4. For purposes of this section, “*contract*
25 *completion*” means the date of completion of a written contract
26 relating to the construction or equipping of the facility that
27 is part of the project of the eligible business.

28 Sec. 56. Section 15.331C, subsections 1 and 2, Code 2022,
29 are amended to read as follows:

30 1. ~~An In lieu of the sales and use tax refund provided~~
31 in section 15.331A, an eligible business may claim a tax
32 credit in an amount equal to the sales and use taxes paid by a
33 third-party developer under chapter 423 for gas, electricity,
34 water, or sewer utility services, goods, wares, or merchandise,
35 or on services rendered, furnished, or performed to or for a

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1 contractor or subcontractor and used in the fulfillment of a
2 written contract relating to the construction or equipping of
3 a facility of the eligible business. Taxes attributable to
4 intangible property and furniture and furnishings shall not
5 be included, but taxes attributable to racks, shelving, and
6 conveyor equipment to be used in a warehouse or distribution
7 center shall be included. Any credit in excess of the tax
8 liability for the tax year may be credited to the tax liability
9 for the following seven years or until depleted, whichever
10 occurs earlier. An eligible business may elect to receive a
11 refund of all or a portion of an unused tax credit.

12 2. A third-party developer shall state under oath, on
13 forms provided by the department of revenue, the amount of
14 taxes paid as described in subsection 1 and shall submit such
15 forms to the department of revenue. The taxes paid shall be
16 itemized to allow identification of the taxes attributable
17 to racks, shelving, and conveyor equipment to be used in a
18 warehouse or distribution center. The eligible business
shall make application to the department of revenue in the
manner and form prescribed by the department of revenue, and
within the time for applying for a sales and use tax refund
under section 15.331A. After ~~timely~~ receiving the form from
23 the third-party developer and application from the eligible
business, the department of revenue shall audit the claim
and, if approved, shall issue a tax credit certificate to the
26 eligible business equal to the sales and use taxes paid by a
27 third-party developer under chapter 423 for gas, electricity,
28 water, or sewer utility services, goods, wares, or merchandise,
29 or on services rendered, furnished, or performed to or for a
30 contractor or subcontractor and used in the fulfillment of a
31 written contract relating to the construction or equipping
32 of a facility. The department of revenue shall also issue a
33 tax credit certificate to the eligible business equal to the
34 taxes paid and attributable to racks, shelving, and conveyor
35 equipment to be used in a warehouse or distribution center.

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1 The aggregate combined total amount of tax refunds under
2 section 15.331A for taxes paid and attributable to racks,
3 shelving, and conveyor equipment to be used in a warehouse or
4 distribution center and of tax credit certificates issued by
5 the department of revenue under this section for the taxes paid
6 and attributable to racks, shelving, and conveyor equipment
7 to be used in a warehouse or distribution center shall not
8 exceed five hundred thousand dollars in a fiscal year. If
9 an applicant for a tax credit certificate does not receive
10 a refund or certificate for the taxes paid and attributable
11 to racks, shelving, and conveyor equipment to be used in a
12 warehouse or distribution center, the application shall be
13 considered in succeeding fiscal years. The eligible business
14 shall not claim a tax credit under this section unless a tax
15 credit certificate issued by the department of revenue is
16 included with the taxpayer's tax return for the tax year for
17 which the tax credit is claimed. A tax credit certificate
18 shall contain the eligible business's name, address, tax
19 identification number, the amount of the tax credit, and other
20 information deemed necessary by the department of revenue.

21 Sec. 57. Section 15.355, subsection 2, Code 2022, is amended
22 by striking the subsection and inserting in lieu thereof the
23 following:

24 2. a. A housing business may claim a refund of the sales
25 and use taxes paid under chapter 423 prior to the completion
26 of the housing project that are directly related to a housing
27 project and specified in the agreement.

28 b. To receive a refund, a claim shall be filed by the
29 housing business with the department of revenue as follows:
30 (1) The contractor or subcontractor shall state under oath,
31 on forms provided by the department of revenue, the amount
32 of sales and use taxes paid under chapter 423 prior to the
33 completion of the housing project that are directly related to
34 a housing project and specified in the agreement.
35 (2) The contractor or subcontractor shall file the forms

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1 with the housing business before final settlement is made.
2 (3) (a) The housing business shall, after the agreement
3 completion date, make application to the department of revenue
4 for any refund of the amount of sales and use taxes paid under
5 chapter 423 prior to the completion of the housing project that
6 were directly related to a housing project and specified in the
7 agreement. The application shall be made in the manner and
8 upon forms to be provided by the department of revenue. The
9 department of revenue shall audit the claim and, if approved,
10 issue a warrant to the housing business. The application
11 must be made within one year after the agreement completion
12 date. A claim filed by the housing business in accordance with

13 this subsection shall not be denied by reason of a limitation
14 provision set forth in chapter 421 or 423.
15 (b) For purposes of this subparagraph, "agreement completion
16 date" means the date on which the authority notifies the
17 department of revenue that all applicable requirements of the
18 agreement entered into pursuant to section 15.354, subsection
19 3, paragraph "a", and all applicable requirements of this part,
20 including the rules the authority and the department of revenue
21 adopt pursuant to section 15.356, are satisfied.

22 c. A contractor or subcontractor who willfully makes a
23 false claim under oath in violation of the provisions of this
24 subsection shall be guilty of a simple misdemeanor and in
25 addition to any other penalty, the contractor or subcontractor
26 shall be liable for the payment of the tax and any applicable
27 penalty and interest.

28 Sec. 58. EFFECTIVE DATE. This division of this Act, being
29 deemed of immediate importance, takes effect upon enactment.

30 Sec. 59. APPLICABILITY. This division of this Act applies
31 to claims for refunds filed on or after the effective date of
32 this division of this Act.

33 DIVISION VII
34 FRANCHISE TAX

35 Sec. 60. Section 422.63, Code 2022, is amended to read as

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1 follows:

2 **422.63 Amount of tax.**

3 1. The franchise tax is imposed annually in an amount equal
4 to ~~five~~ the percent specified in subsection 2 of the net income
5 received or accrued during the taxable year. If the net income
6 of the financial institution is derived from its business
7 carried on entirely within the state, the tax shall be imposed
8 on the entire net income, but if the business is carried on
9 partly within and partly without the state, the portion of net
10 income reasonably attributable to the business within the state
11 shall be specifically allocated or equitably apportioned within
12 and without the state under rules of the director.

13 2. a. For tax years beginning prior to January 1, 2023,
14 five percent.

15 b. For tax years beginning on or after January 1, 2023, but
16 before January 1, 2024, four and seven-tenths percent.

17 c. For tax years beginning on or after January 1, 2024, but
18 before January 1, 2025, four and four-tenths percent.

19 d. For tax years beginning on or after January 1, 2025, but
20 before January 1, 2026, four and one-tenth percent.

21 e. For tax years beginning on or after January 1, 2026, but
22 before January 1, 2027, three and eight-tenths percent.

23 f. For tax years beginning on or after January 1, 2027,
24 three and one-half percent.

25 DIVISION VIII

26 MANUFACTURED FOOD — SALES TAX EXEMPTION

27 Sec. 61. Section 423.3, subsection 49, Code 2022, is amended
28 to read as follows:

29 49. a. The sales price from the sale of carbon dioxide
30 in a liquid, solid, or gaseous form, electricity, steam, and
31 other taxable services and the lease or rental of tangible
32 personal property when used by a manufacturer ~~of food products~~
33 to ~~primarily produce marketable food products for human~~
34 ~~consumption food or food ingredients~~, including but not
35 limited to treatment of material to change its form, context,

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1 or condition, in order to produce the food ~~product or food~~
2 ~~ingredients~~, maintenance of quality or integrity of the
3 food ~~product or food ingredients~~, changing or maintenance of
4 temperature levels necessary to avoid spoilage or to hold the
5 food ~~product or food ingredients~~ in marketable condition,
6 maintenance of environmental conditions necessary for the safe
7 or efficient use of machinery and material used to produce
8 the food ~~product or food ingredients~~, sanitation and quality
9 control activities, formation of packaging, placement into
10 shipping containers, and movement of the material or food
11 ~~product or food ingredients~~ until shipment from the building
12 of manufacture.

13 b. For purposes of this subsection, "food or food
14 ingredients" means the same as "food and food ingredients" as
15 defined in subsection 57, paragraph "d", and includes tangible
16 personal property that could be sold for ingestion or chewing
17 by humans but is sold for another use.

18 Sec. 62. REFUNDS. Refunds of taxes, interest, or penalties
19 which arise from the enactment of this division of this Act,
20 for sales or services occurring between January 1, 2019, and
21 the effective date of this division of this Act, shall be
22 limited to one hundred thousand dollars in the aggregate for
23 any calendar year in which claims are eligible for a refund and
24 shall not be allowed unless refund claims are filed by October
25 1, 2022, notwithstanding any other law to the contrary. If the
26 amount of claims totals more than one hundred thousand dollars
27 in the aggregate for any calendar year in which claims are
28 eligible for a refund, the department of revenue shall prorate
29 the one hundred thousand dollars in the aggregate among all the
30 claimants for that particular calendar year in relation to the
31 amounts of the claimants' valid claims.

32 Sec. 63. EFFECTIVE DATE. This division of this Act, being
33 deemed of immediate importance, takes effect upon enactment.

34 Sec. 64. RETROACTIVE APPLICABILITY. This division of this
35 Act applies retroactively to January 1, 2019.

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1 DIVISION IX
2 MOTOR FUEL REPORTING REQUIREMENT — PENALTY

3 Sec. 65. Section 452A.33, subsection 1, paragraph c, Code
4 2022, is amended to read as follows:
5 c. (1) The retail dealer shall prepare and submit file
6 the report with the department in a manner and according to
7 procedures required by the department in compliance with
8 section 452A.61. However, the department may require that the
9 retail dealer file the report with the department by electronic
10 transmission. The department may require that retail dealers
11 report to the department on an annual, quarterly, or monthly
12 basis. The department, upon application by a retail dealer,
13 may grant a reasonable extension of time to file the report.

14 (2) If a retail dealer fails to file the report as required
15 by this section or fails to maintain records required to file
16 the report the department may impose a civil penalty of not
17 more than one hundred dollars per occurrence in addition to any
18 other penalty provided by law. The penalty amount shall be
19 deposited into the general fund of the state.

20 DIVISION X

21 SOLAR ENERGY SYSTEM TAX CREDIT

22 Sec. 66. Section 422.11L, subsection 4, paragraph a, Code
23 2022, is amended to read as follows:
24 a. The Except as provided in subsection 7, the cumulative
25 value of tax credits claimed annually by applicants pursuant
26 to this section shall not exceed five million dollars. Of
27 this amount, at least one million dollars shall be reserved
28 for claims associated with or resulting from residential solar
29 energy system installations. In the event that the total
30 amount of claims submitted for residential solar energy system
31 installations in a tax year is an amount less than one million
32 dollars, the remaining unclaimed reserved amount shall be
33 made available for claims associated with or resulting from
34 nonresidential solar energy system installations received for
35 the tax year.

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1 Sec. 67. Section 422.11L, Code 2022, is amended by adding
2 the following new subsection:
3 NEW SUBSECTION. 7. a. Notwithstanding any other law to the
4 contrary, the department may review or reconsider the following
5 as if the credit did not expire:
6 (1) Applications for installations that were completed
7 prior to the 2022 calendar year that were denied solely due
8 to the expiration of the credit provided in subsection 1,
9 paragraph "a", regardless of whether the applicant appealed the
10 denial.
11 (2) Pending applications and new applications for
12 the credit provided in subsection 1, paragraph "a", for
13 installations that were completed during the 2021 calendar year
14 as long as the application is received by June 30, 2022.
15 (3) The department shall use the original submission date of
16 applications described in this paragraph to determine the order

17 for reviewing such applications.

18 b. The cumulative value of tax credits in subsection 3,
19 paragraph "d", subparagraph (2), shall not limit the amount of
20 annual tax credits that may be awarded for valid applications
21 that qualify pursuant to this subsection.

22 c. A tax credit awarded pursuant to this subsection may
23 be first claimed for the tax year beginning during the 2022
24 calendar year.

25 Sec. 68. EFFECTIVE DATE. This division of this Act, being
26 deemed of immediate importance, takes effect upon enactment.

27 Sec. 69. RETROACTIVE APPLICABILITY. A tax credit
28 award issued pursuant to this division of this Act applies
29 retroactively to tax years beginning on or after January 1,
30 2022.

DIVISION XI

INDIVIDUAL INCOME TAX EXCLUSION — CERTAIN PREMIUM PAY AND BONUSES

34 Sec. 70. Section 422.7, Code 2022, is amended by adding the
35 following new subsection:

Page 29

1 NEW SUBSECTION. 63. a. (1) Subtract to the extent
2 included the amount, not to exceed one thousand dollars, of
3 premium pay, as defined in 42 U.S.C. §802(g)(3), received by a
4 certified peace officer who was designated by the governor as
5 an eligible worker under 42 U.S.C. §802(g)(2).

6 (2) Subtract, to the extent included, the amount, not
7 to exceed one thousand dollars, of premium pay, as defined
8 in 42 U.S.C. §802(g)(3), received by a correctional officer
9 or medical staff member at a correctional facility who was
10 designated by the governor as an eligible worker under 42
11 U.S.C. §802(g)(2).

12 (3) Subtract to the extent included the amount, not to
13 exceed one thousand dollars, of premium pay, as defined in
14 42 U.S.C. §802(g)(3), received by a teacher employed by an
15 independently accredited school or a teacher employed by the
16 state who was designated by the governor as an eligible worker
17 under 42 U.S.C. §802(g)(2).

18 (4) Subtract to the extent included the amount of a teacher
19 retention payment, not to exceed one thousand dollars, received
20 by a teacher that was funded from moneys received by the state
21 from the elementary and secondary school emergency relief
22 funds pursuant to the federal Coronavirus Response and Relief
23 Supplemental Appropriations Act, 2021, Pub. L. No. 116-260,
24 or the federal American Rescue Plan Act of 2021, Pub. L. No.
25 117-2.

26 (5) Subtract to the extent included the amount of a
27 teacher retention payment, not to exceed one thousand dollars,
28 received by a teacher employed by a private school or specially
29 accredited school, that was funded from the private sector
30 worker premium pay program administered by the department of

31 education that was funded from state moneys.
32 (6) Subtract to the extent included the amount of a
33 recruitment and retention bonus, not to exceed one thousand
34 dollars, received by a child care worker through the
35 recruitment and retention bonus program administered by the

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1 department of human services.
2 b. An employer or any payor of an amount to an individual
3 under paragraph "a" pursuant to a program described in paragraph
4 "a" shall report the amount paid to each individual to the
5 department of revenue in the manner and form required by the
6 department.
7 c. Notwithstanding any provision of law to the contrary,
8 public records related to the distribution of funds under
9 this subsection shall be kept confidential to the extent that
10 the release of such information would reveal the personal
11 identifying information of a peace officer defined in section
12 801.4, subsection 11.
13 d. The department may adopt rules pursuant to chapter 17A
14 to administer this subsection.
15 e. This subsection is repealed January 1, 2026.
16 Sec. 71. EFFECTIVE DATE. This division of this Act, being
17 deemed of immediate importance, takes effect upon enactment.
18 Sec. 72. RETROACTIVE APPLICABILITY. This division of this
19 Act applies retroactively to January 1, 2022, for tax years
20 beginning on or after January 1, 2022, but before January 1,
21 2023, for payments received in the 2022 calendar year.>
22 2. Title page, by striking lines 1 through 7 and inserting
23 <An Act relating to state taxation by specifying when returns
24 are due, striking sales tax exemptions and exempting other
25 products, and modifying distributions of revenue to local
26 governments and school districts, the liability of sellers,
27 the franchise tax, motor fuel tax reporting, tax refunds and
28 credits, and the individual state income tax, and providing
29 penalties, and including effective date, applicability, and
30 retroactive applicability provisions.>

S-5171

1 Amend the amendment, S-5149, to House File 2558, as amended,
2 passed, and reprinted by the House, as follows:
3 1. By striking page 5, line 16, through page 6, line 5.
4 2. By renumbering as necessary.

NATE BOULTON

S-5172

1 Amend the amendment, S-5149, to House File 2558, as amended,
2 passed, and reprinted by the House, as follows:

3 1. Page 6, after line 5 by inserting:

4 ~~<Sec. ____.~~ Section 602.1205, Code 2022, is amended by adding
5 the following new subsection:

6 **NEW SUBSECTION.** 3. *a.* The district court shall try civil
7 cases in the order in which cases are initiated by the filing
8 of a petition, provided that the following cases shall be
9 entitled to a preference:

10 (1) Actions that have been revived pursuant to section
11 614.1, subsection 12, paragraph "b", or section 614.8A,
12 subsection 2.

13 (2) An action in which the interests of justice, as
14 determined by the supreme court, will be served by early trial.

15 *b.* The court shall adopt rules to implement this subsection.

16 *c.* Unless the court otherwise orders, notice of a motion
17 for preference shall be served with the petition by the party
18 serving the petition, or ten days after such service by any
19 other party.>

20 2. Page 6, after line 21 by inserting:

21 ~~<Sec. ____.~~ Section 614.1, subsection 12, Code 2022, is
22 amended to read as follows:

23 12. *Sexual abuse or sexual exploitation by a counselor,
24 therapist, school employee, or adult providing training or
25 instruction.*

26 *a.* ~~(1) If the victim was eighteen years of age or
27 older,~~ an action for damages for injury suffered as a result
28 of sexual abuse, as defined in section 709.1, by a counselor,
29 therapist, school employee, or adult providing training or
30 instruction, as defined in section 709.15, or as a result of
31 sexual exploitation by a counselor, therapist, school employee,
32 or adult providing training or instruction shall be brought
33 within five years of the date the victim was last treated by
34 the counselor or therapist, or within five years of the date
35 the victim was last enrolled in or attended the school.

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1 *(2) If the victim was a minor, an action for damages for
2 injury suffered as a result of sexual abuse, as defined in
3 section 709.1, by a counselor, therapist, school employee, or
4 adult providing training or instruction, as defined in section
5 709.15, or as a result of sexual exploitation by a counselor,
6 therapist, school employee, or adult providing training or
7 instruction shall be brought at any time.*

8 *b.* ~~(1) Notwithstanding paragraph "a", subparagraph (2),
9 every claim or cause of action brought against any party
10 alleging intentional or negligent acts or omissions by a person
11 for physical, psychological, or other injury or condition
12 suffered as a result of conduct which would constitute sexual
13 abuse as defined in section 709.1, by a counselor, therapist,
14 school employee, or adult providing training or instruction,
15 as defined in section 709.15, or as a result of sexual
16 exploitation by a counselor, therapist, school employee, or~~

17 adult providing training or instruction, which is barred as of
18 the effective date of this Act because the applicable period
19 of limitation has expired or the plaintiff previously failed
20 to file a petition, is revived, and action thereon may be
21 commenced not later than three years after the effective date
22 of the Act.

23 (2) Dismissal of a previous action, ordered before the
24 effective date of the Act, on grounds that such previous action
25 was time-barred, or for failure of a party to file a petition,
26 shall not be grounds for dismissal of a revival action pursuant
27 to this paragraph.

28 Sec. ___. Section 614.8, Code 2022, is amended to read as
29 follows:

30 **614.8 Minors and persons with mental illness.**

31 1. The Except as provided in section 614.1, subsection
32 12, or section 614.8A, the times limited for actions in this
33 chapter, or for complaints or claims in chapter 216, 669, or
34 670, except those brought for penalties and forfeitures, are
35 extended in favor of persons with mental illness, so that they

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1 shall have one year from and after the termination of the
2 disability within which to file a complaint pursuant to chapter
3 216, to make a claim pursuant to chapter 669 or 670, or to
4 otherwise commence an action.

5 2. Except as provided in section 614.1, subsection 9 or
6 12, or section 614.8A, the times limited for actions in this
7 chapter, or for complaints or claims in chapter 216, 659A, 669,
8 or 670, except those brought for penalties and forfeitures, are
9 extended in favor of minors, so that they shall have one year
10 from and after attainment of majority within which to file a
11 complaint pursuant to chapter 216, to make a claim pursuant to
12 chapter 669, or to otherwise commence an action.

13 Sec. ___. Section 614.8A, Code 2022, is amended to read as
14 follows:

15 **614.8A Damages Commencement of action for minor or child**
16 **sexual abuse and other sexual offenses — no time limitation.**

17 An action for damages for injury suffered as a result of
18 sexual abuse which occurred when the injured person was a
19 child, but not discovered until after the injured person is of
20 the age of majority, shall be brought within four years from
21 the time of discovery by the injured party of both the injury
22 and the causal relationship between the injury and the sexual
23 abuse.

24 1. Notwithstanding the times limited for actions in this
25 chapter, an action relating to injuries suffered as a result of
26 sexual abuse as defined in section 802.2, and injuries suffered
27 as a result of other sexual offenses including lascivious acts
28 with a child in violation of section 709.8, assault with intent
29 to commit sexual abuse in violation of section 709.11, indecent
30 contact with a child in violation of section 709.12, lascivious

31 conduct with a minor in violation of section 709.14, sexual
32 misconduct with a juvenile in violation of section 709.16,
33 subsection 2, child endangerment in violation of section 726.6,
34 or sexual exploitation of a minor in violation of section
35 728.12, which occurred when the injured party was a minor may

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1 be brought at any time.
2 2. a. Notwithstanding subsection 1, every claim or cause
3 of action brought against any party alleging intentional
4 or negligent acts or omissions by a person for physical,
5 psychological, or other injury or condition suffered as a
6 result of conduct which would constitute sexual abuse as
7 defined in section 709.1, by a counselor, therapist, or school
8 employee as defined in section 709.15, subsection 1, or as a
9 result of sexual exploitation by a counselor, therapist, or
10 school, which is barred as of the effective date of this Act
11 because the applicable period of limitation has expired or
12 the plaintiff previously failed to file a petition, is hereby
13 revived, and action thereon may be commenced not later than
14 three years after the effective date of this Act.
15 b. Dismissal of a previous action, ordered before the
16 effective date of this Act, on grounds that such previous
17 action was time-barred, or of failure of a party to file a
18 petition, shall not be grounds for dismissal of a revival

19 action pursuant to this section.>
20 3. By renumbering as necessary.

JANET PETERSEN

S-5173

1 Amend House File 2468, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, after line 8 by inserting:
4 <Sec. ___. Section 602.1205, Code 2022, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 3. a. The district court shall try civil
7 cases in the order in which cases are initiated by the filing
8 of a petition, provided that the following cases shall be
9 entitled to a preference:
10 (1) Actions that have been revived pursuant to section
11 614.1, subsection 12, paragraph "b", or section 614.8A,
12 subsection 2.
13 (2) An action in which the interests of justice, as
14 determined by the supreme court, will be served by early trial.
15 b. The court shall adopt rules to implement this subsection.
16 c. Unless the court otherwise orders, notice of a motion
17 for preference shall be served with the petition by the party

18 serving the petition, or ten days after such service by any
19 other party.

20 Sec. ___. Section 614.1, subsection 12, Code 2022, is
21 amended to read as follows:

22 12. *Sexual abuse or sexual exploitation by a counselor,*
23 *therapist, school employee, or adult providing training or*
24 *instruction.*

25 a. (1) If the victim was eighteen years of age or
26 older, an action for damages for injury suffered as a result
27 of sexual abuse, as defined in section 709.1, by a counselor,
28 therapist, school employee, or adult providing training or
29 instruction, as defined in section 709.15, or as a result of
30 sexual exploitation by a counselor, therapist, school employee,
31 or adult providing training or instruction shall be brought
32 within five years of the date the victim was last treated by
33 the counselor or therapist, or within five years of the date
34 the victim was last enrolled in or attended the school.

35 (2) If the victim was a minor, an action for damages for

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1 injury suffered as a result of sexual abuse, as defined in
2 section 709.1, by a counselor, therapist, school employee, or
3 adult providing training or instruction, as defined in section
4 709.15, or as a result of sexual exploitation by a counselor,
5 therapist, school employee, or adult providing training or
6 instruction shall be brought at any time.

7 b. (1) Notwithstanding paragraph "a", subparagraph (2),
8 every claim or cause of action brought against any party
9 alleging intentional or negligent acts or omissions by a person
10 for physical, psychological, or other injury or condition
11 suffered as a result of conduct which would constitute sexual
12 abuse as defined in section 709.1, by a counselor, therapist,
13 school employee, or adult providing training or instruction,
14 as defined in section 709.15, or as a result of sexual
15 exploitation by a counselor, therapist, school employee, or
16 adult providing training or instruction, which is barred as of
17 the effective date of this Act because the applicable period
18 of limitation has expired or the plaintiff previously failed
19 to file a petition, is revived, and action thereon may be
20 commenced not later than three years after the effective date
21 of the Act.

22 (2) Dismissal of a previous action, ordered before the
23 effective date of this Act, on grounds that such previous
24 action was time-barred, or for failure of a party to file a
25 petition, shall not be grounds for dismissal of a revival
26 action pursuant to this paragraph.

27 Sec. ___. Section 614.8, Code 2022, is amended to read as
28 follows:

29 **614.8 Minors and persons with mental illness.**

30 1. The Except as provided in section 614.1, subsection
31 12, or section 614.8A, the times limited for actions in this

32 chapter, or for complaints or claims in chapter 216, 669, or
33 670, except those brought for penalties and forfeitures, are
34 extended in favor of persons with mental illness, so that they
35 shall have one year from and after the termination of the

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1 disability within which to file a complaint pursuant to chapter
2 216, to make a claim pursuant to chapter 669 or 670, or to
3 otherwise commence an action.

4 2. Except as provided in section 614.1, subsection 9 or
5 12, or section 614.8A, the times limited for actions in this
6 chapter, or for complaints or claims in chapter 216, 659A, 669,
7 or 670, except those brought for penalties and forfeitures, are
8 extended in favor of minors, so that they shall have one year
9 from and after attainment of majority within which to file a
10 complaint pursuant to chapter 216, to make a claim pursuant to
11 chapter 669, or to otherwise commence an action.

12 Sec. ___. Section 614.8A, Code 2022, is amended to read as
13 follows:

14 **614.8A Damages Commencement of action for minor or child**
15 **sexual abuse and other sexual offenses — no time limitation.**

16 An action for damages for injury suffered as a result of
17 sexual abuse which occurred when the injured person was a
18 child, but not discovered until after the injured person is of
19 the age of majority, shall be brought within four years from
20 the time of discovery by the injured party of both the injury
21 and the causal relationship between the injury and the sexual
22 abuse.

23 1. Notwithstanding the times limited for actions in this
24 chapter, an action relating to injuries suffered as a result of
25 sexual abuse as defined in section 802.2, and injuries suffered
26 as a result of other sexual offenses including lascivious acts
27 with a child in violation of section 709.8, assault with intent
28 to commit sexual abuse in violation of section 709.11, indecent
29 contact with a child in violation of section 709.12, lascivious
30 conduct with a minor in violation of section 709.14, sexual
31 misconduct with a juvenile in violation of section 709.16,
32 subsection 2, child endangerment in violation of section 726.6,
33 or sexual exploitation of a minor in violation of section
34 728.12, which occurred when the injured party was a minor may
35 be brought at any time.

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1 2. a. Notwithstanding subsection 1, every claim or cause
2 of action brought against any party alleging intentional
3 or negligent acts or omissions by a person for physical,
4 psychological, or other injury or condition suffered as a
5 result of conduct which would constitute sexual abuse as
6 defined in section 709.1, by a counselor, therapist, or school
7 employee as defined in section 709.15, subsection 1, or as a

8 result of sexual exploitation by a counselor, therapist, or
9 school, which is barred as of the effective date of this Act
10 because the applicable period of limitation has expired or
11 the plaintiff previously failed to file a petition, is hereby
12 revived, and action thereon may be commenced not later than
13 three years after the effective date of this Act.

14 b. Dismissal of a previous action, ordered before the
15 effective date of this Act, on grounds that such previous
16 action was time-barred, or of failure of a party to file a
17 petition, shall not be grounds for dismissal of a revival
18 action pursuant to this section.

19 2. Page 1, line 9, by striking <This Act> and inserting <The
20 section of this Act enacting section 679A.20>

21 3. Title page, line 2, by striking <proceedings and
22 including> and inserting <proceedings, modifying the periods
23 of time to bring certain civil actions, including by victims
24 of sexual abuse, minors, and persons with mental illness,
25 entitling certain cases to a preference in trial order, and
26 including effective date provisions and>

27 4. By renumbering as necessary.

JACKIE SMITH

S-5174

1 Amend House File 2431, as amended, passed, and reprinted by
2 the House, as follows:

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

4 <DIVISION I
5 RAW MILK

6 Section 1. **NEW SECTION. 137D.2A Raw milk, raw milk**
7 **products, and raw milk dairy products.**

8 A home food processing establishment shall not advertise
9 for sale, offer for sale, sell or otherwise distribute, or use
10 raw milk, a raw milk product, or a raw milk dairy product as
11 provided in section 192.145.

12 Sec. _____. Section 137F.1, subsection 8, Code 2022, is
13 amended by adding the following new paragraph:
14 **NEW PARAGRAPH. o.** (1) The premises of a raw milk dairy
15 where raw milk is produced, processed, labeled, marketed, or
16 distributed by a raw milk producer in compliance with section
17 192.145.

18 (2) The premises of a raw milk dairy where a raw milk
19 product or a raw milk dairy product is manufactured, labeled,
20 marketed, or distributed by a raw milk producer in compliance
21 with section 192.145.

22 Sec. _____. Section 137F.1, subsection 9, Code 2022, is
23 amended by adding the following new paragraph:
24 **NEW PARAGRAPH. d.** (1) The premises of a raw milk dairy
25 where raw milk is produced, processed, labeled, marketed, or
26 distributed by a raw milk producer in compliance with section
27 192.145.

28 (2) A premises of a raw milk dairy where a raw milk product
29 or raw milk dairy product is manufactured, labeled, marketed,
30 or distributed by a raw milk producer in compliance with
31 section 192.145.
32 Sec. ___. **NEW SECTION. 137F.8B Raw milk, raw milk products,**
33 **and raw milk dairy products.**
34 A food establishment or farmers market shall not advertise
35 for sale, offer for sale, sell or otherwise distribute, or use

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1 raw milk, a raw milk product, or a raw milk dairy product,
2 regardless of whether the food establishment or farmers market
3 is regulated by the department under this chapter or another
4 chapter, another state agency, or a municipality.
5 Sec. ___. Section 159.6, subsection 6, Code 2022, is amended
6 to read as follows:
7 6. Regulation and inspection of foods, drugs, and other
8 articles, as provided in Title V, subtitle 4, but However.
9 chapter 205 of that subtitle shall be enforced as provided in
10 that chapter. Except as expressly authorized in subtitle 4,
the department shall not regulate any of the following:
11 a. The production, processing, labeling, marketing, or
12 distribution of raw milk by a raw milk producer in compliance
13 with section 192.145.
14 b. The manufacture, labeling, marketing, or distribution
15 of a raw milk product or raw milk dairy product by a raw milk
16 producer in compliance with section 192.145.
17 Sec. ___. Section 191.2, subsection 5, Code 2022, is amended
18 to read as follows:
19 5. All bottles, containers, and packages *Bottles,*
20 containers, and packages. Except as provided in subsection
21 5A, a container or package enclosing milk or a milk products
22 product shall be conspicuously labeled or marked with all of
23 the following:
24 a. The name of the contents as given in the definitions of
25 this chapter and chapters 190 and 192.
26 b. The word "reconstituted" or "recombined" if the product
27 is made by reconstitution or recombination.
28 c. The grade of the contents.
29 d. The word "pasteurized" if the contents are pasteurized
30 and the identity of. The package or container shall identify
31 the plant where the milk or milk product is pasteurized.
32 e. The word "raw" if the contents are raw and the name or
33 other identity of the producer.
34 f. e. The designation vitamin "D" and the number of
35

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1 U.S.P. units per quart in the case of vitamin "D" milk or milk
2 products.
3 ~~g. f.~~ The volume or proportion of water to be added for

4 recombining in the case of concentrated milk or milk products.

5 ~~or g.~~ The words "nonfat milk solids added" and the
6 percentage added if such solids have been added, except that
7 this requirement shall not apply to reconstituted or recombinied
8 milk and milk products.

9 ~~or h.~~ The words "artificially sweetened" in the name if
10 nonnutritive or artificial sweeteners or both are used.

11 ~~or i.~~ The common name of stabilizers, distillates, and
12 ingredients, provided that:

13 (1) Only the identity of the milk producer shall be required
14 on cans delivered to a milk plant as provided in chapter 192
15 ~~which that~~ receives only grade "A" raw milk for pasteurization,
16 and ~~which that~~ immediately dumps, washes, and returns the cans
17 to the milk producer.

18 (2) The identity of both milk producer and the grade shall
19 be required on cans delivered to a milk plant as provided in
20 chapter 192 ~~which that~~ receives both grade "A" raw milk for
21 pasteurization and ungraded raw milk and ~~which that~~ immediately
22 dumps, washes, and returns the cans to the milk producer.

23 (3) In the case of concentrated milk products, the specific
24 name of the product shall be substituted for the generic term
25 "concentrated milk products", e.g., "homogenized concentrated
26 milk", "concentrated skim milk", "concentrated chocolate milk",
27 "concentrated chocolate flavored low fat milk".

28 (4) In the case of flavored milk or flavored reconstituted
29 milk, the name of the principal flavor shall be substituted for
30 the word "flavored".

31 (5) In the case of cultured milk and milk products,
32 the special type culture used may be substituted for the
33 word "cultured", e.g., "acidophilus buttermilk", "Bulgarian
34 buttermilk", and "yogurt".

35 Sec. _____. Section 191.2, Code 2022, is amended by adding the

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1 following new subsection:

2 **NEW SUBSECTION. 5A. Raw milk, raw milk products, and raw**
3 **milk dairy products.** A container holding raw milk, a raw
4 milk product, or a raw milk dairy product sold by a raw milk
5 producer shall be labeled as required in section 191.9A.

6 Sec. _____. **NEW SECTION. 191.9A Raw milk dairies — sale of**
7 **raw milk, raw milk products, and raw milk dairy products.**

8 1. A raw milk producer who sells raw milk, a raw milk
9 product, or a raw milk dairy product to an individual in
10 compliance with section 192.145 shall label the container
11 holding the raw milk, raw milk product, or raw milk dairy
12 product. The label shall be permanently affixed to the
13 container. The words on the label shall be printed using upper
14 case letters in at least twelve point boldface type. If the
15 container includes a main informational or advertising panel,
16 the label shall be part of the panel.

17 2. a. For a container holding raw milk, the label shall

18 state the following:
19 Notice to Consumers
20 This container holds raw milk not subject to state inspection
21 or other public health regulations that require pasteurization
22 and grading.
23 b. For a container holding a raw milk product or raw milk
24 dairy product, the label shall state the following:
25 Notice to Consumers
26 This container holds a raw milk product or raw milk dairy
27 product that is not subject to state inspection or other public
28 health regulations that require pasteurization and grading.
29 Sec. ___. Section 192.103, subsections 1 and 2, Code 2022,
30 are amended to read as follows:
31 1. Only grade "A" pasteurized milk and milk products
32 shall be sold to the final consumer, or to restaurants, soda
33 fountains, grocery stores, or similar establishments. However,
34 in an emergency except as follows:
35 a. In an emergency, the sale of pasteurized milk and milk

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1 products which that have not been graded, or the grade of which
2 is unknown, may be authorized by the secretary, in which case,
3 such products shall be labeled "ungraded".
4 b. A raw milk producer may sell raw milk, a raw milk
5 product, or a raw milk dairy product to an individual in
6 compliance with section 192.145.
7 2. ~~No~~ A person shall not within the state produce, provide,
8 sell, offer, or expose for sale, or have in possession
9 with intent to sell, any milk or milk product which that is
10 adulterated or misbranded. However, in an emergency, the sale
11 of pasteurized milk and milk products which that have not been
12 graded, or the grade of which is unknown, may be authorized by
13 the secretary, in which case such products shall be labeled
14 "ungraded".
15 Sec. ___. **NEW SECTION. 192.144 Definitions.**
16 As used in this subchapter, unless the context otherwise
17 requires:
18 1. "*Dairy animal*" means a cow, goat, or sheep that is
19 actively producing milk.
20 2. "*Dairy product*" means a product, other than a milk
21 product, in which milk is the principal ingredient at any
22 temperature and in either a manufactured or unmanufactured
23 state. To the extent that it is not classified as a milk
24 product, a dairy product includes but is not limited to butter,
25 cheese, cream, cottage cheese, ricotta cheese, kefir, or ice
26 cream.
27 3. "*Manufacture*" means to convert or condition personal
28 property by changing the form, composition, quality, or
29 character of a product, and includes activities associated with
30 a creamery or cheese factory.
31 4. "*Raw milk*" means milk that is not pasteurized or graded.

32 5. "*Raw milk dairy*" means an operation where not more than
33 a total of ten dairy animals are maintained, and milk produced
34 from any of those animals is not pasteurized or graded.
35 6. "*Raw milk dairy product*" means a dairy product that

Page 6

1 includes raw milk or a raw milk product.
2 7. "*Raw milk producer*" means a person who owns or operates
3 a raw milk dairy.
4 8. "*Raw milk product*" means a milk product that includes raw
5 milk.
6 Sec. ___. **NEW SECTION. 192.145 Raw milk dairies —**
7 **production, processing, marketing, and distribution.**
8 1. A raw milk producer may elect to process, market,
9 or distribute raw milk produced at the raw milk producer's
10 raw milk dairy in compliance with this section. A raw milk
11 producer may also elect to use the raw milk to manufacture,
12 market, or distribute a raw milk product or raw milk dairy
13 product at the raw milk producer's raw milk dairy in compliance
14 with this section. If a raw milk producer makes either
15 election, all of the following apply:
16 a. The raw milk producer shall not pasteurize or grade milk
17 produced from dairy animals maintained at the raw milk dairy.
18 b. The raw milk producer shall ensure the health and safety
19 of consumers of the raw milk produced from dairy animals
20 maintained at the raw milk dairy by doing all of the following:
21 (1) Each month, test each dairy animal to determine a
22 coliform count and standard plate count. The raw milk producer
23 shall maintain a record of each test. The raw milk producer
24 shall retain the record at the raw milk dairy for at least
25 three years.
26 (2) Each twelve-month period, employ a licensed
27 veterinarian to examine each dairy animal to determine the
28 dairy animal's health status. The examination must at least
29 include a blood test for common diseases afflicting the type
30 of dairy animal being examined.
31 2. A raw milk producer shall only take an order for the
32 distribution of raw milk at the raw milk producer's raw milk
33 dairy where the raw milk was produced. The raw milk producer
34 shall only distribute the raw milk to an individual placing the
35 order. The raw milk producer may distribute the raw milk to

Page 7

1 the individual without charge or on a retail basis.
2 a. The raw milk producer shall post the summary of the test
3 to determine the coliform count and standard plate count of
4 the dairy animals maintained at the raw milk dairy as provided
5 in subsection 1. The summary shall be posted at the raw milk
6 dairy's distribution point for the raw milk. The individual
7 being distributed the raw milk may examine the records for the

8 three-year period that the records are required to be retained
9 by the raw milk producer under subsection 1.
10 b. If the raw milk producer sells raw milk in a container,
11 the container shall be labeled as provided in section 191.9A.
12 c. The raw milk producer shall distribute the raw milk
13 directly to the individual at the raw milk dairy or to a
14 location specified by the individual. However, a person shall
15 not deliver the raw milk to a place of business where food
16 items are distributed on a retail basis, including but not
17 limited to a home food processing establishment regulated
18 under chapter 137D or a food establishment or farmers market
19 regulated under chapter 137F. The raw milk shall only be used
20 for consumption by the individual, members of the individual's
21 household, and the individual's nonpaying guests or nonpaying
22 employees.
23 d. A person shall not resell raw milk.
24 3. A raw milk producer shall only take an order for the
25 distribution of a raw milk product or raw milk dairy product
26 at the raw milk producer's raw milk dairy where the raw milk
27 product or raw milk dairy product is manufactured. The raw
28 milk producer shall only distribute the raw milk product or raw
29 milk dairy product to an individual placing the order. The raw
30 milk producer may distribute the raw milk product or raw milk
31 dairy product to the individual without charge or on a retail
32 basis.
33 a. The raw milk producer shall post the summary of the most
34 recent test to determine the coliform count and standard plate
35 count of dairy animals maintained at the raw milk dairy as

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1 provided in subsection 1. The summary shall be posted at the
2 raw milk dairy's distribution point for the raw milk products
3 or raw milk dairy products. The individual being distributed
4 the raw milk product or raw milk dairy product may examine the
5 records for the three-year period that the records are required
6 to be retained by the raw milk producer under subsection 1.
7 b. If the raw milk producer sells a raw milk product or
8 raw milk dairy product in a container, the container shall be
9 labeled as provided in section 191.9A.
10 c. The raw milk producer shall distribute the raw milk
11 product or raw milk dairy product directly to the individual
12 at the raw milk dairy or to a location specified by the
13 individual. However, a person shall not deliver the raw milk
14 product or raw milk dairy product to a place of business where
15 food items are distributed on a retail basis, including but
16 not limited to a home food processing establishment regulated
17 under chapter 137D or a food establishment or farmers market
18 regulated under chapter 137F. The raw milk product or raw
19 milk dairy product shall only be used for consumption by the
20 individual, members of the individual's household, or the
21 individual's nonpaying guests or nonpaying employees.

22 d. A person shall not resell the raw milk product or raw
23 milk dairy product.

24 4. Based on an affidavit signed by a licensed physician
25 certifying that in the physician's opinion an individual
26 contracted an illness as a direct result of consuming raw milk
27 produced at a raw milk dairy, or consuming a raw milk product
28 or a raw milk dairy product manufactured at a raw milk dairy,
29 the Iowa department of public health acting under chapter 135
30 or a local board of health acting under chapter 137 may demand
31 that the raw milk producer provide it with all records of tests
32 to determine the coliform count and standard plate count of
33 dairy animals maintained at the raw milk dairy as required in
34 subsection 1.

35 5. The department shall not adopt rules to administer or

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1 enforce this section.

2 6. This chapter does not apply to a receiving station,
3 transfer station, milk handler, milk grader, or milk plant. A
4 raw milk dairy is not a food establishment, food processing
5 plant, or other person regulated under chapter 137F or other
6 chapter regulating such entities.

7 Sec. ___. **NEW SECTION. 194.22 Raw milk dairies —
8 production, processing, manufacturing, marketing, and
9 distribution — exceptions.**

10 This chapter does not apply to any of the following:

11 1. The production, processing, marketing, and distribution

12 of raw milk, if the raw milk is produced by a raw milk producer

13 at a raw milk dairy in compliance with section 192.145.

14 2. The manufacture, marketing, and distribution of a

15 raw milk product or raw milk dairy product, if the raw milk

16 product or raw milk dairy product is manufactured by a raw

17 milk producer at a raw milk dairy in compliance with section

18 192.145

DIVISION

20 HOME FOOD PROCESSING ESTABLISHMENTS AND OTHER HOME-BASED
21 BUSINESSES>
22 2. Title page, line 1, after <of> by inserting <raw milk
23 dairies and>
24 3. Title page, line 3, by striking <civil>
25 4. By renumbering as necessary.

TONY BISIGNANO

S-5175

1 Amend the amendment, S-5129, to House File 2573, as passed by
2 the House, as follows:
3 1. Page 1, by striking lines 2 through 32 and inserting:
4 <_. Page 1, after line 28 by inserting:
5 <Sec. . Section 135.190, subsection 1, paragraph d, Code

6 2022, is amended to read as follows:

7 d. "*Person in a position to assist*" means a family member,
8 friend, caregiver, health care provider, employee of a
9 substance abuse treatment facility, school employee, or other
10 person who may be in a place to render aid to a person at risk
11 of experiencing an opioid-related overdose.

12 Sec. ___. Section 135.190, Code 2022, is amended by adding
13 the following new subsection:

14 **NEW SUBSECTION.** 4A. A school district may obtain a valid
15 prescription for an opioid antagonist and maintain a supply of
16 opioid antagonists in a secure location at each location where
17 a student may be present for use as provided in this section.>

18 _____. Page 3, after line 4 by inserting:

19 ~~<Sec. ___. APPROPRIATION — OPIOID SETTLEMENT FUND.~~ There
20 is appropriated from the opioid settlement fund created in
21 section 12.51 to the department of justice for the fiscal year
22 beginning July 1, 2022, and ending June 30, 2023, the following
23 amount, or so much thereof as is necessary, to be used for
24 a medication addiction treatment program administered by the
25 university of Iowa hospitals and clinics:

26	\$ 3,800,000
----------	--------------

27 Notwithstanding section 8.33, moneys appropriated in this
28 section that remain unencumbered or unobligated at the close of
29 the fiscal year shall not revert but shall remain available for
30 expenditure for the purposes designated until the close of the
31 succeeding fiscal year.>

32 _____. Title page, by striking line 2 and inserting <to opioid
33 use, allowing school districts to obtain opioid antagonist
34 prescriptions, and making an appropriation.>>

35 2. By renumbering as necessary.

JULIAN B. GARRETT

S-5176

1 Amend House File 771, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, line 5, by striking <or bronchodilator> and
4 inserting <**bronchodilator canisters, or bronchodilator**>

5 2. Page 2, line 5, after <canister> by inserting <or
bronchodilator canister>

6 3. Page 2, line 11, after <canister> by inserting <or a
bronchodilator canister>

7 4. Page 2, line 17, after <canister> by inserting <a
bronchodilator canister>

8 5. Page 2, line 20, after <canister> by inserting <a
bronchodilator canister>

9 6. Page 2, line 30, after <canister> by inserting <or a
bronchodilator canister>

10 7. Page 2, line 35, after <canister> by inserting <or a
bronchodilator canister>

11 8. Page 3, line 4, after <canister> by inserting <a

18 bronchodilator canister>
19 9. Page 3, line 8, after <canister> by inserting <or a
20 bronchodilator canister>
21 10. Page 3, line 11, after <canister> by inserting <or a
22 bronchodilator canister>
23 11. Page 3, line 24, by striking <and spacer or> and
24 inserting <, a bronchodilator canister and spacer, or>
25 12. Page 3, line 32, by striking <and spacer or> and
26 inserting <, a bronchodilator canister and spacer, or>
27 13. Page 4, line 7, after <auto-injector> by inserting <,
28 bronchodilator canister,>
29 14. Page 4, line 22, by striking <or a> and inserting <, a
30 bronchodilator canister, or a>
31 15. Page 4, line 32, after <auto-injectors> by inserting <, a
32 bronchodilator canisters,>
33 16. Page 5, line 3, after <auto-injectors> by inserting <, a
34 bronchodilator canisters,>
35 17. Page 5, line 5, after <auto-injectors> by inserting <, a

Page 2

1 bronchodilator canisters,>
2 18. Page 5, line 8, after <auto-injectors> by inserting <, a
3 bronchodilator canisters,>
4 19. Page 5, line 11, by striking <or> and inserting <, a
5 bronchodilator canisters, or>
6 20. Page 5, line 16, after <auto-injector> by inserting <, a
7 bronchodilator canister,>
8 21. Page 5, line 26, after <auto-injector> by inserting <, a
9 bronchodilator canister,>
10 22. Page 5, line 33, after <canister> by inserting <or a
11 bronchodilator canister>
12 23. Page 6, line 6, by striking <or> and inserting <, the
13 bronchodilator canister, or the>
14 24. Page 6, line 15, after <auto-injectors> by inserting <, a
15 bronchodilator canisters,>
16 25. Title page, line 2, after <bronchodilators> by
17 inserting <, bronchodilator canisters,>
18 26. By renumbering as necessary.

KEN ROZENBOOM

S-5177

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 2558

1 Amend the Senate amendment, H-8387, to House File 2558, as
2 amended, passed, and reprinted by the House, as follows:
3 1. Page 5, by striking lines 16 through 22 and inserting:
4 <Sec. ___. Section 46.3, subsection 3, Code 2022, is amended

5 to read as follows:

6 3. No more than a simple majority half of the commissioners
7 appointed shall be of the same gender.>

8 2. By striking page 5, line 23, through page 6, line 5, and
9 inserting:

10 <Sec. _____. Section 46.6, subsection 2, Code 2022, is amended
11 to read as follows:

12 2. The judge of longest service in the district shall
13 serve as the chair of a particular on the district judicial
14 nominating commission. If the judges of longest service in
15 the district are of equal service, the eldest of such judges
16 shall be chairperson of the particular serve on the judicial
17 nominating commission. The commissioners of the district
18 judicial nominating commission shall elect a chairperson from
19 their own number. The chairperson shall serve a two-year
20 term that expires on April 30 of even-numbered years. A
21 commissioner may be reelected for a second or third term
22 as chairperson. If a chairperson of a judicial nominating
23 commission desires to be relieved of the duties of chairperson
24 while retaining the status of commissioner, the chairperson
25 shall notify the governor and the other commissioners of
26 the commission. At the next meeting of the commission, the
27 commissioners shall elect a new chairperson for the remainder
28 of the two-year term.>

29 3. By renumbering as necessary.

S-5178

1 Amend House File 2130, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. Section 321.234A, subsection 1, paragraph f,
6 Code 2022, is amended to read as follows:

7 f. The all-terrain vehicle is operated on a county roadway
8 primary highway in accordance with section 321I.10, subsection
9 1A, a secondary road in accordance with section 321I.10,
10 subsection 2, or a city street in accordance with section
11 321I.10, subsection 3.

12 Sec. 2. Section 321.234A, subsection 2, Code 2022, is
13 amended to read as follows:

14 2. A person operating an all-terrain vehicle on a highway
15 shall have a valid driver's license and the vehicle shall be
16 operated operate the vehicle at speeds of thirty-five miles per
17 hour or less. In addition, a person operating an all-terrain
18 vehicle on a highway pursuant to subsection 1, paragraphs "b"
19 through "g", shall be at least eighteen years of age and have
20 financial liability coverage in effect for the vehicle and
21 carry proof of such financial liability coverage in accordance
22 with section 321.20B.

23 Sec. 3. Section 321.234A, Code 2022, is amended by adding
24 the following new subsection:

25 **NEW SUBSECTION.** 2A. As provided in section 321.1, an
26 all-terrain vehicle is a motor vehicle for purposes of this
27 chapter. Therefore, an all-terrain vehicle operated on a
28 highway shall be equipped with the parts, lamps, and other
29 equipment in proper condition and adjustment as required under
30 this chapter for motor vehicles, including but not limited
31 to the parts, lamps, and equipment required under sections
32 321.386, 321.387, 321.404, 321.432, and 321.437.

33 Sec. 4. Section 321.384, subsection 1, Code 2022, is amended
34 to read as follows:

35 1. Every motor vehicle upon a highway within the state,

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1 at any time from sunset to sunrise, and at such other times
2 when conditions such as fog, snow, sleet, or rain provide
3 insufficient lighting to render clearly discernible persons
4 and vehicles on the highway at a distance of five hundred feet
5 ahead, shall display lighted headlamps as provided in section
6 321.415, subject to exceptions with respect to parked vehicles
7 as provided in this chapter. However, an all-terrain vehicle
8 shall display lighted headlamps as provided in section 321.415
9 at all times while the vehicle is operated on a highway.

10 Sec. 5. Section 321.385, Code 2022, is amended to read as
11 follows:

12 **321.385 Headlamps on motor vehicles.**

13 Every motor vehicle other than a motorcycle, ~~or~~ motorized
14 bicycle, or all-terrain vehicle shall be equipped with at least
15 two headlamps with at least one on each side of the front
16 of the motor vehicle, which headlamps shall comply with the
17 requirements and limitations set forth in this chapter.

18 Sec. 6. Section 321.386, Code 2022, is amended to read as
19 follows:

20 **321.386 Headlamps on motorcycles, ~~and~~ motorized bicycles, and**
21 all-terrain vehicles.

22 Every motorcycle, ~~and~~ motorized bicycle, and all-terrain
23 vehicle shall be equipped with at least one and not more than
24 two headlamps which shall comply with the requirements and
25 limitations of this chapter.

26 Sec. 7. Section 321I.8, subsection 2, Code 2022, is amended
27 to read as follows:

28 2. The department shall remit the fees, including user
29 fees collected pursuant to section 321I.5, to the treasurer
30 of state, who shall place the money in a special all-terrain
31 vehicle fund. The money is appropriated to the department for
32 the all-terrain vehicle programs of the state. The programs
33 shall include grants, subgrants, contracts, or cost-sharing
34 of all-terrain vehicle programs with political subdivisions
35 or incorporated private organizations or both in accordance

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1 with rules adopted by the commission. All-terrain vehicle fees
2 may be used for the establishment, maintenance, and operation
3 of all-terrain vehicle recreational riding areas through
4 the awarding of grants administered by the department, but
~~shall not be used for law enforcement purposes outside of a~~
~~designated off-highway vehicle recreational riding area or for~~
~~purchasing, installing, or maintaining signs along a highway~~
~~outside of a designated off-highway vehicle recreational~~
~~riding area.~~ All-terrain vehicle recreational riding areas
10 established, maintained, or operated by the use of such
11 grants shall not be operated for profit. All programs using
12 cost-sharing grants, subgrants, or contracts shall establish
13 and implement an education instruction program either singly
14 or in cooperation with other all-terrain vehicle programs.
15 All-terrain vehicle fees may be used to support all-terrain
16 vehicle programs on a usage basis. At least fifty percent of
17 the special fund shall be available for political subdivisions
18 or incorporated private organizations or both. Moneys from
19 the special fund not used by the political subdivisions or
20 incorporated private organizations or both shall remain in the
21 fund and may be used by the department for the administration
22 of the all-terrain vehicle programs. Notwithstanding
23 section 8.33, moneys in the special fund shall not revert to
24 the general fund of the state at the end of a fiscal year.
25 Notwithstanding section 12C.7, subsection 2, interest or
26 earnings on moneys in the special fund shall remain in the
27 fund.

28 Sec. 8. Section 321I.10, Code 2022, is amended by adding the
29 following new subsection:
30 NEW SUBSECTION. 1A. A registered all-terrain vehicle
31 or off-road utility vehicle may be operated on an undivided
32 two-lane primary highway that is not part of the interstate
33 road system over the most direct and accessible route between
34 any of the following locations:
35 a. An all-terrain vehicle park or trail.

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1 b. A secondary road on which such vehicles are authorized
2 to operate under subsection 2.
3 c. A city street on which such vehicles are authorized to
4 operate under subsection 3.
5 d. The vehicle operator's residence.
6 Sec. 9. Section 321I.10, subsections 2 and 3, Code 2022, are
7 amended to read as follows:
8 2. a. A registered all-terrain vehicle or off-road
9 utility vehicle may be operated on ~~any of the roadways of that~~
10 ~~portion of county highways designated by the county board of~~
11 ~~supervisors for such use during a specified period following~~
12 secondary roads:

13 (1) An unpaved secondary road.
14 (2) A paved, undivided two-lane secondary road over the
15 most direct and accessible route between any of the following
16 locations:
17 (a) An all-terrain vehicle park or trail.
18 (b) Another secondary road on which such vehicles are
19 authorized to operate under this paragraph.
20 (c) A city street on which such vehicles are authorized to
21 operate under subsection 3.
22 (d) The vehicle operator's residence.
23 (3) A paved, undivided secondary road or segment thereof,
24 if authorized by the county board of supervisors. The ~~county~~
25 ~~board of supervisors~~ shall evaluate the traffic conditions on
26 all ~~county highways~~ such secondary roads under its jurisdiction
27 and designate roadways on which all-terrain vehicles or
28 off-road utility vehicles may be operated ~~for the specified~~
29 period without unduly interfering with or constituting an undue
30 hazard to conventional motor vehicle traffic. In designating
31 such roadways, the board may authorize all-terrain vehicles
32 and off-road utility vehicles to stop at service stations or
33 convenience stores along a designated roadway.
34 b. Notwithstanding paragraph "a", a county may prohibit the
35 operation of all-terrain vehicles and off-road utility vehicles

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1 on a secondary road or segment thereof under its jurisdiction
2 as follows:
3 (1) When the secondary road or segment thereof is closed to
4 motor vehicle traffic pursuant to section 306.41.
5 (2) When the secondary road or segment thereof is designated
6 as a detour route pursuant to section 306.41.
7 (3) For any other secondary road or segment thereof, for no
8 more than seven consecutive days and no more than thirty days
9 in a calendar year when the prohibited days are established by
10 ordinance.
11 3. ~~Cities~~ A city may regulate the operation of registered
12 all-terrain vehicles and off-road utility vehicles and may
13 designate streets under the jurisdiction of cities ~~the city~~
14 within their respective ~~its~~ corporate limits, and two-lane
15 primary and secondary road extensions in the city, which may
16 be used for the operation of ~~registered all-terrain vehicles~~
17 or registered off road utility ~~such~~ vehicles. In designating
18 such streets, the city may authorize all-terrain vehicles
19 and off-road utility vehicles to stop at service stations or
20 convenience stores along a designated street. However, a city
21 shall not charge a fee to operate a registered all-terrain
22 vehicle or off-road utility vehicle within the city.
23 Sec. 10. Section 321I.10, subsection 5, unnumbered
24 paragraph 1, Code 2022, is amended to read as follows:
25 An all-terrain vehicle or off-road utility vehicle may
26 make a direct crossing of a highway that is not part of the

27 interstate road system provided all of the following occur:
28 Sec. 11. Section 3211.10, subsection 5, paragraph e, Code
29 2022, is amended to read as follows:
30 e. The crossing is made from a street, roadway, or highway
31 designated as an all-terrain vehicle trail by a state agency,
32 county, or city on which the all-terrain vehicle or off-road
33 utility vehicle is authorized to operate to a street, roadway,
34 or highway designated as an all-terrain vehicle trail by
35 a state agency, county, or city on which such vehicle is

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1 authorized to operate.>

CARRIE KOELKER
WAYLON BROWN

S-5179

1 Amend Senate File 2384 as follows:

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

4 <DIVISION I

5 STANDING APPROPRIATIONS AND RELATED MATTERS

6 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
7 2022–2023. Notwithstanding the standing appropriation in the
8 following designated section for the fiscal year beginning July
9 1, 2022, and ending June 30, 2023, the amount appropriated from
10 the general fund of the state pursuant to that section for the
11 following designated purpose shall not exceed the following
12 amount:

13 For payment of claims for nonpublic school pupil
14 transportation under section 285.2:

15	\$ 8,997,091
----------	--------------

16 If total approved claims for reimbursement for nonpublic
17 school pupil transportation exceed the amount appropriated in
18 accordance with this section, the department of education shall
19 prorate the amount of each approved claim.

20 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022–2023. In
21 lieu of the appropriation provided in section 257.20,
22 subsection 2, the appropriation for the fiscal year
23 beginning July 1, 2022, and ending June 30, 2023, for paying
24 instructional support state aid under section 257.20 for the
25 fiscal year is zero.

26 Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS —
27 UNAPPROPRIATED MONEYS — FY 2022–2023. For the fiscal year
28 beginning July 1, 2022, and ending June 30, 2023, salary
29 adjustments otherwise provided may be funded as determined
30 by the department of management, subject to any applicable
31 constitutional limitation, using unappropriated moneys
32 remaining in the department of commerce revolving fund, the
33 gaming enforcement revolving fund, the gaming regulatory

34 revolving fund, the primary road fund, the road use tax
35 fund, the fish and game protection fund, and the Iowa public

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1 employees' retirement fund, and in other departmental
2 revolving, trust, or special funds for which the general
3 assembly has not made an operating budget appropriation.
4 Sec. 4. Section 257.35, Code 2022, is amended by adding the
5 following new subsection:
6 NEW SUBSECTION. 16A. *a.* Notwithstanding subsection 1, and
7 in addition to the reductions applicable pursuant to subsection
8 2 and paragraph "b" of this subsection, the state aid for area
9 education agencies and the portion of the combined district
10 cost calculated for these agencies related to expenditures
11 other than expenditures for professional development for the
12 fiscal year beginning July 1, 2022, and ending June 30, 2023,
13 shall be reduced by the department of management by fifteen
14 million dollars. The reduction for each area education agency
15 shall be prorated based on the reduction that the agency
16 received in the fiscal year beginning July 1, 2003.
17 *b.* Notwithstanding subsection 1, and in addition to
18 the reductions applicable pursuant to subsection 2 and
19 paragraph "a" of this subsection, the state aid for area
20 education agencies and the portion of the combined district
21 cost calculated for these agencies related to professional
22 development expenditures for the fiscal year beginning July
23 1, 2022, and ending June 30, 2023, shall be reduced by the
24 department of management by an amount equal to the sum of the
25 area education agency professional development supplement
26 district cost for all area education agencies determined under
27 section 257.37A, subsection 2, for the budget year beginning
28 July 1, 2022. The reduction for each area education agency
29 shall be equal to the area education agency's professional
30 development district cost determined under section 257.37A,
31 subsection 2, for the budget year beginning July 1, 2022.
32 The amounts reduced under this paragraph shall be considered
33 funds paid to school districts and area education agencies
34 under chapter 284 for purposes of requirements for providing
35 professional development opportunities.

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1 DIVISION II
2 CORRECTIVE PROVISIONS
3 Sec. 5. Section 45.1, subsection 7, paragraph a, Code 2022,
4 as amended by 2022 Iowa Acts, House File 2466, section 3, is
5 amended to read as follows:
6 *a.* For a supervisor district with a population of greater
7 than fifteen thousand but ~~fewer no more~~ than fifty thousand
8 according to the most recent federal decennial census,
9 nomination petitions shall include at least fifty signatures.

10 Sec. 6. Section 80E.2, subsection 2, Code 2022, as amended
11 by 2022 Iowa Acts, House File 2367, section 2, is amended to
12 read as follows:

13 2. The prosecuting attorney, certified alcohol and drug
14 counselor, certified substance abuse prevention specialist,
15 substance use disorder treatment program director, member
16 representing the Iowa peace officers association, member
17 representing the Iowa state police association, the
18 member representing the Iowa state sheriffs' and deputies'
19 association, and the member ~~representing the Iowa police chiefs'~~
20 ~~association who is a police chief~~ shall be appointed by the
21 governor, subject to senate confirmation, for four-year terms
22 beginning and ending as provided in section 69.19. A vacancy
23 on the council shall be filled for the unexpired term in the
24 same manner as the original appointment was made.

25 Sec. 7. Section 124.204, subsection 2, paragraph cl, as
26 enacted by 2022 Iowa Acts, House File 2201, section 1, is
27 amended to read as follows:

28 cl. N-(1-phenethylpiperidin-4-yl)
29 -N-phenylcyclopentanecarboxamide. Other name: ~~cyclopentanyl~~
30 cyclopentyl fentanyl.

31 Sec. 8. Section 147.77, subsection 1, paragraph l, as
32 enacted by 2022 Iowa Acts, House File 803, section 51, is
33 amended to read as follows:

34 l. The department of public safety, with respect to rules
35 relating to permits to carry weapons, that a person who is

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1 an unlawful user of or addicted to any controlled substance
2 includes any person who is a current user of a controlled
3 substance in a manner other than as prescribed by a licensed
4 physician.

5 Sec. 9. Section 147.77, subsection 1, paragraph p,
6 subparagraph (3), as enacted by 2022 Iowa Acts, House File 803,
7 section 51, is amended to read as follows:

8 (3) For applications for a license to practice asbestos
9 removal, that except as noted in rule, only worker and
10 contractor/supervisor license applicants must submit ~~a~~ the
11 respiratory protection and physician's certification forms.

12 Sec. 10. Section 249A.42A, subsection 2, as enacted by 2022
13 Iowa Acts, House File 736, section 1, is amended to read as
14 follows:

15 2. The provider documented the eligibility verification
16 performed and any necessary prior authorization obtained
17 pursuant to ~~paragraph "a"~~ subsection 1 in a manner and format
18 established by the department by rule, and retained the
19 required documentation in the recipient's file.

20 Sec. 11. Section 261.116, subsection 7, Code 2022, as
21 amended by 2022 Iowa Acts, Senate File 2383, section 16, if
22 enacted, is amended to read as follows:

23 6. *Health care award fund.* A health care award fund is

24 created for deposit of moneys appropriated to or received by
25 the commission for use under the program. Notwithstanding
26 section 8.33, moneys deposited in the health care award
27 fund shall not revert to any fund of the state at the
28 end of any fiscal year but shall remain in the award fund
29 and be continuously available for use under the program.
30 Notwithstanding section 12C.7, subsection 2, interest or
31 earnings on moneys deposited in the health care award fund
32 shall be credited to the fund.

33 Sec. 12. Section 441.1, subsection 3, paragraph d, as
34 enacted by 2022 Iowa Acts, Senate File 384, section 1, is
35 amended to read as follows:

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1 d. The provisions of chapter 28E are applicable to this
2 ~~section subsection~~.

3 Sec. 13. Section 600.5, subsection 9A, as enacted by 2022
4 Iowa Acts, House File 2252, section 6, is amended to read as
5 follows:

6 9A. If the parents of the person to be adopted had their
7 parental rights terminated pursuant to chapter 232, the
8 petition shall included include the names of any known siblings
9 placed separately from the person to be adopted and either the
10 plan for ongoing contact between the siblings if a court found
11 that continued contact is in the best interest of each sibling
12 or a statement that the court found continued contact between
13 the siblings is not in the best interest of each sibling.

14 Sec. 14. Section 692A.102, subsection 1, paragraph c,
15 subparagraph (012), if enacted by 2022 Iowa Acts, Senate File
16 529, section 6, is amended to read as follows:

17 ~~NEW SUBPARAGRAPH.~~ (012) Sexual abuse in the fourth
18 degree in violation of section 709.4A, subsection 3, if the
19 perpetrator is a health care professional as defined in section
20 714I.2, who used or provided the health care professional's
21 own human reproductive material for assisted reproduction in
22 violation of section 714I.3, subsection 2.

23 Sec. 15. 2022 Iowa Acts, House File 2200, section 3, is
24 amended to read as follows:

25 SEC. 3. APPLICABILITY. This Act applies to direct health
26 care agreements that are fully executed on or after the
27 effective date of ~~enactment~~ this Act.

28 Sec. 16. 2022 Iowa Acts, House File 2201, section 7, is
29 amended by striking the section and inserting in lieu thereof
30 the following:

31 SEC. 7. Section 124.206, subsection 2, paragraph a,
32 unnumbered paragraph 1, Code 2022, is amended by striking
33 the unnumbered paragraph and inserting in lieu thereof the
34 following:

35 Opium and opiate, and any salt, compound, derivative,

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1 or preparation of opium or opiate excluding apomorphine,
2 thebaine-derived butorphanol, dextrorphan, nalbuphine,
3 naldemedine, nalmefene, naloxegol, naloxone, 6beta-naltrexol,
4 naltrexone, and samidorphan, and their respective salts, but
5 including the following:

6 Sec. 17. 2022 Iowa Acts, Senate File 2295, section 184, is
7 amended by striking the section and inserting in lieu thereof
8 the following:

9 SEC. 184. 2020 Iowa Acts, chapter 1064, sections 17 and
10 18, are amended by striking the sections and inserting in lieu
11 thereof the following:

12 SEC. 17. Section 422.12D, subsection 2, Code 2022, is
13 amended to read as follows:

14 2. The director of revenue shall draft the income tax form
15 to allow the designation of contributions to the veterans trust
16 fund and to the volunteer fire fighter preparedness fund as
17 one checkoff on the tax return. The department of revenue,
18 on or before January 31, shall transfer one-half of the total
19 amount designated on the tax return forms due in the preceding
20 calendar year to the veterans trust fund and the remaining
21 one-half to the volunteer fire fighter preparedness fund.

22 However, before a checkoff pursuant to this section shall be
23 permitted, all liabilities on the books of the department ~~of~~
24 ~~administrative services~~ and accounts identified as owing under
25 section ~~8A.504 421.65~~ shall be satisfied.

26 SEC. 18. Section 422.12L, subsection 2, Code 2022, is
27 amended to read as follows:

28 2. The director of revenue shall draft the income tax form
29 to allow the designation of contributions to the foundation
30 fund on the tax return. The department, on or before January
31, shall transfer the total amount designated on the tax
32 form due in the preceding year to the foundation fund.

33 However, before a checkoff pursuant to this section shall be
34 permitted, all liabilities on the books of the department ~~of~~
35 ~~administrative services~~ and accounts identified as owing under

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1 section ~~8A.504 421.65~~ shall be satisfied.

2 Sec. 18. CONTINGENT REPEAL. 2022 Iowa Acts, House File
3 2581, section 13, if enacted, is repealed.

4 Sec. 19. CODE EDITOR DIRECTIVES.

5 1. If Senate File 496 is enacted during the 2022 session
6 of the Eighty-ninth General Assembly, the Code editor is
7 directed to transfer the Code sections as enacted by that Act
8 as follows:

9 a. Section 94.1 to section 94B.1.

10 b. Section 94.2 to section 94B.2.

11 2. The Code editor is directed to renumber section 331.301,
12 subsection 18, as enacted by 2022 Iowa Acts, House File 728, to

13 become section 331.301, subsection 21.

14 3. The Code editor shall correct internal references in the
15 Code and in any enacted legislation as necessary due to the
16 enactment of this section.

17 Sec. 20. EFFECTIVE DATE. The following, being deemed of
18 immediate importance, take effect upon enactment:

19 1. The section of this division of this Act amending section
20 124.204, subsection 2, paragraph "cl".

21 2. The section of this division of this Act amending 2022
22 Iowa Acts, House File 2200, section 3.

23 3. The section of this division of this Act amending 2022
24 Iowa Acts, House File 2201, section 7.

25 Sec. 21. RETROACTIVE APPLICABILITY. The following apply
26 retroactively to May 2, 2022:

27 1. The section of this division of this Act amending section
28 124.204, subsection 2, paragraph "cl".

29 2. The section of this division of this Act amending 2022
30 Iowa Acts, House File 2201, section 7.

31 Sec. 22. RETROACTIVE APPLICABILITY. The section of this
32 division of this Act amending 2022 Iowa Acts, House File 2200,
33 section 3, applies retroactively to May 12, 2022.

DIVISION III

OFFICE OF THE CHIEF INFORMATION OFFICER

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1 Sec. 23. Section 8B.2, Code 2022, is amended to read as
2 follows:

3 **8B.2 Office ~~created~~ established — chief information officer
4 appointed selected.**

5 1. The office of the chief information officer is ~~created~~
6 ~~as an independent agency and is attached to the department of~~
7 ~~administrative services for accounting and fiscal services.~~
8 The department of administrative services shall provide such
9 additional assistance and administrative support services to
10 the office as the department of administrative services and the
11 office determines maximizes the efficiency and effectiveness
12 of both the department and office ~~established within the~~
13 ~~department of management.~~

14 2. The chief information officer, who shall be the head
15 of the office, shall be ~~appointed by the governor to serve at~~
16 ~~the pleasure of the governor and is subject to confirmation by~~
17 ~~the senate. If the office becomes vacant, the vacancy shall~~
18 ~~be filled in the same manner as provided for the original~~
19 ~~appointment selected by the director of the department of~~
20 ~~management. The director of the department of management shall~~
21 ~~set the salary of the chief information officer.~~

22 3. The person ~~appointed selected~~ as the chief information
23 officer for the state shall be professionally qualified by
24 education and have no less than five years' experience in the
25 field of information technology, and a working knowledge of
26 financial management. ~~The chief information officer shall~~

27 ~~not be a member of any local, state, or national committee~~
28 ~~of a political party, an officer or member of a committee in~~
29 ~~any partisan political club or organization, or hold or be~~
30 ~~a candidate for a paid elective public office. The chief~~
31 ~~information officer is subject to the restrictions on political~~
32 ~~activity provided in section 8A.416.~~

33 Sec. 24. Section 8D.3, subsection 2, paragraph b, Code 2022,
34 is amended to read as follows:
35 b. The auditor of state or the auditor's designee and

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1 the chief information officer ~~appointed selected~~ pursuant to
2 section 8B.2 or the chief information officer's designee shall
3 serve as nonvoting, ex officio members of the commission.
4 Sec. 25. Section 11.5B, subsection 15, Code 2022, is amended
5 to read as follows:
6 15. Office of the chief information officer of the
7 department of management.
8 Sec. 26. 2008 Iowa Acts, chapter 1191, section 14,
9 subsection 7, as amended by 2010 Iowa Acts, chapter 1193,
10 section 26, is amended to read as follows:
11 7. The following are range 7 positions: administrator
12 of the public broadcasting division of the department of
13 education, director of the department of corrections, director
14 of the department of education, director of human services,
15 director of the department of economic development, executive
16 director of the Iowa telecommunications and technology
17 commission, executive director of the state board of regents,
18 director of transportation, director of the department of
19 workforce development, director of revenue, director of
20 public health, state court administrator, director of the
21 department of management, ~~chief information officer~~, state debt
22 coordinator, and director of the department of administrative
23 services.
24 Sec. 27. EFFECTIVE DATE. This division of this Act, being
25 deemed of immediate importance, takes effect upon enactment.
26 Sec. 28. APPLICABILITY. This division of this Act, as it
27 relates to the salary of the chief information officer, applies
28 with the pay period beginning after the effective date of this
29 division of this Act, and subsequent pay periods.
30 DIVISION IV
31 CONDUCT OF ELECTIONS — FUNDING
32 Sec. 29. NEW SECTION. 49.17 Conduct of elections —
33 funding.
34 1. The state commissioner or a county commissioner or
35 political subdivision of the state shall only accept funding

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1 from the following sources for the purposes of conducting an
2 election:

3 a. Lawful appropriations of public moneys from the
4 government of the United States.
5 b. Lawful appropriations of public moneys from the state of
6 Iowa.
7 c. Lawful appropriations of public moneys from a political
8 subdivision of the state for the conduct of an election in the
9 political subdivision.
10 2. The state commissioner, a county commissioner, or a
11 political subdivision of the state shall not accept or expend
12 a grant, gift, or other source of funding from a source other
13 than those listed in subsection 1, including from a private
14 person, corporation, partnership, political party, nonparty
15 political organization, committee as defined in section
16 68A.102, or other organization for the purpose of conducting
17 an election.
18 3. This section does not prohibit the state commissioner or
19 a county commissioner or political subdivision from issuing and
20 collecting fees as otherwise provided by law.
21 4. This section does not apply to the contribution of a
22 building for use as a polling place pursuant to section 49.21.
23 Sec. 30. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.

DIVISION V

DIRECT MASS MAILING

26 Sec. 31. Section 68A.405A, Code 2022, is amended by adding
27 the following new subsections:
28 NEW SUBSECTION. 3. For the purposes of this section,
29 “*direct mass mailing*” means a mailing, regardless of whether
30 the mailing was sent in response to a request or due to the
31 recipient’s enrollment in a program, that provides information
32 to the recipient about a person, policy, product, service,
33 program, initiative, law, legislation, event, or activity
34 promoted by the statewide elected official that is all of the
35

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1 following:
2 a. Printed material delivered by the United States mail or
3 other delivery service.
4 b. Sent to more than two hundred physical addresses.
5 c. Substantially similar or identical as regards each
6 mailing.
7 d. Sent at the same time or within a thirty-day period.
8 NEW SUBSECTION. 4. Notwithstanding subsection 3, a
9 mailing that is sent to any participant in a program or the
10 participant’s address within sixty days of an election in which
11 an office listed in section 39.9 is to appear on the ballot
12 shall be considered a direct mass mailing for the purposes
13 of subsection 1 if the purpose of the mailing is to provide
14 a participant with information relevant to the participant’s
15 existing account with a program sponsored and administered by
16 the statewide elected official who sent the mailing.

17

DIVISION VI

18

OPEN ENROLLMENT

19 Sec. 32. Section 256F.9, Code 2022, is amended to read as
20 follows:

21 **256F.9 Procedures after revocation — student enrollment.**

22 If a charter school or innovation zone school contract is
23 revoked in accordance with this chapter, a nonresident student
24 who attended the school, and any siblings of the student,
25 shall be determined to have shown "good cause" as provided in
26 section 282.18, subsection 4, paragraph "b", and may submit an
27 application to another school district according to section
28 282.18 at any time. Applications and notices required by
29 section 282.18 shall be processed and provided in a prompt
30 manner. The application and notice deadlines in section 282.18
31 do not apply to a nonresident student application under these
32 circumstances.

33 Sec. 33. Section 282.18, subsection 2, paragraphs a and b,

34 Code 2022, are amended to read as follows:

35 a. By March 1 of the preceding school year for students

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1 entering grades one through twelve, or by September 1 of the
2 current school year for students entering kindergarten or
3 for prekindergarten students enrolled in special education
4 programs and included in the school district's basic enrollment
5 under section 257.6, subsection 1, paragraph "a", subparagraph
6 (1), the parent or guardian shall send notification to the
7 district of residence and the receiving district, on forms
8 prescribed by the department of education, that the parent or
9 guardian intends to enroll the parent's or guardian's child
10 in a public school in another school district. If a parent
11 or guardian fails to file a notification that the parent
12 intends to enroll the parent's or guardian's child in a public
13 school in another district by the deadline specified in this
14 subsection, the procedures of subsection 4 apply.

15 b. The board of the receiving district shall enroll the
16 pupil in a school in the receiving district for the following
17 school year unless the receiving district has insufficient
18 classroom space for the pupil. The board of directors
19 of a receiving district may adopt a policy granting the
20 superintendent of the school district authority to approve open
21 enrollment applications. If the request is granted, the board
22 shall transmit a copy of the form to the parent or guardian and
23 the school district of residence within five days after board
24 action, but not later than June 1 of the preceding school year.
25 The parent or guardian may withdraw the request at any time
26 prior to the start of the school year board's action on the
27 application. A denial of a request by the board of a receiving
28 district is not subject to appeal.

29 Sec. 34. Section 282.18, subsection 3, paragraph a, Code
30 2022, is amended to read as follows:

31 a. The superintendent of a district subject to court-ordered
32 desegregation may deny a request for transfer under this
33 section if the superintendent finds that enrollment or release
34 of a pupil will adversely affect the district's implementation
35 of the desegregation order, unless the transfer is requested

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1 by a pupil whose sibling is already participating in open
2 enrollment to another district, or unless the request for
3 transfer is submitted to the district ~~in a timely manner as~~
4 ~~required under subsection 2~~ prior to implementation of the
5 desegregation order by the district. If a transfer request
6 would facilitate implementation of a desegregation order, the
7 district shall give priority to granting the request over other
8 requests.

9 Sec. 35. Section 282.18, subsections 4, 5, and 15, Code
10 2022, are amended by striking the subsections.

11 Sec. 36. Section 282.18, subsection 6, Code 2022, is amended
12 to read as follows:

13 6. A request under this section is for a period of not less
14 than one year. If the request is for more than one year and
15 the parent or guardian desires to have the pupil enroll in a
16 different district, the parent or guardian may petition the
17 current receiving district ~~by March 1 of the previous school~~
18 ~~year~~ for permission to enroll the pupil in a different district
19 for a period of not less than one year. Upon receipt of such a
20 request, the current receiving district board may act on the
21 request to transfer to the other school district at the next
22 regularly scheduled board meeting after the receipt of the
23 request. The new receiving district shall enroll the pupil
24 in the district unless there is insufficient classroom space
25 in the district or the district is subject to court-ordered
26 desegregation and enrollment of the pupil would adversely
27 affect implementation of the desegregation order. A denial of
28 a request to change district enrollment ~~within the approved~~
29 ~~period~~ is not subject to appeal. ~~However, a~~ A pupil who has
30 been in attendance in another district under this section
31 may return to the district of residence and enroll at any
32 time, once the parent or guardian has notified the district of
33 residence and the receiving district in writing of the decision
34 to enroll the pupil in the district of residence.

35 Sec. 37. Section 282.18, subsection 7, Code 2022, is amended

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1 by adding the following new paragraph:
2 NEW PARAGRAPH. c. If a pupil participating in open
3 enrollment attends school in the receiving district for less
4 than a full school year, payment from the district of residence
5 to the receiving district shall be prorated on a per diem
6 basis.

7 Sec. 38. Section 282.18, subsection 11, paragraph a,
8 subparagraph (8), Code 2022, is amended to read as follows:
9 (8) If the pupil participates in open enrollment because
10 of circumstances that meet the definition of good cause under
11 subsection 4, paragraph "b". For purposes of this subparagraph,
12 "good cause" means a change in a child's residence due to a
13 change in family residence, a change in a child's residence
14 from the residence of one parent or guardian to the residence
15 of different parent or guardian, a change in the state in
16 which the family residence is located, a change in a child's
17 parents' marital status, a guardianship or custody proceeding,
18 placement in foster care, adoption, participation in a foreign
19 exchange program, initial placement of a prekindergarten
20 student in a special education program requiring specially
21 designed instruction, or participation in a substance abuse
22 or mental health treatment program, a change in the status of
23 a child's resident district such as removal of accreditation
24 by the state board, surrender of accreditation, or permanent
25 closure of a nonpublic school, revocation of a charter school
26 contract as provided in section 256E.10 or 256F.8, the failure
27 of negotiations for a whole grade sharing, reorganization,
28 dissolution agreement, or the rejection of a current whole
29 grade sharing agreement, or reorganization plan.

30 Sec. 39. Section 290.1, Code 2022, is amended to read as
31 follows:

32 **290.1 Appeal to state board.**

33 An affected pupil, or the parent or guardian of an affected
34 pupil who is a minor, who is aggrieved by a decision or order
35 of the board of directors of a school corporation in a matter

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1 of law or fact, or a decision or order of a board of directors
2 under section 282.18, subsection 5, may, within thirty days
3 after the rendition of the decision or the making of the order,
4 appeal the decision or order to the state board of education;
5 the basis of the proceedings shall be an affidavit filed with
6 the state board by the party aggrieved within the time for
7 taking the appeal, which affidavit shall set forth any error
8 complained of in a plain and concise manner.

9 Sec. 40. EMERGENCY RULES. The department of education may
10 adopt emergency rules under section 17A.4, subsection 3, and
11 section 17A.5, subsection 2, paragraph "b", to implement the
12 provisions of this division of this Act and the rules shall
13 be effective immediately upon filing unless a later date is
14 specified in the rules. Any rules adopted in accordance with
15 this section shall also be published as a notice of intended
16 action as provided in section 17A.4.

17 Sec. 41. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 DIVISION VII

20 SHARED OPERATIONAL FUNCTIONS

21 Sec. 42. Section 257.11, subsection 5, paragraph a, Code
22 2022, is amended to read as follows:
23 a. (1) In order to provide additional funding to increase
24 student opportunities and redirect more resources to student
25 programming for school districts that share operational
26 functions, a district that shares with a political subdivision
27 one or more operational functions of a curriculum director,
28 master social worker, independent social worker, work-based
29 learning coordinator, special education director, mental
30 health professional who holds a statement of recognition
31 issued by the board of educational examiners, college
32 and career transition counselor or coordinator, or school
33 counselor, or one or more operational functions in the areas
34 of superintendent management, business management, human
35 resources, transportation, or operation and maintenance for at

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1 least twenty percent of the school year shall be assigned a
2 supplementary weighting for each shared operational function.
3 A school district that shares an operational function in
4 the area of superintendent management shall be assigned a
5 supplementary weighting of eight pupils for the function. A
6 school district that shares an operational function in the area
7 of business management, human resources, transportation, or
8 operation and maintenance shall be assigned a supplementary
9 weighting of five pupils for the function. A school district
10 that shares the operational functions of a curriculum director;
11 a master social worker or an independent social worker
12 licensed under chapters 147 and 154C; a work-based learning
13 coordinator; a special education director; a mental health
14 professional who holds a statement of recognition issued by
15 the board of educational examiners; a college and career
16 transition counselor or coordinator; or a school counselor
17 shall be assigned a supplementary weighting of three pupils
18 for the function. The additional weighting shall be assigned
19 for each discrete operational function shared. However, a
20 school district may receive the additional weighting under this
21 subsection for sharing the services of an individual with a
22 political subdivision even if the type of operational function
23 performed by the individual for the school district and the
24 type of operational function performed by the individual
25 for the political subdivision are not the same operational
26 function, so long as both operational functions are eligible
27 for weighting under this subsection. In such case, the school
28 district shall be assigned the additional weighting for the
29 type of operational function that the individual performs for
30 the school district, and the school district shall not receive
31 additional weighting for any other function performed by the
32 individual. The operational function sharing arrangement does
33 not need to be a newly implemented sharing arrangement to

34 receive supplementary weighting under this subsection.
35 (2) For the purposes of this paragraph "a":

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1 (a) "College and career transition counselor or coordinator"
2 means a licensed school counselor or an appropriately trained
3 individual responsible for providing direct services to
4 students, parents, families, schools, and postsecondary
5 institutions to support college preparation and postsecondary
6 success, such as college preparation, financial aid processing,
7 and transition to postsecondary institution enrollment.
8 (e) "Political subdivision" means a city, township,
9 county, school corporation, merged area, area education agency,
10 institution governed by the state board of regents, or any
11 other governmental subdivision.
12 (f) "Work-based learning coordinator" means an
13 appropriately trained individual responsible for facilitating
14 authentic, engaging work-based learning experiences for
15 learners and educators in partnership with employers and others
16 to enhance learning by connecting the content and skills that
17 are necessary for future careers.

DIVISION VIII

DELINQUENT ACT — POSSESSION OF DANGEROUS WEAPONS OR FIREARMS BY MINORS

21 Sec. 43. Section 232.2, subsection 12, Code 2022, is amended
22 by adding the following new paragraph:
23 ~~NEW PARAGRAPH.~~ e. The violation of section 724.4E which is
24 committed by a child.

25 Sec. 44. EFFECTIVE DATE. This division of this Act, being
26 deemed of immediate importance, takes effect upon enactment.

DIVISION IX

ASSAULT — NATIONAL GUARD MEMBERS

29 Sec. 45. Section 708.3A, subsections 1, 2, 3, and 4, Code
30 2022, are amended to read as follows:

31 1. A person who commits an assault, as defined in section
32 708.1, against a peace officer, jailer, correctional staff,
33 member or employee of the board of parole, health care
34 provider, employee of the department of human services,
35 employee of the department of revenue, national guard member

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1 engaged in national guard duty or state active duty, civilian
2 employee of a law enforcement agency, civilian employee of a
3 fire department, or fire fighter, whether paid or volunteer,
4 with the knowledge that the person against whom the assault
5 is committed is a peace officer, jailer, correctional staff,
6 member or employee of the board of parole, health care
7 provider, employee of the department of human services,
8 employee of the department of revenue, national guard member
9 engaged in national guard duty or state active duty, civilian

10 employee of a law enforcement agency, civilian employee of a
11 fire department, or fire fighter and with the intent to inflict
12 a serious injury upon the peace officer, jailer, correctional
13 staff, member or employee of the board of parole, health
14 care provider, employee of the department of human services,
15 employee of the department of revenue, national guard member
16 engaged in national guard duty or state active duty, civilian
17 employee of a law enforcement agency, civilian employee of a
18 fire department, or fire fighter, is guilty of a class "D"
19 felony.

20 2. A person who commits an assault, as defined in section
21 708.1, against a peace officer, jailer, correctional staff,
22 member or employee of the board of parole, health care
23 provider, employee of the department of human services,
24 employee of the department of revenue, national guard member
25 engaged in national guard duty or state active duty, civilian
26 employee of a law enforcement agency, civilian employee of a
27 fire department, or fire fighter, whether paid or volunteer,
28 who knows that the person against whom the assault is committed
29 is a peace officer, jailer, correctional staff, member or
30 employee of the board of parole, health care provider, employee
31 of the department of human services, employee of the department
32 of revenue, national guard member engaged in national guard
33 duty or state active duty, civilian employee of a law
34 enforcement agency, civilian employee of a fire department, or
35 fire fighter and who uses or displays a dangerous weapon in

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1 connection with the assault, is guilty of a class "D" felony.
2 3. A person who commits an assault, as defined in section
3 708.1, against a peace officer, jailer, correctional staff,
4 member or employee of the board of parole, health care
5 provider, employee of the department of human services,
6 employee of the department of revenue, national guard member
7 engaged in national guard duty or state active duty, civilian
8 employee of a law enforcement agency, civilian employee of a
9 fire department, or fire fighter, whether paid or volunteer,
10 who knows that the person against whom the assault is committed
11 is a peace officer, jailer, correctional staff, member or
12 employee of the board of parole, health care provider, employee
13 of the department of human services, employee of the department
14 of revenue, national guard member engaged in national guard
15 duty or state active duty, civilian employee of a law
16 enforcement agency, civilian employee of a fire department, or
17 fire fighter, and who causes bodily injury or mental illness,
18 is guilty of an aggravated misdemeanor.

19 4. Any other assault, as defined in section 708.1, committed
20 against a peace officer, jailer, correctional staff, member or
21 employee of the board of parole, health care provider, employee
22 of the department of human services, employee of the department
23 of revenue, national guard member engaged in national guard

24 duty or state active duty, civilian employee of a law
25 enforcement agency, civilian employee of a fire department,
26 or fire fighter, whether paid or volunteer, by a person who
27 knows that the person against whom the assault is committed is
28 a peace officer, jailer, correctional staff, member or employee
29 of the board of parole, health care provider, employee of the
30 department of human services, employee of the department of
31 revenue, national guard member engaged in national guard duty
32 or state active duty, civilian employee of a law enforcement
33 agency, civilian employee of a fire department, or fire
34 fighter, is a serious misdemeanor.

35 Sec. 46. Section 708.3A, subsection 5, Code 2022, is amended

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- 1 by adding the following new paragraphs:
- 2 **NEW PARAGRAPH**. f. "*National guard*" means the same as
- 3 defined in section 29A.1.
- 4 **NEW PARAGRAPH**. g. "*National guard duty*" means the same as
- 5 defined in section 29A.1.
- 6 **NEW PARAGRAPH**. h. "*State active duty*" means the same as
- 7 defined in section 29A.1.

DIVISION X

DEPENDENT ADULT ABUSE RESULTING IN DEATH

10 Sec. 47. Section 726.26, if enacted by 2022 Iowa Acts,
11 Senate File 522, section 6, is amended by adding the following
12 new subsection:

13 **NEW SUBSECTION**. 2A. A caretaker who intentionally or
14 recklessly commits dependent adult abuse is guilty of murder
15 in the second degree in violation of section 707.3 if the
16 intentional or reckless dependent adult abuse results in the
17 death of the dependent adult.

DIVISION XI

HEALTH CARE PROVIDER REFERRAL TO AMBULATORY SURGICAL CENTER

20 Sec. 48. **NEW SECTION**. **147.163 Provision of information —
referral to ambulatory surgical center — licensee discipline.**

22 1. A health care provider who determines that a patient is a
23 candidate for outpatient surgery based on the patient's medical
24 status and surgical service needs, and refers the patient to
25 an ambulatory surgical center as an option for the surgery,
26 shall provide the patient with a written document listing the
27 factors the patient should consider to make a fully informed
28 decision about the patient's recommended course of care. The
29 considerations shall include all of the following:

30 a. The differences in ownership; licensure, certification,
31 or accreditation; and payment alternatives between the
32 ambulatory surgical center and a hospital.

33 b. The types of medical personnel generally involved in the
34 patient's surgical service and the capacity of the ambulatory
35 surgical center and a hospital to comply with the personnel

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- 1 requirements.
- 2 c. The capacity of the ambulatory surgical center and a
- 3 hospital to respond to medical complications and emergencies
- 4 that may arise from the surgical service.
- 5 d. The proximity of the ambulatory surgical center to a
- 6 hospital and the protocols in place for transfer of a patient
- 7 from the ambulatory surgical center to the hospital for
- 8 emergency care.
- 9 e. The type of anesthesia generally used for the patient's
- 10 surgical service and the capacity of the ambulatory surgical
- 11 center and a hospital to comply with requirements relative to
- 12 the use of anesthesia.
- 13 2. For the purposes of this section:
 - 14 a. "*Ambulatory surgical center*" means a distinct facility
 - 15 that operates exclusively for the purpose of providing surgical
 - 16 services to patients not requiring hospitalization and in which
 - 17 the expected duration of services does not exceed twenty-four
 - 18 hours following an admission. "*Ambulatory surgical center*"
 - 19 includes a facility that otherwise meets the definition of
 - 20 ambulatory surgical center whether or not licensed, certified,
 - 21 or accredited as an ambulatory surgical center and which may
 - 22 or may not operate on a partially cash-only or completely
 - 23 cash-only basis. "*Ambulatory surgical center*" does not include
 - 24 individual or group practice offices of private physicians
 - 25 or podiatrists that do not contain a distinct area used for
 - 26 outpatient surgical treatment on a regular basis, or that
 - 27 only provide surgery routinely provided in a physician's
 - 28 or podiatrist's office using local anesthesia or conscious
 - 29 sedation; individual or group practice offices of private
 - 30 dentists; or a portion of a licensed hospital designated for
 - 31 outpatient surgical treatment.
 - 32 b. "*Health care provider*" means a person who is licensed,
 - 33 certified, or otherwise authorized or permitted by the laws of
 - 34 this state to administer health care in the ordinary course of
 - 35 business or in the practice of a profession.

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1 c. "*Hospital*" means the same as defined in section 135B.1.

2 3. A health care provider who violates this section is

3 subject to licensee discipline by the appropriate licensing or

4 disciplinary authority.

DIVISION XII

DIVISION XIII
HEALTH CARE EMPLOYMENT AGENCIES

Sec. 49. RETROACTIVE APPLICABILITY. 2022 Iowa Acts, House File 2521, applies retroactively to any contract between a health care employment agency and an agency worker or health care entity referred to under section 135Q.2, subsection 3, as enacted by 2022 Iowa Acts, House File 2521, that was entered into or executed on or after January 1, 2019.

13 DIVISION XIII

14 PHYSICAL EXAMINATIONS BY LICENSED PHYSICIANS

15 Sec. 50. Section 237A.12, Code 2022, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 6. Rules adopted relating to physical
18 examination requirements for licensed or registered facility
19 personnel and the children being provided child care by the
20 licensed or registered facility shall allow for any licensed
21 physician as defined in section 135.1 to perform the physical
22 examination.

23 DIVISION XIV

24 BEVERAGE CONTAINERS CONTROL

25 Sec. 51. Section 455C.2, subsection 2, paragraph b, if
26 enacted by 2022 Iowa Acts, Senate File 2378, section 4, is
27 amended to read as follows:

28 b. A distributor who pays a handling fee for ~~beverage~~
29 ~~containers a beverage container that was sold for consumption~~
30 ~~off the premises and~~ that used to contain beer, including
31 high-alcoholic content beer, may claim a refund of the barrel
32 tax established in section 123.136 paid by the distributor
33 in the amount of one cent for each such beverage container
34 accepted by the distributor. The department of revenue shall
35 prescribe forms for a distributor to use to claim a refund

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1 under this paragraph. Identifying information collected by the
2 department of revenue pursuant to this paragraph that can be
3 used to identify a specific distributor shall be considered
4 confidential information pursuant to section 22.7, subsection
5 75.

6 Sec. 52. EFFECTIVE DATE. This division of this Act takes
7 effect January 1, 2023.

8 DIVISION XV

9 FUNERAL SERVICES — CORRECTION

10 Sec. 53. Section 523A.505, subsection 1, as enacted by 2022
11 Iowa Acts, House File 2155, section 4, is amended to read as
12 follows:

13 1. A sales agent, and any person who owns at least five
14 percent of a preneed seller business, shall have an ongoing
15 duty to disclose to the commissioner all felony crimes and
16 those misdemeanor-level crimes involving dishonesty or false
17 statement for which the sales agent or person has been found
18 guilty, or for which the sales agent or person has pled
19 guilty or no contest. Such disclosure shall be made to the
20 commissioner within thirty calendar days of the date that
21 the sales agent or person has been found guilty by a court
22 of competent jurisdiction, or of the date the sales agent or
23 person pleads ~~not~~ guilty or no contest.

24 DIVISION XVI

25 COUNTY JURISDICTION — CEMETERIES

26 Sec. 54. Section 331.325, subsection 3, Code 2022, is

27 amended by adding the following new paragraph:
28 **NEW PARAGRAPH.** *d.* A cemetery that does not otherwise
29 qualify to be under the jurisdiction and control of a county
30 board of supervisors or county cemetery commission may
31 designate a portion of the cemetery as a pioneer section if at
32 least fifty percent of the burials in that portion occurred
33 at least one hundred years prior to the designation. Upon
34 approval by the cemetery, the county board of supervisors, and
35 the county cemetery commission, the county cemetery commission

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1 may use its resources to restore and maintain the pioneer
2 section of the cemetery as though that section was a pioneer
3 cemetery. However, a cemetery with a designated pioneer
4 section and the pioneer section itself shall not be considered
5 a pioneer cemetery.
6 Sec. 55. **NEW SECTION. 523I.403 Pioneer section —**
7 **management by county cemetery commission.**
8 A cemetery may designate a portion of the cemetery as a
9 pioneer section to be restored and maintained by the county
10 cemetery commission as provided in section 331.325, subsection
11 3, paragraph "d".

DIVISION XVII

HOME-BASED BUSINESSES

14 Sec. 56. Section 137D.1, subsection 4, unnumbered paragraph
15 1, Code 2022, as amended by 2022 Iowa Acts, House File 2431,
16 section 2, if enacted, is amended to read as follows:

17 "*Homemade food item*" means a food that is produced and, if
18 packaged, packaged at a home food processing establishment.
19 "*Homemade food item*" includes food that is not time/temperature
20 control for safety food, but does not include such food if
21 produced and sold under section 137F.20. "*Homemade food item*"
22 does not include unpasteurized fruit or vegetable juice, raw
23 sprout seeds, foods containing game animals, fish or shellfish,
24 alcoholic beverages, bottled water, packaged ice, consumable
25 hemp products, food that will be further processed by a food
26 processing plant, time/temperature control for safety food
27 packaged using a reduced oxygen packaging method, milk or milk
28 products regulated under chapter 192 or 194, and meat, meat
29 food products, poultry, or poultry products regulated under
30 chapter 189A, except for any of the following products when
31 sold directly to the end consumer:

32 Sec. 57. Section 137F.1, subsection 2A, paragraph a, if
33 enacted by 2022 Iowa Acts, House File 2431, section 8, is
34 amended to read as follows:
35 *a.* Milk or milk products regulated under chapter 192 or

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1 194.>

2 2. Title page, by striking lines 1 through 5 and

3 inserting <An Act relating to state and local finances by
4 making appropriations, providing for legal and regulatory
5 responsibilities, providing for other properly related matters,
6 providing penalties, making penalties applicable, and including
7 effective date, applicability, and retroactive applicability
8 provisions.>

JACK WHITVER

S-5180

1 Amend the amendment, S-5179, to Senate File 2384, as
2 follows:

3 1. Page 20, after line 7 by inserting:

4 <DIVISION ____

5 CONTROLLED SUBSTANCES — COCAINE AND COCAINE BASE

6 Sec. ___. Section 124.401, subsection 1, paragraph a,
7 subparagraph (2), subparagraph division (b), Code 2022, is
8 amended to read as follows:

9 (b) Cocaine, or cocaine base or its salts, optical and
10 geometric isomers, or salts of isomers.

11 Sec. ___. Section 124.401, subsection 1, paragraph a,
12 subparagraph (3), Code 2022, is amended by striking the
13 subparagraph.

14 Sec. ___. Section 124.401, subsection 1, paragraph b,
15 subparagraph (2), subparagraph division (b), Code 2022, is
16 amended to read as follows:

17 (b) Cocaine, or cocaine base or its salts, optical and
18 geometric isomers, or salts of isomers.

19 Sec. ___. Section 124.401, subsection 1, paragraph b,
20 subparagraph (3), Code 2022, is amended by striking the
21 subparagraph.

22 Sec. ___. Section 124.401, subsection 1, paragraph c,
23 subparagraph (2), subparagraph division (b), Code 2022, is
24 amended to read as follows:

25 (b) Cocaine, or cocaine base or its salts, optical and
26 geometric isomers, or salts of isomers.

27 Sec. ___. Section 124.401, subsection 1, paragraph c,
28 subparagraph (3), Code 2022, is amended by striking the
29 subparagraph.

30 Sec. ___. Section 232.22, subsection 1, paragraph e, Code
31 2022, is amended to read as follows:

32 e. There is probable cause to believe that the child has
33 committed a delinquent act involving possession with intent to
34 deliver any of the following controlled substances:

35 (1) A mixture or substance containing cocaine base, also

1 known as crack cocaine, and if the act was committed by an
2 adult, it would be a violation of section 124.401, subsection
3 1, paragraph "a", subparagraph (3), paragraph "b", subparagraph

4 ~~(3), or paragraph "e", subparagraph (3).~~
5 ~~(2) (1)~~ A mixture or substance containing cocaine, or
6 cocaine base or its salts, optical and geometric isomers, and
7 salts of isomers, and if the act was committed by an adult,
8 it would be a violation of section 124.401, subsection 1,
9 paragraph "a", subparagraph (2), subparagraph division (b), or
10 paragraph "b", subparagraph (2), subparagraph division (b), or
11 paragraph "c", subparagraph (2), subparagraph division (b).
12 ~~(2) (2)~~ A mixture or substance containing methamphetamine,
13 its salts, isomers, or salts of isomers, or analogs of
14 methamphetamine, and if the act was committed by an adult, it
15 would be a violation of section 124.401, subsection 1.>
16 2. By renumbering as necessary.

ZACH NUNN

S-5181

1 Amend the amendment, S-5179, to Senate File 2384, as

2 follows:

3 1. By striking page 1, line 1, through page 25, line 8, and
4 inserting:

5 <Amend Senate File 2384 as follows:

6 1. By striking everything after the enacting clause and
7 inserting:

8 <DIVISION I

9 STANDING APPROPRIATIONS AND RELATED MATTERS

10 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
11 2022–2023. Notwithstanding the standing appropriation in the
12 following designated section for the fiscal year beginning July
13 1, 2022, and ending June 30, 2023, the amount appropriated from
14 the general fund of the state pursuant to that section for the
15 following designated purpose shall not exceed the following
16 amount:

17 For payment of claims for nonpublic school pupil
18 transportation under section 285.2:

19 	\$ 8,997,091
20 If total approved claims for reimbursement for nonpublic		
21 school pupil transportation exceed the amount appropriated in		
22 accordance with this section, the department of education shall		
23 prorate the amount of each approved claim.		

24 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2022–2023. In
25 lieu of the appropriation provided in section 257.20,
26 subsection 2, the appropriation for the fiscal year
27 beginning July 1, 2022, and ending June 30, 2023, for paying
28 instructional support state aid under section 257.20 for the
29 fiscal year is zero.

30 DIVISION II

31 DIRECT MASS MAILING

32 Sec. 3. Section 68A.405A, Code 2022, is amended by adding
33 the following new subsections:

34 NEW SUBSECTION. 3. For the purposes of this section,
35 "direct mass mailing" means a mailing, regardless of whether

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1 the mailing was sent in response to a request or due to the
2 recipient's enrollment in a program, that provides information
3 to the recipient about a person, policy, product, service,
4 program, initiative, law, legislation, event, or activity
5 promoted by the statewide elected official that is all of the
6 following:
7 a. Printed material delivered by the United States mail or
8 other delivery service.
9 b. Sent to more than two hundred physical addresses.
10 c. Substantially similar or identical as regards each
11 mailing.
12 d. Sent at the same time or within a thirty-day period.
13 NEW SUBSECTION. 4. Notwithstanding subsection 3, a
14 mailing that is sent to any participant in a program or the
15 participant's address within sixty days of an election in which
16 an office listed in section 39.9 is to appear on the ballot
17 shall be considered a direct mass mailing for the purposes
18 of subsection 1 if the purpose of the mailing is to provide
19 a participant with information relevant to the participant's
20 existing account with a program sponsored and administered by
21 the statewide elected official who sent the mailing.

DIVISION III

23 DELINQUENT ACT — POSSESSION OF DANGEROUS WEAPONS OR FIREARMS
24 BY MINORS
25 Sec. 4. Section 232.2, subsection 12, Code 2022, is amended
26 by adding the following new paragraph:
27 NEW PARAGRAPH. e. The violation of section 724.4E which is
28 committed by a child.

29 Sec. 5. EFFECTIVE DATE. This division of this Act, being
30 deemed of immediate importance, takes effect upon enactment.

DIVISION IV

ASSAULT — NATIONAL GUARD MEMBERS

33 Sec. 6. Section 708.3A, subsections 1, 2, 3, and 4, Code
34 2022, are amended to read as follows:

35 1. A person who commits an assault, as defined in section

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1 708.1, against a peace officer, jailer, correctional staff,
2 member or employee of the board of parole, health care
3 provider, employee of the department of human services,
4 employee of the department of revenue, national guard member
5 engaged in national guard duty or state active duty, civilian
6 employee of a law enforcement agency, civilian employee of a
7 fire department, or fire fighter, whether paid or volunteer,
8 with the knowledge that the person against whom the assault
9 is committed is a peace officer, jailer, correctional staff,

10 member or employee of the board of parole, health care
11 provider, employee of the department of human services,
12 employee of the department of revenue, national guard member
13 engaged in national guard duty or state active duty, civilian
14 employee of a law enforcement agency, civilian employee of a
15 fire department, or fire fighter and with the intent to inflict
16 a serious injury upon the peace officer, jailer, correctional
17 staff, member or employee of the board of parole, health
18 care provider, employee of the department of human services,
19 employee of the department of revenue, national guard member
20 engaged in national guard duty or state active duty, civilian
21 employee of a law enforcement agency, civilian employee of a
22 fire department, or fire fighter, is guilty of a class "D"
23 felony.
24 2. A person who commits an assault, as defined in section
25 708.1, against a peace officer, jailer, correctional staff,
26 member or employee of the board of parole, health care
27 provider, employee of the department of human services,
28 employee of the department of revenue, national guard member
29 engaged in national guard duty or state active duty, civilian
30 employee of a law enforcement agency, civilian employee of a
31 fire department, or fire fighter, whether paid or volunteer,
32 who knows that the person against whom the assault is committed
33 is a peace officer, jailer, correctional staff, member or
34 employee of the board of parole, health care provider, employee
35 of the department of human services, employee of the department

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1 of revenue, national guard member engaged in national guard
2 duty or state active duty, civilian employee of a law
3 enforcement agency, civilian employee of a fire department, or
4 fire fighter and who uses or displays a dangerous weapon in
5 connection with the assault, is guilty of a class "D" felony.
6 3. A person who commits an assault, as defined in section
7 708.1, against a peace officer, jailer, correctional staff,
8 member or employee of the board of parole, health care
9 provider, employee of the department of human services,
10 employee of the department of revenue, national guard member
11 engaged in national guard duty or state active duty, civilian
12 employee of a law enforcement agency, civilian employee of a
13 fire department, or fire fighter, whether paid or volunteer,
14 who knows that the person against whom the assault is committed
15 is a peace officer, jailer, correctional staff, member or
16 employee of the board of parole, health care provider, employee
17 of the department of human services, employee of the department
18 of revenue, national guard member engaged in national guard
19 duty or state active duty, civilian employee of a law
20 enforcement agency, civilian employee of a fire department, or
21 fire fighter, and who causes bodily injury or mental illness,
22 is guilty of an aggravated misdemeanor.
23 4. Any other assault, as defined in section 708.1, committed

24 against a peace officer, jailer, correctional staff, member or
25 employee of the board of parole, health care provider, employee
26 of the department of human services, employee of the department
27 of revenue, national guard member engaged in national guard
28 duty or state active duty, civilian employee of a law
29 enforcement agency, civilian employee of a fire department,
30 or fire fighter, whether paid or volunteer, by a person who
31 knows that the person against whom the assault is committed is
32 a peace officer, jailer, correctional staff, member or employee
33 of the board of parole, health care provider, employee of the
34 department of human services, employee of the department of
35 revenue, national guard member engaged in national guard duty

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1 or state active duty, civilian employee of a law enforcement
2 agency, civilian employee of a fire department, or fire
3 fighter, is a serious misdemeanor.
4 Sec. 7. Section 708.3A, subsection 5, Code 2022, is amended
5 by adding the following new paragraphs:
6 NEW PARAGRAPH. f. "National guard" means the same as
7 defined in section 29A.1.
8 NEW PARAGRAPH. g. "National guard duty" means the same as
9 defined in section 29A.1.
10 NEW PARAGRAPH. h. "State active duty" means the same as
11 defined in section 29A.1.

12 DIVISION V

13 DEPENDENT ADULT ABUSE RESULTING IN DEATH

14 Sec. 8. Section 726.26, if enacted by 2022 Iowa Acts, Senate
15 File 522, section 6, is amended by adding the following new
16 subsection:

17 NEW SUBSECTION. 2A. A caretaker who intentionally or
18 recklessly commits dependent adult abuse is guilty of murder
19 in the second degree in violation of section 707.3 if the
20 intentional or reckless dependent adult abuse results in the
21 death of the dependent adult.>

22 2. Title page, by striking lines 1 through 5 and
23 inserting <An Act relating to state and local finances by
24 making appropriations, providing for legal and regulatory
25 responsibilities, providing for other properly related matters,
26 providing penalties, and making penalties applicable.>

JOE BOLKCOM

S-5182

1 Amend House File 2384, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 1, by striking lines 1 through 4 and inserting:
4 <DIVISION I
5 PHARMACY BENEFITS MANAGERS, PHARMACIES, AND PRESCRIPTION DRUG
6 BENEFITS>

7 2. Page 1, after line 26 by inserting:
8 <___. "Facility" means an institution providing health
9 care services or a health care setting, including but not
10 limited to hospitals and other licensed inpatient centers,
11 ambulatory surgical or treatment centers, skilled nursing
12 centers, residential treatment centers, diagnostic, laboratory
13 and imaging centers, and rehabilitation and other therapeutic
14 health settings.>
15 3. Page 1, by striking lines 27 through 30 and inserting:
16 <___. "Health benefit plan" means a policy, contract,
17 certificate, or agreement offered or issued by a third-party
18 payor to provide, deliver, arrange for, pay for, or reimburse
19 any of the costs of health care services.
20 __. "Health care professional" means a physician or other
21 health care practitioner licensed, accredited, registered, or
22 certified to perform specified health care services consistent
23 with state law.
24 __. "Health care provider" means a health care professional
25 or a facility.>
26 4. Page 2, by striking lines 1 through 9 and inserting
27 <corporation, or a plan established pursuant to chapter 509A
28 for public employees. "Health carrier" does not include any of
29 the following:>
30 5. Page 2, before line 10 by inserting:
31 <a. The department of human services.
32 b. A managed care organization acting pursuant to a contract
33 with the department of human services to administer the medical
34 assistance program under chapter 249A or the healthy and well
35 kids in Iowa (hawk-i) program under chapter 514I.

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1 c. A policy or contract providing a prescription drug
2 benefit pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.
3 d. A plan offered or maintained by a multiple employer
4 welfare arrangement established under chapter 513D before
5 January 1, 2022.>
6 6. Page 3, by striking lines 4 and 5 and inserting:
7 <___. "Pharmacy benefits manager" means a person who,
8 pursuant to a contract or other relationship with a third-party
9 payor, either directly or through an intermediary, manages a
10 prescription drug benefit provided by the third-party payor.>
11 7. Page 3, by striking lines 18 and 19 and inserting:
12 <___. "Prescription drug benefit" means a health benefit
13 plan providing for third-party payment or prepayment for
14 prescription drugs.>
15 8. Page 3, by striking line 22 and inserting:
16 <___. "Rebate" means all discounts and other negotiated
17 price concessions paid directly or indirectly by a
18 pharmaceutical manufacturer or other entity, other than a
19 covered person, in the prescription drug supply chain to a
20 pharmacy benefits manager, and which may be based on any of the

21 following:

22 a. A pharmaceutical manufacturer's list price for a
23 prescription drug.

24 b. Utilization.

25 c. To maintain a net price for a prescription drug for a
26 specified period of time for the pharmacy benefits manager
27 in the event the pharmaceutical manufacturer's list price
28 increases.

29 d. Reasonable estimates of the volume of a prescribed drug
30 that will be dispensed by a pharmacy to covered persons.

31 **—**. *"Third-party payor"* means any entity other than a
32 covered person or a health care provider that is responsible
33 for any amount of reimbursement for a prescription drug
34 benefit. *"Third-party payor"* includes health carriers and other
35 entities that provide a plan of health insurance or health

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1 care benefits. *"Third-party payor"* does not include any of the
2 following:

3 a. The department of human services.

4 b. A managed care organization acting pursuant to a contract
5 with the department of human services to administer the medical
6 assistance program under chapter 249A or the healthy and well
7 kids in Iowa (hawk-i) program under chapter 514I.

8 c. A policy or contract providing a prescription drug
9 benefit pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.>

10 9. Page 3, line 33, by striking <health carrier> and
11 inserting <third-party payor>

12 10. Page 4, line 4, by striking <health carrier> and
13 inserting <third-party payor>

14 11. Page 4, line 6, by striking <health carrier> and
15 inserting <third-party payor>

16 12. Page 4, by striking lines 8 through 13.

17 13. Page 5, by striking lines 14 through 17.

18 14. By striking page 6, line 1, through page 7, line 18.

19 15. By striking page 9, line 2, through page 10, line 23.

20 16. Page 12, line 16, before <Act> by inserting <division
21 of this>

22 17. Page 12, line 17, by striking <health carrier's>

23 18. Page 12, by striking lines 20 through 24 and inserting:
24 <DIVISION _____

25 **PHARMACY BENEFITS MANAGER REPORTING**

26 Sec. _____. Section 510C.1, Code 2022, is amended to read as
27 follows:

28 **510C.1 Definitions.**

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

31 1. *"Administrative fees"* means a fee or payment, other than
32 a rebate, under a contract between a pharmacy benefits manager
33 and a pharmaceutical drug manufacturer in connection with the

34 pharmacy benefits manager's management of a ~~health carrier's~~
35 third-party payor's prescription drug benefit, that is paid

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1 by a pharmaceutical drug manufacturer to a pharmacy benefits
2 manager or is retained by the pharmacy benefits manager.
3 2. "*Aggregate retained rebate percentage*" means the
4 percentage of all rebates received by a pharmacy benefits
5 manager that is not passed on to the pharmacy benefits
6 manager's ~~health carrier~~ third-party payor clients.
7 3. "*Commissioner*" means the commissioner of insurance.
8 4. "*Covered person*" means the same as defined in section
9 ~~514J.102~~ 510B.1.
10 5. "*Formulary*" means a complete list of prescription drugs
11 eligible for coverage under a health benefit plan.
12 6. "*Health benefit plan*" means the same as defined in
13 section ~~514J.102~~ 510B.1.
14 7. "*Health carrier*" means the same as defined in section
15 ~~514J.102~~ 510B.1.
16 8. "*Health carrier administrative service fee*" means a fee or
17 payment under a contract between a pharmacy benefits manager
18 and a health carrier in connection with the pharmacy benefits
19 manager's administration of the health carrier's prescription
20 drug benefit that is paid by a health carrier to a pharmacy
21 benefits manager or is otherwise retained by a pharmacy
22 benefits manager.
23 9. 8. "*Pharmacy benefits manager*" means a person who,
24 pursuant to a contract or other relationship with a health
25 carrier, either directly or through an intermediary, manages a
26 prescription drug benefit provided by the health carrier the
27 same as defined in section 510B.1.
28 10. 9. "*Prescription drug benefit*" means a health benefit
29 plan providing for third party payment or prepayment for
30 prescription drugs the same as defined in section 510B.1.
31 11. 10. "*Rebate*" means all discounts and other
32 negotiated price concessions paid directly or indirectly by
33 a pharmaceutical manufacturer or other entity, other than a
34 covered person, in the prescription drug supply chain to a
35 pharmacy benefits manager, and which may be based on any of the

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1 following: the same as defined in section 510B.1.
2 a. A pharmaceutical manufacturer's list price for a
3 prescription drug.
4 b. Utilization.
5 c. To maintain a net price for a prescription drug for a
6 specified period of time for the pharmacy benefits manager
7 in the event the pharmaceutical manufacturer's list price
8 increases.
9 d. Reasonable estimates of the volume of a prescribed drug

10 ~~that will be dispensed by a pharmacy to covered persons.~~

11 11. "*Third-party payor*" means the same as defined in section
12 510B.1.

13 12. "*Third-party payor administrative service fee*" means a
14 ~~fee or payment under a contract between a pharmacy benefits~~
15 ~~manager and a third-party payor in connection with the pharmacy~~
16 ~~benefits manager's administration of the third-party payor's~~
17 ~~prescription drug benefit that is paid by a third-party payor~~
18 ~~to a pharmacy benefits manager or is otherwise retained by a~~
19 ~~pharmacy benefits manager.~~

20 Sec. ___. Section 510C.2, subsection 1, unnumbered

21 paragraph 1, Code 2022, is amended to read as follows:

22 Each pharmacy benefits manager shall provide a report
23 annually by February 15 to the commissioner that contains
24 all of the following information regarding prescription drug
25 benefits provided to covered persons of each ~~health carrier~~
26 third-party payor with whom the pharmacy benefits manager has
27 contracted during the prior calendar year:

28 Sec. ___. Section 510C.2, subsection 1, paragraphs c, d, e,
29 and g, Code 2022, are amended to read as follows:

30 c. The aggregate dollar amount of all ~~health carrier~~
31 third-party payor administrative service fees received by the
32 pharmacy benefits manager.

33 d. The aggregate dollar amount of all rebates received
34 by the pharmacy benefits manager that the pharmacy benefits
35 manager did not pass through to the ~~health carrier~~ third-party

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1 payor.

2 e. The aggregate amount of all administrative fees received
3 by the pharmacy benefits manager that the pharmacy benefits
4 manager did not pass through to the ~~health carrier~~ third-party
5 payor.

6 g. Across all ~~health carrier~~ third-party payor clients with
7 whom the pharmacy benefits manager was contracted, the highest
8 and the lowest aggregate retained rebate percentages.

9 Sec. ___. Section 510C.2, subsection 2, paragraph a,
10 subparagraph (1), Code 2022, is amended to read as follows:
11 (1) The identity of a specific ~~health carrier~~ third-party
12 payor.

13 Sec. ___. Section 510C.2, subsection 2, paragraph b, Code
14 2022, is amended to read as follows:

15 b. Information provided under this section by a pharmacy
16 benefits manager to the commissioner that may reveal the
17 identity of a specific ~~health carrier~~ third-party payor, the
18 price charged by a specific pharmaceutical manufacturer for
19 a specific prescription drug or class of prescription drugs,
20 or the amount of rebates provided for a specific prescription
21 drug or class of prescription drugs shall be considered a
22 confidential record and be recognized and protected as a trade
23 secret pursuant to section 22.7, subsection 3.

24 DIVISION ____
25 EMERGENCY RULEMAKING
26 Sec. ___. EMERGENCY RULES. The insurance division of the
27 department of commerce may adopt emergency rules under section
28 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
29 "b", to implement the provisions of this Act and the rules
30 shall be effective immediately upon filing unless a later date
31 is specified in the rules. Any rules adopted in accordance
32 with this section shall also be published as a notice of
33 intended action as provided in section 17A.4.
34 DIVISION ____
35 EFFECTIVE DATE

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1 Sec. ___. EFFECTIVE DATE. This Act, being deemed of
2 immediate importance, takes effect upon enactment.>
3 19. Title page, line 2, after <including> by inserting
4 <effective date and>
5 20. By renumbering, redesignating, and correcting internal
6 references as necessary.

MIKE KLIMESH

RESOLUTIONS ADOPTED

EIGHTY-NINTH GENERAL ASSEMBLY 2022 REGULAR SESSION

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 103: filed February 21, 2022; adopted by the Senate on February 23, 2022; printed on Senate Journal page 381; adopted by the House on March 14, 2022; printed on House Journal page 566.

Senate Concurrent Resolution 105: filed May 24, 2022; adopted by the Senate on May 24, 2022; printed on Senate Journal page 934; adopted by the House on May 24, 2022; printed on House Journal page 938.

SENATE RESOLUTIONS

Senate Resolution 101: filed January 19, 2022; adopted by the Senate on February 9, 2022.

SENATE RESOLUTION 101 By Committee on Ethics

1 A Resolution relating to the requirements under the
2 Senate Code of Ethics for filing personal financial
3 disclosure forms by senators and candidates for
4 senate.
5 BE IT RESOLVED BY THE SENATE, That Rule 11 of the
6 Senate Code of Ethics for the Eighty-ninth General
7 Assembly, as adopted during the 2021 Session in Senate
8 Resolution 1, is amended as follows:
9 11. DISCLOSURE REQUIRED BY SENATORS. Each senator
10 shall file with the secretary of the senate within ten
11 days after the adoption of the code of ethics by the
12 senate, and within ten days after the convening of the
13 second session of the general assembly, a financial
14 statement under section 68B.35 on forms provided by
15 the secretary of the senate setting forth the following
16 information:
17 The nature of each business in which the senator
18 is engaged and the nature of the business of each
19 company in which the senator has a financial interest.
20 A senator shall not be required to file a report
21 financial statement or be assumed to have a financial

22 interest if the annual income derived from the
23 investment in stocks, bonds, bills, notes, mortgages,
24 or other securities offered for sale through recognized
25 financial brokers is less than one thousand dollars.
26 Disclosures required under this rule shall be as
27 of the date filed unless provided to the contrary,

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1 and shall be amended to include interests and changes
2 encompassed by this rule that occur while the general
3 assembly is in session. All filings under this rule
4 shall be open to public inspection in the office of the
5 secretary of the senate at all reasonable times.
6 The secretary of the senate shall inform the ethics
7 committee of the financial statements which are filed
8 and shall report to the ethics committee the names
9 of any senators who appear not to have filed complete
10 financial statements. The chairperson of the ethics
11 committee shall request in writing that a senator who
12 has failed to complete the ~~report~~ financial statement
13 or appears to have filed an incomplete ~~report~~ financial
14 statement do so within five days, and, upon the failure
15 of the senator to comply, the ethics committee shall
16 require the senator to appear before the committee.
17 BE IT FURTHER RESOLVED, That the Senate Code of
18 Ethics for the Eighty-ninth General Assembly, as
19 adopted during the 2021 Session in Senate Resolution 1,
20 is amended by adding the following new rule:
21 11A. DISCLOSURE REQUIRED BY CANDIDATES FOR SENATE.
22 Each candidate for senate shall file with the secretary
23 of the senate within fourteen days after the deadline
24 for the filing of nomination papers or fourteen days
25 after the nominating convention, as applicable, a
26 financial statement under section 68B.35 on forms
27 provided by the secretary of the senate setting forth
28 the following information:
29 The nature of each business in which the candidate
30 for senate is engaged and the nature of the business

Page 3

1 of each company in which the candidate for senate has a
2 financial interest. A candidate for senate shall not
3 be required to file a financial statement or be assumed
4 to have a financial interest if the annual income
5 derived from the investment in stocks, bonds, bills,
6 notes, mortgages, or other securities offered for sale
7 through recognized financial brokers is less than one
8 thousand dollars.
9 Disclosures required under this rule shall be for
10 the year preceding the year in which the election is to
11 be held. All filings under this rule shall be open to

RESOLUTIONS ADOPTED

12 public inspection in the office of the secretary of the
13 senate at all reasonable times.

14 The secretary of the senate shall provide
15 information to persons interested in becoming
16 candidates for senate of the duty to file financial
17 statements under this rule and the applicable
18 deadlines.

19 The secretary of the senate shall inform the ethics
20 committee of the financial statements that are filed
21 and shall report to the ethics committee the names
22 of any candidates for senate who appear not to have
23 filed complete financial statements. The secretary of
24 the senate shall request that a candidate for senate
25 who has failed to complete the financial statement
26 or appears to have filed an incomplete financial
27 report to do so within five days. If a candidate for
28 senate does not file a complete financial statement
29 within five days, the candidate shall be fined fifty
30 dollars, payable to the Iowa senate for deposit in the

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1 general fund, and the ethics committee may require the
2 candidate to appear before the committee.

3 BE IT FURTHER RESOLVED, That Rule 15 of the Senate
4 Code of Ethics for the Eighty-ninth General Assembly,
5 as adopted during the 2021 Session in Senate Resolution
6 1, is amended as follows:

7 15. COMPLAINTS. Complaints or charges against any
8 senator, candidate for senate, lobbyist, or any client
9 of a lobbyist shall be in writing, made under penalty
10 of perjury, and filed with the secretary of the senate.
11 When filed with the secretary of the senate, the
12 secretary shall immediately advise the chairperson of
13 the ethics committee of the receipt of the complaint.

14 Complaint forms shall be available from the
15 secretary of the senate, or the chairperson of the
16 ethics committee, but a complaint shall not be rejected
17 for failure to use an approved form if the complaint
18 substantially complies with senate requirements.

19 A complainant may submit exhibits and affidavits
20 attached to the complaint.

21 BE IT FURTHER RESOLVED, That Rule 16, paragraph
22 "a" of the Senate Code of Ethics for the Eighty-ninth
23 General Assembly, as adopted during the 2021 Session in
24 Senate Resolution 1, is amended as follows:

25 a. *Persons entitled.* Complaints may be filed by
26 any person believing that a senator, candidate for
27 senate, lobbyist, or client of a lobbyist has violated
28 the senate ethics code, the joint rules governing
29 lobbyists, or chapter 68B, as applicable. A violation
30 of the criminal law may be considered to be a violation

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1 of this code of ethics if the violation constitutes a
2 serious misdemeanor or greater, or a repetitive and
3 flagrant violation of the law.
4 BE IT FURTHER RESOLVED, That Rule 19, paragraph
5 "f", subparagraph (2) of the Senate Code of Ethics for
6 the Eighty-ninth General Assembly, as adopted during
7 the 2021 Session in Senate Resolution 1, is amended as
8 follows:
9 (2) That the senator, candidate for senate,
10 lobbyist, or client of a lobbyist be censured or
11 reprimanded, and recommend the appropriate form of
12 censure or reprimand.
13 BE IT FURTHER RESOLVED, That Rule 20 of the Senate
14 Code of Ethics for the Eighty-ninth General Assembly,
15 as adopted during the 2021 Session in Senate Resolution
16 1, is amended as follows:
17 20. COMMITTEE AUTHORIZED TO MEET. The senate
18 ethics committee is authorized to meet at the
19 discretion of the chairperson to conduct hearings and
20 other business that properly may come before it. If
21 the committee submits a report seeking senate action
22 against a senator, candidate for senate, lobbyist, or
23 client of a lobbyist after the second regular session
24 of a general assembly has adjourned sine die, the
25 report shall be submitted to and considered by the
26 subsequent general assembly. However, the report
27 may be submitted to and considered during any special
28 session which may take place after the second regular
29 session of a general assembly has adjourned sine die,
30 but before the convening of the next general assembly.

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1 BE IT FURTHER RESOLVED, That Rule 21, paragraph
2 "b" of the Senate Code of Ethics for the Eighty-ninth
3 General Assembly, as adopted during the 2021 Session in
4 Senate Resolution 1, is amended as follows:
5 b. *Form and contents of requests.* A request for
6 a formal advisory opinion shall be in writing and
7 may pertain to any subject matter that is related
8 to the application of the senate code of ethics, the
9 joint rules governing lobbyists, or chapter 68B to
10 any person who is subject to the authority of the
11 ethics committee. Requests shall contain one or
12 more specific questions and shall relate either to
13 future conduct or be stated in the hypothetical. A
14 request for an advisory opinion shall not specifically
15 name any individual or contain any other specific
16 identifying information, unless the request relates
17 to the requester's own conduct. However, any request

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18 may contain information which identifies the kind
19 of individual who may be affected by the subject
20 matter of the request. Examples of this latter kind
21 of identifying information may include references
22 to conduct of a category of individuals, such as but
23 not limited to conduct of legislators, legislative
24 staff, candidates for senate, lobbyists, or clients of
25 lobbyists.

26 BE IT FURTHER RESOLVED, That Rules 23, 24, and 25 of
27 the Senate Code of Ethics for the Eighty-ninth General
28 Assembly, as adopted during the 2021 Session in Senate
29 Resolution 1, are amended as follows:

30 23. COMPLAINT FILING FORM. The following form

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1 shall be used to file a complaint under these rules:
2 THE SENATE
3 Ethics Complaint Form
4 Re: _____ (Senator/Candidate
5 for Senate/Lobbyist/Client of Lobbyist), of
6 _____, Iowa.
7 I, _____ (Complainant), residing
8 at _____, in the City of _____,
9 State of _____, hereby complain
10 that _____ (Senator/Candidate
11 for Senate/Lobbyist/Client of Lobbyist), whose address
12 is _____, has
13 violated the Senate Code of Ethics, chapter 68B, or
14 Joint Rules Governing Lobbyists in that:
15 (Explain the basis for the complaint here. Use
16 additional pages, if necessary.)
17 Under penalty of perjury, I certify that the above
18 complaint is true and correct as I verily believe.
19 _____
20 Signature of Complainant
21 SUBSCRIBED AND AFFIRMED to before me this _____
22 day of _____, _____.
23 _____
24 Notary Public in and for the
25 State of _____
26 24. COMPLAINT NOTICE FORM. The following form
27 shall be used for notice of a complaint under these
28 rules:
29 STATE OF IOWA
30 THE SENATE

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1 COMMITTEE ON ETHICS)
2 IOWA STATE SENATE)
3)

4 On The Complaint Of) NOTICE OF COMPLAINT
5)
6 _____)
7)
8 And Involving)
9)
10 _____)
11)
12 TO _____,
13 Senator or Candidate for Senate or Lobbyist or
14 Client of Lobbyist named above:
15 You are hereby notified that there is now on file
16 with the Secretary of the Senate, State Capitol, Des
17 Moines, Iowa, a complaint which alleges that you have
18 committed a violation of the Senate's Code of Ethics,
19 chapter 68B, or Joint Rules Governing Lobbyists.
20 A copy of the complaint and the Senate rules for
21 processing the same are attached hereto and made a part
22 of this notice.
23 You are further notified and requested to file your
24 written answer to the complaint within ten days of the
25 date upon which the notice was caused to be delivered
26 to you, (date) _____, _____.
27 Your answer is to be filed with the Secretary of the
28 Senate, State Capitol, Des Moines, Iowa.
29 Dated this _____ day of _____, _____.
30 _____

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1 Chairperson, Senate Ethics
2 Committee,
3 or Secretary of the Senate
4 25. HEARING NOTICE FORM. The following form shall
5 be used for notice of a hearing under these rules:
6 STATE OF IOWA
7 THE SENATE
8 COMMITTEE ON ETHICS)
9 IOWA STATE SENATE)
10)
11 On The Complaint Of) NOTICE OF HEARING
12)
13 _____)
14)
15 And Involving)
16)
17 _____)
18)
19 TO _____,
20 Senator or Candidate for Senate or Lobbyist or
21 Client of Lobbyist named above:
22 You are hereby notified that there is now on file

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23 with the Secretary of the Senate, State Capitol, Des
24 Moines, Iowa, a complaint which alleges that you have
25 committed a violation of the Senate's Code of Ethics,
26 chapter 68B, or Joint Rules Governing Lobbyists.
27 A copy of the complaint and the Senate rules for
28 processing the same are attached hereto and made a part
29 of this notice.
30 You are further notified that, after preliminary

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1 review, the committee has caused a public hearing to be
2 scheduled on (date) _____, _____, at
3 (hour) _____ (a.m.) (p.m.), in Room ___, State
4 Capitol, Des Moines, Iowa.
5 At the hearing, you will have the right to appear
6 in person, be represented by legal counsel at your own
7 expense, present statements and evidence, and examine
8 and cross-examine witnesses. The committee shall
9 not be bound by formal rules of evidence, but shall
10 receive relevant evidence, subject to limitations on
11 repetitiveness. Any evidence taken shall be under
12 oath.
13 The committee may continue the hearing to a future
14 date if necessary for appropriate reasons or purposes.
15 You are further notified that the committee will
16 receive such evidence and take such action as warranted
17 by the evidence.
18 Dated this _____ day of _____, _____.
19 _____
20 Chairperson, Senate Ethics
21 Committee,
22 or Secretary of the Senate

Senate Resolution 103: filed February 24, 2022; adopted by the Senate on March 8, 2022.

SENATE RESOLUTION 103
By Koelker

1 A Resolution designating March 8, annually, as Utility
2 Worker Appreciation Day.
3 WHEREAS, the profession of utility workers is
4 steeped in personal, family, and professional
5 tradition; and
6 WHEREAS, utility workers are often first responders
7 during storms and other catastrophic events, working
8 to make the scene safe for their fellow public safety
9 heroes; and
10 WHEREAS, utility workers work with thousands of
11 volts of electricity high atop power lines 24 hours per

12 day, 365 days a year; and
13 WHEREAS, utility workers keep electricity flowing by
14 working in deep trenches, welding gas lines to seal or
15 make repairs, performing leak detection, and ensuring
16 pipeline integrity to safely deliver natural gas to
17 customers; and
18 WHEREAS, utility workers ensure that our water
19 supply is safe and reliable and that our wastewater is
20 cleaned before re-entering Iowa's waterways; and
21 WHEREAS, utility workers such as wind turbine
22 technicians, power plant operators, line clearance tree
23 trimmers, distributors, and dispatchers work around the
24 clock to keep our generation plants, wind turbines, and
25 solar energy sites operating efficiently and ensuring
26 the flow of energy to businesses, homes, and factories
27 even during the worst disasters; and
28 WHEREAS, utility workers must often work under

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1 dangerous conditions far from their families to
2 construct and maintain the energy infrastructure of the
3 state of Iowa, especially during the Iowa derecho in
4 August 2020 and throughout the COVID-19 pandemic, and
5 utility workers have continued to maintain the state
6 infrastructure despite all the obstacles with which
7 they are confronted; and
8 WHEREAS, utility workers put their lives on the line
9 every day with little recognition from the community
10 regarding the danger of their work; NOW THEREFORE,
11 BE IT RESOLVED BY THE SENATE, That the Senate
12 designates March 8, annually, as Utility Worker
13 Appreciation Day, and calls upon the people of Iowa
14 to be particularly mindful of the dangerous work
15 done under extreme conditions day in and day out by
16 these dedicated public safety workers and show their
17 appreciation at every opportunity.

Senate Resolution 104: filed March 1, 2022; adopted by the Senate on March 10, 2022.

SENATE RESOLUTION 104
By Rozenboom

1 A Resolution honoring the achievements and
2 contributions of Gene Elliott.
3 WHEREAS, Mr. Gene Elliott, a senior amateur golfer,
4 is a resident of West Des Moines, Iowa, and an Iowa
5 native, having been born in Fairfield, Iowa; and
6 WHEREAS, the State of Iowa has an unparalleled
7 interest in the game of golf, as evidenced by having

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8 more golf courses per capita than any other state, and
9 the most nine-hole golf courses in the nation; and

10 WHEREAS, Mr. Elliott has distinguished himself
11 as being the top-ranked senior amateur golfer in
12 the United States and in the world as of January 14,
13 2022; and

14 WHEREAS, Mr. Elliott accomplished a feat only
15 achieved by two other individuals in the history of
16 golf by winning the Canadian Senior Amateur in 2020,
17 the British Senior Amateur Championship in 2021, and
18 the United States Senior Amateur in 2021; and

19 WHEREAS, Mr. Elliott has won dozens of other state
20 and national golf tournaments; and

21 WHEREAS, Mr. Elliott was recently recognized in the
22 national publication "Golfweek" and named the 2021
23 Yancey Ford Award winner for significant contributions
24 to senior amateur golf; and

25 WHEREAS, Mr. Elliott has been a great ambassador
26 for the State of Iowa and the United States, playing
27 nationally and internationally and gaining the respect
28 of golfers throughout the world; and

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1 WHEREAS, Mr. Elliott has had an impact well beyond
2 the Hawkeye State and developed friendships throughout
3 the world of golf; and

4 WHEREAS, Mr. Elliott was inducted into the Iowa Golf
5 Association Hall of Fame in 2012; and

6 WHEREAS, Mr. Elliott has been a role model for
7 thousands of golfers throughout the State of Iowa
8 and the United States by conducting himself in a
9 gentlemanly manner with civility during national and
10 international competitions; and

11 WHEREAS, Mr. Elliott has promoted the game of
12 golf on a state, national, and international level
13 encouraging youth to play by the rules and be civil
14 while in competition; NOW THEREFORE,

15 BE IT RESOLVED BY THE SENATE, That the Senate
16 recognizes and honors Mr. Gene Elliott for his numerous
17 accomplishments while promoting the game of golf, for
18 emphasizing civility and the importance of playing by
19 the rules, and for being an ambassador for the State of
20 Iowa throughout the United States and the world; and

21 BE IT FURTHER RESOLVED, That upon passage of this
22 resolution the Secretary of the Senate shall provide a
23 copy of this resolution to Mr. Elliott.

Senate Resolution 105: filed March 1, 2022; adopted by the Senate on March 16, 2022.

SENATE RESOLUTION 105

By Nunn, Wahls, Bisignano, Bolcom, Boulton, Brown, Carlin, Celsi, Chapman, Costello, Cournoyer, Dawson, Dickey, Dotzler, Driscoll, Edler, Garrett, Giddens, Goodwin, Green, Guth, Hogg, Jochum, Johnson, Kinney, Klimesh, Koelker, Kraayenbrink, Lofgren, Lykam, Mathis, Petersen, Quirmbach, Ragan, Reichman, Rowley, Rozenboom, Schultz, Shipley, Sinclair, J. Smith, R. Smith, Sweeney, T. Taylor, Trone Garriott, Williams, and Zaun

1 A Resolution reaffirming Iowa's commitment to
2 its relationship with the Ukrainian people
3 and supporting Ukraine's efforts to remain an
4 independent and autonomous nation.
5 WHEREAS, the relationship between Ukraine and the
6 United States is marked by strong bilateral trade,
7 educational and cultural exchange, and tourism; and
8 WHEREAS, the State of Iowa's ties with Ukraine are
9 demonstrated by its sister-state relationship with
10 Cherkasy Oblast, and sister-city relationships between
11 Newton and Smila, Oskaloosa and Shpola, and Muscatine
12 and Drohobych; and
13 WHEREAS, Ukraine and the State of Iowa have enjoyed
14 a long and mutually beneficial trade relationship and
15 anticipate continuing trade growth, including exports
16 of tractors, farm implement vehicles, and seeders,
17 planters, and transplanting tools; and
18 WHEREAS, in 2021, the State of Iowa exported
19 \$73,485,215 of commodities to Ukraine and imported
20 \$3,011,563 of commodities from Ukraine; and

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1 WHEREAS, Ukraine shares with the United States
2 and the State of Iowa the common values of freedom,
3 democracy, human rights, and rule of law; and
4 WHEREAS, Ukraine has been an independent and
5 autonomous nation maintaining fair and free elections
6 since 1991; and
7 WHEREAS, Russian military forces have committed
8 an unprovoked and unjustified attack on the people of
9 Ukraine; and
10 WHEREAS, Russian President Vladimir Putin has chosen
11 a premeditated war that will bring a catastrophic loss
12 of life and suffering; and
13 WHEREAS, Russia is solely responsible for the loss
14 of life, destruction, and human suffering that its
15 attack will bring; NOW THEREFORE,
16 BE IT RESOLVED BY THE SENATE, That the Senate
17 affirms that the people of Iowa stand in solidarity

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18 with the people of Ukraine; and
19 BE IT FURTHER RESOLVED, That the Senate stands
20 clearly against Russia's flagrant aggression,
21 authoritarianism, and attack on democracy; and
22 BE IT FURTHER RESOLVED, That the Senate supports
23 the right of all persons to live in a free society,
24 the right to self-determination, and the right to live
25 without fear of attack, foreign or domestic, anywhere
26 in the world.

Senate Resolution 107: filed March 23, 2022; adopted by the Senate on March 23, 2022.

Senate Resolution 107
By Committee on Rules and Administration

1 A Resolution to honor Joshua William Bronsink.
2 WHEREAS, Joshua (Josh) William Bronsink was born in
3 Fort Collins, Colorado, on March 5, 1974, as the oldest
4 of seven children; and
5 WHEREAS, Josh and Kelly Bronsink were united in
6 marriage on September 21, 2002, and shared a family
7 with their two beloved children, Samuel and Audrey
8 Bronsink; and
9 WHEREAS, Josh, a graduate of Perry High School and
10 the University of Northern Iowa, began work in the
11 Senate on September 19, 2001; and
12 WHEREAS, during his career as a legislative analyst
13 with the Senate Republican Caucus Staff, Josh staffed
14 a number of interim and standing committees, including
15 the State Government Committee, and beginning in 2011
16 the Human Resources Committee which was closest to his
17 heart; and
18 WHEREAS, in handling complex and contentious
19 legislative issues, Josh exhibited a presence of calm,
20 deliberation, conviction, and astute judgment; and
21 WHEREAS, to work with Josh, and to know him as a
22 friend, was to appreciate his gentle manner, humor, and
23 commitment to family, hope, and faith; and
24 WHEREAS, Josh passed away on March 11, 2022,
25 leaving us to remember his dedication to the process
26 of advancing policy objectives to improve the lives of
27 others; NOW THEREFORE,
28 BE IT RESOLVED BY THE SENATE, That the Senate

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- 1 recognizes Joshua William Bronsink for his years of
- 2 service and his contributions to the Iowa General
- 3 Assembly and especially to the Senate; and
- 4 BE IT FURTHER RESOLVED, That members and staff of
- 5 the Senate extend their deepest sympathies to Josh's
- 6 family, including Kelly, Samuel, and Audrey Bronsink.

Senate Resolution 108: filed March 23, 2022; adopted by the Senate on March 23, 2022.

SENATE RESOLUTION 108
By Sweeney

- 1 A Resolution recognizing National Agriculture Week.
- 2 WHEREAS, Iowa has 84,900 farms accounting for 30.5
- 3 million acres of land dedicated to farming with more
- 4 than 95 percent of Iowa farms owned by families; and
- 5 WHEREAS, Iowa consistently ranks first nationally
- 6 in the production of corn, hogs, and eggs; first or
- 7 second nationally in the production of soybeans; fourth
- 8 nationally in the number of cattle and calves fed;
- 9 seventh nationally in turkey production; and twelfth
- 10 nationally in milk production; and
- 11 WHEREAS, Iowa consistently ranks first in the
- 12 production of ethanol and biodiesel fuel; and
- 13 WHEREAS, in 2020, Iowa generated \$26.2 billion in
- 14 agricultural cash receipts; and
- 15 WHEREAS, March 21 through March 27 is National
- 16 Agriculture Week, dedicated to increasing the public
- 17 awareness of agriculture's vital role in our society
- 18 and recognizing this nation's unique role in producing
- 19 food, fiber, and fuel for the world; and
- 20 WHEREAS, this year's National Agriculture Week
- 21 includes National Agriculture Day commemorated on March
- 22 22, with the first such occasion celebrated 49 years
- 23 ago, when persons gathered to nationally recognize this
- 24 country's unique mission to provide the world with the
- 25 necessities of life; and
- 26 WHEREAS, this year's National Agriculture Week
- 27 includes a Celebration of Modern Agriculture on the
- 28 National Mall in Washington, D.C., hosting a wide

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- 1 range of events in tribute to American agriculture and
- 2 honoring its farmers and ranchers; and
- 3 WHEREAS, this year's National Agriculture Week is
- 4 an opportunity to encourage persons to understand how
- 5 food, fuel, fiber, and pharmaceuticals are produced,

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6 to appreciate the function of farmers and ranchers in
7 producing abundant and affordable supplies of food,
8 fuel, fiber, and pharmaceuticals, to acknowledge the
9 essential role of agriculture in maintaining a vibrant
10 economy, and to allow the next generation to consider
11 career opportunities in agriculture; NOW THEREFORE,
12 BE IT RESOLVED BY THE SENATE, That the Senate
13 recognizes March 21 through March 27 as National
14 Agriculture Week, and encourages all Iowans as
15 residents of one of the leading agricultural states in
16 the nation to commemorate and celebrate the invaluable
17 contributions made by this nation's farmers and
18 ranchers and especially Iowa farmers; and
19 BE IT FURTHER RESOLVED, That a copy of this
20 resolution be sent to the Agriculture Council of
21 America.

Senate Resolution 110: filed April 5, 2022; adopted by the Senate
on April 5, 2022.

SENATE RESOLUTION 110
By Committee on Rules and Administration

1 A Resolution honoring Senator Joe Bolkcom for his
2 service in the Iowa Senate.
3 WHEREAS, Senator Joseph L. Bolkcom was born in
4 Bloomington, Minnesota, engendering in him a lifelong
5 allegiance to the Minnesota Twins and Vikings, and grew
6 up in Moline, Illinois, part of a large Irish-Catholic
7 family nurtured by his parents, Lloyd and Nancy, who
8 instilled in their nine children a love for reading and
9 learning, the virtues of hard work and perseverance, an
10 appreciation for one's own good fortune and the plight
11 of those less fortunate, the importance of social
12 justice and activism, a passion for politics rooted in
13 compassion, and a love of their Irish heritage; and
14 WHEREAS, Senator Bolkcom received his A.A. degree in
15 political science from Black Hawk College, a B.A. in
16 sociology from St. Ambrose University, and an M.A. in
17 public affairs from the University of Iowa, and helped
18 found and direct two senior advocacy organizations,
19 worked for the Johnson County Health Department, and
20 served on the Johnson County Board of Supervisors; and
21 WHEREAS, Senator Bolkcom was first elected to
22 the Iowa Senate in 1998, and during his six terms
23 has continued the proud tradition of progressive
24 public servants from Johnson County, serving on
25 numerous boards and committees; as a member of the
26 Appropriations, Commerce, Environment and Energy
27 Independence, Human Resources, Judiciary, Labor
28 and Business Relations, Natural Resources, Natural

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1 Resources and Environment, Rules and Administration,
2 State Government, and Ways and Means standing
3 committees and the Health and Human Services
4 Appropriations Subcommittee; as Ranking Member of the
5 Appropriations, Ethics, Local Government, and Ways and
6 Means standing committees and the Health and Human
7 Rights Appropriations Subcommittee; as Vice Chairperson
8 of the Health and Human Services Appropriations
9 Subcommittee; as Chairperson of the Ways and Means
10 standing committee; and as Assistant Majority Leader,
11 Assistant Democratic Leader, and Majority Whip; and
12 WHEREAS, Senator Bolkcom's accomplishments include
13 helping to expand Iowa's earned income tax credit;
14 increase the price of tobacco products and end smoking
15 in public places and workplaces; deter car title loan
16 sharks; extend overdue civil rights protections to
17 LGBTQ Iowans; strengthen voting rights; bring health
18 care and mental health services to Iowa families;
19 address environmental challenges; create solar tax
20 credit incentives; and establish and expand the
21 Iowa medical cannabis program as well as work to
22 decriminalize recreational marijuana; and
23 WHEREAS, Senator Bolkcom has also addressed these
24 fundamental issues as the Outreach and Community
25 Education Director for the University of Iowa Center
26 for Global and Regional Environmental Research and
27 the Iowa Flood Center and through his involvement in
28 organizations such as the Iowa Civil Liberties Union;
29 the Iowa Chapter of the Sierra Club; the American
30 Federation of Teachers, Local 716; the Iowa Bicycle

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1 Coalition; and the Progressive States Network; and
2 WHEREAS, while Senator Bolkcom describes himself as
3 a vegetarian, runner, cyclist, gardener, cook, vintage
4 tie collector, and pro-science and his legislative
5 philosophy as doing extensive research and listening
6 to all sides, the signature debating style of this
7 relentless champion for the environment, human and
8 civil rights, public education, those living in
9 poverty, Iowa's working families, and those who have no
10 voice, may best be described, by those on the receiving
11 end, as resembling a finishing move, a concept familiar
12 to this pro wrestling aficionado from the time he
13 shuttled World Wide Wrestling Federation superstar
14 Andre "The Giant" Roussimoff around in his father's
15 Cadillac; and
16 WHEREAS, while Senator Bolkcom has expressed
17 heartfelt gratitude for the trust, guidance, and strong

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18 support he has received from the people of Iowa City
19 and Johnson County and has called his legislative seat
20 one of the best political jobs in the country, his
21 colleagues, on both sides of the aisle, acknowledge
22 that as he retires from the Senate, Senator Bolkcom
23 leaves big shoes to fill and that his experience, hard
24 work, and commitment to the people of Iowa will be
25 missed beyond measure; NOW THEREFORE,

26 BE IT RESOLVED BY THE SENATE, That the Senate honors
27 Senator Joe Bolkcom for his years of service in the
28 Iowa Senate, and wishes him, his spouse Kris Bell, and
29 their family more quality time on the trails and all
30 the best in the years to come.

Senate Resolution 111: filed April 11, 2022; adopted by the
Senate on April 12, 2022.

SENATE RESOLUTION 111
By Committee on Rules and Administration

1 A Resolution honoring Senator Jim Lykam for his years
2 of service in the Iowa General Assembly.

3 WHEREAS, Senator Jim Lykam was born and raised in
4 Davenport, and graduated from Palmer Junior College
5 with an associate of arts degree in business; and

6 WHEREAS, Senator Lykam has spent his entire life
7 in the city of Davenport and knows the city like the
8 back of his hand, even as the city has changed over the
9 years to adapt to the dynamic Mississippi River; and

10 WHEREAS, Senator Lykam was first elected to the Iowa
11 House of Representatives in 1989, where he represented
12 portions of Davenport and Scott County nonconsecutively
13 for 16 years; and

14 WHEREAS, Senator Lykam was first elected to the Iowa
15 Senate in 2016 to represent District 45, which includes
16 part of the city of Davenport and southern Scott County
17 along the Mississippi River; and

18 WHEREAS, Senator Lykam's civic service includes
19 membership on the Davenport Planning and Zoning
20 Commission and the Park and Recreation Advisory
21 Committee, which included service as the chairperson of
22 the baseball subcommittee; and

23 WHEREAS, Senator Lykam's promotion of youth baseball
24 also included service as the vice president of the
25 Davenport Colt League and the manager of the West Pony
26 League; and

27 WHEREAS, Senator Lykam's tenure in the General
28 Assembly included membership on the Appropriations,

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1 Natural Resources and Environment, State Government,
2 Transportation (Ranking Member), and Commerce (Ranking
3 Member) standing committees; the Administration and
4 Regulation Appropriations and the Transportation,
5 Infrastructure, and Capitals Appropriations (Ranking
6 Member) subcommittees; the Capital Projects Committee,
7 the Statewide Interoperable Communications System
8 Board, and the Care of Animals in Commercial
9 Enterprises Study Committee; and the Legislative
10 Council; and
11 WHEREAS, during the 73rd General Assembly, Senator
12 Lykam served on the House Committee on Natural
13 Resources and Outdoor Recreation, which sponsored
14 legislation that would create the Resources Enhancement
15 and Protection Fund, which has since invested millions
16 of dollars to expand environmental and recreational
17 opportunities in Iowa; and
18 WHEREAS, as a lifelong animal lover who as a kid
19 would bring home dogs and tell his mother that they
20 followed him home, Senator Lykam managed legislation
21 that required commercial establishments selling cats
22 and dogs to ensure that the establishments provided a
23 humane standard of care for such animals, and also led
24 efforts to pass legislation to help law enforcement
25 combat illegal dog fighting; and
26 WHEREAS, Senator Lykam supported legislation
27 to limit the ability of a person to purchase large
28 quantities of pseudoephedrine to prevent its use in
29 producing methamphetamine; and
30 WHEREAS, Senator Lykam's legislative career has

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1 been exemplified by his support for efforts to expand
2 economic opportunities for his district, encourage
3 public health and safety, and promote the well-being
4 of animals; NOW THEREFORE,
5 BE IT RESOLVED BY THE SENATE, That the Senate honors
6 and thanks Senator Jim Lykam for his years of public
7 service in the Iowa General Assembly and wishes him all
8 the best as he spends more time with his wife, Barb,
9 their son, Jeff, and their dog, Sassy.

RESOLUTIONS ADOPTED

Senate Resolution 112: filed April 11, 2022; adopted by the Senate on April 12, 2022.

SENATE RESOLUTION 112
By Committee on Rules and Administration

1 A Resolution honoring Senator Jim Carlin for his
2 service in the Iowa Senate.
3 WHEREAS, Senator Jim Carlin was first elected to the
4 Iowa House of Representatives in 2016 and to the Iowa
5 Senate in 2017 representing District 3, which covers
6 portions of Plymouth and Woodbury counties; and
7 WHEREAS, through his service with the United States
8 Army and over 20 years' work as a trial attorney,
9 Senator Carlin brought an extensive legal background
10 and knowledge of veterans issues to the Senate; and
11 WHEREAS, during his time in the Senate, Senator
12 Carlin has fought for fiscal responsibility, tax
13 reform, and restraints on government, and defended the
14 rights and freedom of Iowans; and
15 WHEREAS, during his Senate tenure, Senator Carlin
16 has served on the Education, Ethics (Vice Chairperson),
17 Human Resources, Labor and Business Relations,
18 Natural Resources and Environment, State Government,
19 Transportation, Veterans Affairs (Chairperson), and
20 Ways and Means standing committees; the Education (Vice
21 Chairperson) and Justice System (Vice Chairperson)
22 appropriations subcommittees; the Administrative Rules
23 Review Committee; the Child Care Advisory Committee,
24 Commercial Air Service Retention and Expansion
25 Committee, Family Development and Self-Sufficiency
26 Council, and Statewide Fire and Police Retirement
27 System Board of Trustees; and
28 WHEREAS, Senator Carlin has further demonstrated

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1 his commitment to civic engagement through his
2 involvement with the Giving Exchange, Siouxland
3 Chamber of Commerce, National Federation of Independent
4 Businesses, National Rifle Association, American
5 Legion, Iowa's Family Leader, Morningside Assembly
6 of God Church, Dismas Charities, Upward Sports, and
7 Morningside College Mustangs; NOW THEREFORE,
8 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
9 honors Senator Jim Carlin for his five years of public
10 service in the Iowa Senate and wishes him all the best
11 in the years to come.

Senate Resolution 113: filed April 11, 2022; adopted by the Senate on April 12, 2022.

SENATE RESOLUTION 113
By Committee on Rules and Administration

1 A Resolution honoring Senator Tim Goodwin for his years
2 of service in the Iowa Senate.
3 WHEREAS, Senator Tim Goodwin was raised in the
4 Danville and Burlington area, graduating from
5 Burlington High School, attending the University
6 of Iowa on a baseball scholarship, and earning a
7 bachelor's degree in physical education and a master's
8 degree in sports management from Western Illinois
9 University; and
10 WHEREAS, Senator Goodwin began his professional
11 career in public relations working for the Boston
12 Celtics and the New York Knicks of the National
13 Basketball Association; and
14 WHEREAS, Senator Goodwin returned to Iowa to pursue
15 a career in education, serving as a teacher and a coach
16 for 5 years and a high school administrator for 10
17 years throughout southeast Iowa; and
18 WHEREAS, Senator Goodwin was first elected to the
19 Iowa Senate in 2020 to represent District 44, which
20 includes all of Des Moines and Louisa counties and
21 portions of Muscatine County; and
22 WHEREAS, during his legislative tenure, Senator
23 Goodwin has served on the Commerce, Education, State
24 Government, and Ways and Means (Vice Chairperson)
25 standing committees; the Administration and Regulation
26 Appropriations Subcommittee; and the Tax Expenditure
27 and Public Retirement Systems committees; and
28 WHEREAS, Senator Goodwin also served on the

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1 Investment Board of the Iowa Public Employees'
2 Retirement System and the Midwestern Higher Education
3 Compact; NOW THEREFORE,
4 BE IT RESOLVED BY THE SENATE, That the Senate honors
5 Senator Tim Goodwin for his years of service in the
6 Iowa Senate and wishes him and his family all the best
7 in the years to come.

RESOLUTIONS ADOPTED

Senate Resolution 114: filed April 11, 2022; adopted by the Senate on April 12, 2022.

SENATE RESOLUTION 114
By Committee on Rules and Administration

1 A Resolution honoring Senator Zach Nunn for his service
2 in the Iowa Senate.
3 WHEREAS, Senator Zach Nunn was first elected to the
4 Iowa House of Representatives in 2014 and to the Iowa
5 Senate in 2018 representing District 15, which covers
6 portions of Polk and Jasper counties; and
7 WHEREAS, through his service as a Lieutenant Colonel
8 in the United States Air Force, Commander in the Iowa
9 Air National Guard, and as Director of Cybersecurity
10 for the National Security Council, and employment as
11 an entrepreneur, Senator Nunn brought an extensive
12 knowledge of military and foreign affairs and business
13 to the Senate; and
14 WHEREAS, during his time in the Senate, Senator
15 Nunn has championed fiscal responsibility, limited
16 government, personal liberty, and cybersecurity; and
17 WHEREAS, during his time in the House of
18 Representatives, then-Representative Nunn served
19 as House Majority Whip and House Assistant Majority
20 Leader, and served on the Administration and Rules,
21 Commerce, Economic Growth (Vice Chairperson), Judiciary
22 (Chairperson), Veterans Affairs, and Ways and Means
23 standing committees; the Education Appropriations
24 Subcommittee (Vice Chairperson); the Administration
25 (Vice Chairperson), International Relations, and Tax
26 Expenditure committees of the Legislative Council; and
27 the Criminal and Juvenile Justice Planning Advisory
28 Council, Economic Development Authority Board,

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1 Interstate Compact for Adult Offender Supervision
2 State Council, Public Safety Advisory Board, and
3 Telecommunications Company Property Tax Review
4 Committee; and
5 WHEREAS, during his Senate tenure, Senator Nunn has
6 served on the Commerce, Judiciary, Labor and Business
7 Relations, and Ways and Means standing committees;
8 the Justice System Appropriations Subcommittee (Vice
9 Chairperson); the International Relations Committee of
10 the Legislative Council (Chairperson); and the Iowa
11 Innovation Council; and
12 WHEREAS, Senator Nunn has further demonstrated his
13 commitment to civic engagement through his involvement
14 with the Saints John and Paul's Knights of Columbus,

15 Altoona Chamber of Commerce, Altoona Veterans of
16 Foreign Wars, Bondurant American Legion, Newton Chamber
17 of Commerce, Drake University's National Alumni Board,
18 and Harkin Institute for Public Policy and Citizen
19 Engagement Board, and as Co-Founder of Task Force
20 Argo's Afghanistan Evacuation Airlift; NOW THEREFORE,
21 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
22 honors Senator Zach Nunn for his four years of public
23 service in the Iowa Senate and wishes him all the best
24 in the years to come.

Senate Resolution 116: filed April 13, 2022; adopted by the Senate on April 13, 2022.

SENATE RESOLUTION 116
By Committee on Rules and Administration

1 A Resolution honoring Senator Craig Johnson for his
2 service in the Iowa Senate.
3 WHEREAS, Senator Craig Johnson was first elected to
4 the Iowa Senate in November 2016; and
5 WHEREAS, Senator Johnson's work in construction,
6 management, and investment took him from Antarctica
7 back to his hometown of Independence, Iowa, where he
8 worked tirelessly through Vision Iowa to help build the
9 Heartland Acres Agribition Center; and
10 WHEREAS, during his legislative tenure, Senator
11 Johnson has served on a variety of legislative
12 committees, including the Appropriations, Commerce,
13 Education, Human Resources, Judiciary, and State
14 Government (Vice Chairperson) standing committees;
15 the Transportation, Infrastructure, and Capital
16 Appropriations Subcommittee (Chair); and the State
17 Government Efficiency Review Committee; and
18 WHEREAS, Senator Johnson has also served on the
19 Capitol Planning Commission; and
20 WHEREAS, Senator Johnson was a founding member of
21 the Independence Area Dollars for Scholars, which he
22 continues to support; and
23 WHEREAS, Senator Johnson was selected as the
24 Iowa Restaurant Association's 2020 Legislator of the
25 Year; NOW THEREFORE,
26 BE IT RESOLVED BY THE SENATE, That the Senate honors
27 Senator Craig Johnson for his years of service in the
28 Iowa Senate, and wishes him all the best in the years

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Senate Resolution 117: filed April 13, 2022; adopted by the Senate on April 13, 2022.

SENATE RESOLUTION 117
By Committee on Rules and Administration

1 A Resolution honoring Senator Robert Hogg for his
2 service in the Iowa Senate.
3 WHEREAS, Senator Robert Hogg was first elected to
4 the Iowa House of Representatives in 2002, and after
5 two terms he was elected to the Iowa Senate in 2006,
6 representing the Cedar Rapids area; and
7 WHEREAS, Senator Hogg, a fourth-generation Iowan,
8 has long resided in Cedar Rapids with his wife,
9 Kathryn, and children, Robert, Dorothy, and Isabel,
10 and has continued a Cedar Rapids tradition of sending
11 capable, dedicated, and experienced representation to
12 the Statehouse; and
13 WHEREAS, through his employment as an attorney,
14 Senator Hogg brought an extensive legal background to
15 the Senate; and
16 WHEREAS, during his time in the Senate, Senator
17 Hogg has championed Cedar Rapids' historic flood
18 recovery, as well as statewide flood recovery and
19 mitigation efforts including the creation of the
20 Iowa Flood Center; solar power and other renewable
21 energy initiatives; protecting Iowa's environment
22 and preserving Iowa's natural resources; Iowa's
23 preschool program, STEM education, and other education
24 initiatives; the Smokefree Air Act, the child safety
25 seat law, expansion of civil rights protections, and
26 other public health, safety, and equity matters; and
27 expanded worker training programs; and has literally
28 written the book on combating climate change; and

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1 WHEREAS, during his Senate tenure, Senator Hogg
2 has served as Minority Leader of the Senate and
3 served on the Appropriations, Education, Environment
4 and Energy Independence (Vice Chairperson), Ethics,
5 Government Oversight (Chairperson), Judiciary
6 (Chairperson), Local Government (Ranking Member),
7 Natural Resources and Environment (Ranking Member),
8 Rebuild Iowa (Chairperson), Rules and Administration
9 (Ranking Member), and Ways and Means standing
10 committees; the Economic Development and Justice
11 System (Vice Chairperson) appropriations subcommittees;
12 the Administrative Rules Review Committee; the
13 State Government Efficiency Review Committee; the
14 Administration, Service, and Studies Committees of the

15 Legislative Council; and the Business Disaster Case
16 Management Task Force, Climate Change Advisory Council,
17 Criminal and Juvenile Justice Planning Advisory
18 Council, Criminal Justice Information System Advisory
19 Committee, Flood Mitigation Board, Governmental Public
20 Health Advisory Council, Midwestern Higher Education
21 Compact, Public Safety Advisory Board, Rebuild Iowa
22 Coordinating Council, Task Force on the Prevention of
23 Sexual Abuse of Children, and Watershed Improvement
24 Review Board; and served on numerous interim study
25 committees; and
26 WHEREAS, Senator Hogg has further demonstrated his
27 commitment to civic engagement through his involvement
28 with Christ Episcopal Church, the Indian Creek Nature
29 Center, and the Linn County Bar Association, and his
30 recent participation in the United Nations Framework

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1 Convention on Climate Change; NOW THEREFORE,
2 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
3 honors Senator Robert Hogg for his 20 years of public
4 service to the people of Iowa and wishes him all the
5 best in the years to come.

Senate Resolution 118: filed April 13, 2022; adopted by the
Senate on April 13, 2022.

SENATE RESOLUTION 118
By Committee on Rules and Administration

1 A Resolution honoring Senator Liz Mathis for her years
2 of service in the Iowa Senate.
3 WHEREAS, Senator Liz Mathis was born and raised in
4 DeWitt, and graduated from the University of Iowa in
5 1980 with a bachelor's degree in communication, theater
6 arts, and journalism; and
7 WHEREAS, Senator Mathis was first elected to the
8 Iowa Senate in 2011 to represent District 18 and was
9 reelected in 2012 to represent District 34, both of
10 which include Marion, Hiawatha, Robins, and portions
11 of rural Linn County; and
12 WHEREAS, Senator Mathis's professional
13 accomplishments include serving in multiple roles with
14 Four Oaks, a child welfare agency, and as a news anchor
15 telling the stories of Iowa residents; and
16 WHEREAS, Senator Mathis is active in the eastern
17 Iowa community, serving as a member of the Wartburg
18 College Board of Regents, the Marion Cares Advisory
19 Board, the Rotary Club of Cedar Rapids, and the
20 University of Iowa President's Club, among other

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21 groups; and
22 WHEREAS, Senator Mathis's tenure in the Iowa Senate
23 included membership on the Agriculture, Appropriations,
24 Commerce, Human Resources (Chairperson), and Veterans
25 Affairs (Vice Chairperson) standing committees; the
26 Agriculture and Natural Resources Appropriations
27 (Ranking Member) and Administration and Regulation
28 Appropriations (Chairperson) subcommittees; the

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1 Health Policy Oversight Committee; and the Career and
2 Technical Education Implementation and Elder Abuse
3 Prevention and Intervention study committees; and
4 WHEREAS, Senator Mathis used her role on the
5 Committee on Agriculture to help Iowa family farmers
6 and farming communities; and
7 WHEREAS, Senator Mathis has worked to support Iowa
8 families while they have struggled with health care,
9 the COVID-19 pandemic, and natural disasters, and the
10 emotional and economic challenges that have come with
11 those obstacles; and
12 WHEREAS, Senator Mathis's legislative career has
13 been exemplified by her support for efforts to promote
14 the health and safety of Iowans, particularly those in
15 vulnerable populations; NOW THEREFORE,
16 BE IT RESOLVED BY THE SENATE, That the Iowa Senate
17 honors and thanks Senator Liz Mathis for her years of
18 public service in the Iowa Senate and wishes her and
19 her family all the best in the years to come.

Senate Resolution 119: filed April 13, 2022; adopted by the Senate on April 13, 2022.

SENATE RESOLUTION 119
By Whitver

1 A Resolution deferring action on the confirmation of
2 certain appointments submitted by the Governor.
3 BE IT RESOLVED BY THE SENATE, That the Senate,
4 under the provisions of section 2.32, subsection 7,
5 defers the consideration of the confirmation of all
6 appointments that have been or are submitted by the
7 Governor during the last thirty days of the second
8 regular session of the eighty-ninth general assembly,
9 and which have not otherwise been acted upon, to the
10 next regular session of the general assembly.

Senate Resolution 120: filed April 13, 2022; adopted by the Senate on April 13, 2022.

SENATE RESOLUTION 120

By Whitver

1 A Resolution deferring action on the confirmation of
2 certain appointments.
3 BE IT RESOLVED BY THE SENATE, That the Senate, under
4 the provisions of section 2.32, subsections 5 and 7,
5 defers the consideration of the confirmation of all
6 appointments that have been or are submitted by the
7 Governor or by an appointing authority other than the
8 Governor by, on, or after April 15, 2022, and that have
9 not yet been confirmed by the Senate by April 15, 2022.

Senate Resolution 121: filed April 18, 2022; adopted by the Senate on April 18, 2022.

SENATE RESOLUTION 121

By Committee on Rules and Administration

1 A Resolution honoring Senator Amanda Ragan for her
2 service in the Iowa Senate.
3 WHEREAS, Senator Amanda Ragan, having been raised in
4 a tight-knit north Iowa community on a cattle farm near
5 Rockwell, and earning her A.A. degree from North Iowa
6 Community College and her B.A. degree, graduating cum
7 laude, from Buena Vista University while balancing work
8 and family commitments, learned the value of hard work
9 and resilience as well as the importance of helping
10 others, especially in times of need; and
11 WHEREAS, guided by these lessons and reflecting
12 Virginia Woolf's maxim that "One cannot think well,
13 love well, sleep well, if one has not dined well",
14 Senator Ragan became the executive director of both
15 Mason City Meals on Wheels and the Community Kitchen
16 of North Iowa, Inc., an independent nonprofit with a
17 mission of working to meet the nutritional, social,
18 emotional, and educational hungers of people in the
19 north Iowa area; and
20 WHEREAS, Senator Ragan, recognizing that these
21 basic hungers are universal and resonate with
22 Iowans across the state, ran for and was elected
23 to the Iowa Senate in a special election in 2002,
24 and during her six terms has served as a member of
25 the Agriculture, Appropriations, Economic Growth,
26 Education, Human Resources, Local Government, Natural
27 Resources, Natural Resources and Environment, Rules and
28 Administration, State Government, and Veterans Affairs

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1 standing committees and the Health and Human Services
2 Appropriations Subcommittee, and has held the positions
3 of Senate Democratic Whip, Assistant Majority Leader,
4 Assistant Minority Leader, Minority Whip, Agriculture
5 Committee Vice Chairperson, and Human Resources
6 Committee and Health and Human Services Appropriations
7 Subcommittee Chairperson, Vice Chairperson, and Ranking
8 Member; and
9 WHEREAS, among other issues, Senator Ragan has
10 focused on expanding affordable health care; protecting
11 the rights of workers and raising the state's minimum
12 wage; improving the lives of seniors, low-income
13 Iowans, and Iowans with disabilities; expanding
14 services and protections for veterans and service
15 members; expanding access to quality and affordable
16 child care, early childhood programs, and higher
17 education and boosting funding to K-12 public schools;
18 increasing voter registration and participation; and
19 expanding civil rights for Iowans; and
20 WHEREAS, Senator Ragan has served on innumerable
21 committees, boards, and commissions and has been
22 recognized by a wide range of entities as, among
23 other accolades, a champion, protector, voice for,
24 and hero of children, the underserved, persons with
25 disabilities, and seniors; a friend of agriculture; a
26 champion of renewable fuels; the Iowa Public Health
27 Official of the Year; and the Herbert Hoover Library
28 Association Uncommon Public Servant of the Year; and
29 WHEREAS, Senator Ragan is known to be one of the
30 first to arrive at and one of the last to leave the

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1 Senate chamber each day, relishing the privilege of
2 serving the constituents she has met at the tens of
3 thousands of doors knocked in her community; and
4 WHEREAS, unlike those River City self-described
5 "Iowa stubborn" who can stand touching noses for a week
6 at a time and never see eye-to-eye, Senator Ragan has
7 always been willing to listen and to reach across the
8 aisle, demonstrating the rare mixture in policymaking
9 of pragmatism and real-world experience with an
10 empathetic voice, all laced with a dry wit; and
11 WHEREAS, as Senator Ragan retires from the Senate,
12 also having recently retired from her dual executive
13 director roles, she will have more time to spend with
14 her husband Jim Ragan, a retired U.S. Air Force Lt.
15 Col., their two children, Edith (Joe) and Charles
16 (Kate), and their four grandchildren, Amanda, William,
17 Isaac, and Ivy, while continuing to advocate for her

18 beloved north Iowa community and make Iowa a better
19 place; NOW THEREFORE,
20 BE IT RESOLVED BY THE SENATE, That the Senate honors
21 Senator Amanda Ragan for her years of service in the
22 Senate, and wishes her and her family all the best in
23 the years to come.

Senate Resolution 122: filed April 18, 2022; adopted by the Senate on April 18, 2022.

SENATE RESOLUTION 122
By Committee on Rules and Administration

1 A Resolution honoring Senator Craig Williams for his
2 service in the Iowa Senate.
3 WHEREAS, Senator Craig Williams was first elected to
4 the Iowa Senate in November 2020 after having lived in
5 Manning, Iowa, since 1991; and
6 WHEREAS, Senator Williams got his start in politics
7 in 1982 by volunteering to work on the reelection
8 campaign for United States House Minority Leader Bob
9 Michel, and has since served as the chairman of the
10 Carroll County Republican Central Committee as well as
11 on the Iowa Republican State Central Committee; and
12 WHEREAS, Senator Williams brought to the Senate
13 extensive experience in agricultural business; and
14 WHEREAS, during his legislative tenure, Senator
15 Williams has served on a variety of legislative
16 committees, including the Appropriations, Commerce,
17 Government Oversight (Vice Chairperson), and Local
18 Government standing committees, and the Agriculture and
19 Natural Resources Appropriations Subcommittee; and
20 WHEREAS, Senator Williams has also served on the
21 Commission on Aging and the Iowa Capital Investment
22 Board; NOW THEREFORE,
23 BE IT RESOLVED BY THE SENATE, that the Senate honors
24 Senator Craig Williams for his years of service in the
25 Iowa Senate, and wishes him all the best in the years
26 to come.

Senate Resolution 123: filed April 19, 2022; adopted by the Senate on April 19, 2022.

SENATE RESOLUTION 123
By Committee on Rules and Administration

1 A Resolution honoring Senator Roby Smith for his
2 service in the Iowa Senate.
3 WHEREAS, Senator Roby Smith was first elected to the
4 Iowa Senate in November 2010 to serve Senate district
5 41 and has proudly served Senate district 47 since

RESOLUTIONS ADOPTED

6 2013; and

7 WHEREAS, Senator Smith earned a bachelor of science
8 degree in business administration with a minor in
9 communications and brought valuable experience in small
10 business ownership to the Senate; and

11 WHEREAS, Senator Smith has served on numerous
12 legislative committees during his time in the Senate,
13 including the Commerce, Rules and Administration, State
14 Government (Chairperson), Ways and Means, and Local
15 Government (Ranking Member) standing committees, the
16 Tax Expenditure Committee of the legislative council,
17 and the State Government Efficiency Review Committee
18 (Co-Chairperson); and

19 WHEREAS, Senator Smith has also served on the
20 Statewide Fire and Police Retirement System Board of
21 Trustees; and

22 WHEREAS, during his tenure in the Senate, Senator
23 Smith has worked tirelessly to reform elections in
24 Iowa, lessen the burdens of professional licensure
25 and regulation on Iowans, and increase the efficiency
26 of the operations of the boards, commissions, and
27 departments of the state; and

28 WHEREAS, despite his numerous legislative

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1 commitments, Senator Smith has remained active in his
2 community, including by serving on the Scott Community
3 College Foundation Board and as an instructor for

4 Junior Achievement of the Heartland; NOW THEREFORE,

5 BE IT RESOLVED BY THE SENATE, That the Senate honors
6 Senator Roby Smith for his years of service in the Iowa
7 Senate, and wishes him all the best in the years to
8 come.

MEMORIALS

IN MEMORIAM

SENATORS

Quentin Anderson	May 7, 1932 – December 27, 2019
Dick Dearden	June 3, 1938 – November 2, 2019
Gene Fraise	May 7, 1932 – November 27, 2020
Charles “Bill” Hutchins	March 29, 1931 – December 8, 2019
Gene V. Kennedy	October 28, 1927 – March 7, 2021
William “Bill” Palmer.	January 13, 1935 – February 22, 2020
Richard Vande Hoef.....	May 15, 1925 – December 20, 2020
Mark Zieman.....	January 17, 1945 – September 8, 2019

QUENTIN ANDERSON

Quentin Anderson was born May 7, 1932 to George and Lena Anderson. Quentin grew up on the family farm east of Ellston.

Working hard and investing in the community was a trait handed down by his father. He worked the farm, running the Anderson Saw Mill and the Ellston Grain Elevator.

Quentin graduated from Ellston Community School and later attended the American Institute of Business. He also served in the United States Army, serving 17 months overseas during the Korean War.

He was united in marriage to Rita Hewlett of Grand River on October 29, 1957. To this union two children were born.

Quentin was first elected to the Iowa House of Representatives in 1963. He served in the House for the 60th and 61st General Assemblies. He then was elected to the Iowa Senate – serving during the 63rd and 64th General Assemblies. Lastly, he returned to the Iowa House serving for the 65th General Assembly.

During his time in the Legislature, he was a strong voice to protect rural areas. His work on legislation to change the inheritance tax, personal property tax and tax on livestock had a major impact across the state. He believed in less government control and more individual opportunity.

Building Sun Valley Lake and the community surrounding it was a vision shared with his father. That completed project has made a tremendous impact on the local and county economy.

Senator Anderson was both a Ringgold County Democrat and Republican.

Senator Quentin Anderson passed away on December 27, 2019 at the age of 87.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Quentin Anderson, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Mark Costello
Tom Shipley
Kevin Kinney
Committee

DICK DEARDEN

Dick Leslie Dearden was born on June 3, 1938 in Des Moines to Helen Mae and Harry Joseph Dearden.

He graduated from East High School and served in the Iowa National Guard from 1956 to 1962. He later worked in manufacturing and the grocery industry.

In 1959 he married the love of his life, Sharon. To this union three children were added.

It was in 1964 that both he and his wife Sharon took an interest in politics and volunteered for the first-time door knocking for President Johnson and Governor Hughes. From then on, he worked in every Presidential and Gubernatorial election. Together they became the Dynamic Duo.

He served as Polk County Democratic Chair from 1979 to 1981 and was a National Delegate for President Clinton in 1996. He was elected to the Iowa Senate in 1994 and served until 2017.

Dick enjoyed time with his family and friends, fishing, hunting and gardening as well. He was a member of AMVETS, Izaak Walton League, Pheasants Forever, Ducks Unlimited and AFSCME retirees to name a few.

He was a great friend to working people, a champion for organized labor and a leader on environmental issues while chairing the Senate Natural Resources Committee. He voted to protect communities by requiring carbon monoxide detectors in certain buildings and he dedicated time to ensuring his constituents had access to affordable health care. One bill that he worked tirelessly on was the “Dove bill”.

He was a humble man who believed what he did was not about him – but for those he served.

Senator Dearden was a Polk County Democrat.

Senator Dick Dearden passed away on November 2, 2019 at the age of 81.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Dick Dearden, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Nate Boulton
Todd Taylor
Brad Zaun
Committee

GENE FRAISE

Eugene Fraise was born on May 7, 1932 in rural West Point, Iowa to Theodore and Viola Fraise.

On December 31, 1949 he married the love of his life, Faye Pumphrey and they enjoyed over 70 years of marriage. To this union 4 children were born.

Gene's life was one of dedication to his family and friends, farming and serving the people of Iowa. He was born and raised in the West Point area where he established his roots raising his family and farming. His passion for serving the community led him to be the Lee County Supervisor for seven years and serving in the Iowa Senate for 27 years! He was proud to be the longest serving Senator in District 42 of Southeast Iowa. He took great pride in serving the people of Iowa.

One of his proudest accomplishments was being instrumental in the building of the 61 Bypass, the Bridgeport Bridge project and serving as the only non-lawyer Judiciary committee head in the history of the State of Iowa. Above all of these worthy accomplishments – he believed his family was his greatest achievement.

While Senator Fraise served on many committees during his time in the Legislature, worth noting is his membership in an “unofficial” legislative group known as the “Knot Hole Gang”. This group consisted of several of his peers and involved fishing trips to Canada, eating their catch for breakfast and sharing endless stories with their friends and family about their outings. It was hard for him to contain his laughter as he told stories of sharing hidden candy bars – and the importance of being on the right boat [with supplies] in the event you got separated from the others. He cherished the life-long friendships made with these colleagues from the Hill and their spouses as a result of the formation of this group. The friendships grew for decades and created wonderful memories for all.

Senator Fraise was a Lee County Democrat.

Senator Eugene “Gene” Fraise passed away on November 27, 2020 at the age of 88.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Eugene Fraise, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Kevin Kinney
Jeff Reichman
Todd Taylor
Committee

CHARLES “BILL” HUTCHINS

Charles “Bill” Hutchins was born March 29, 1931 to Jack and Hazel Hutchins.

Bill attended Audubon Community Schools, graduating in 1948. Shortly after graduation he enlisted in the United States Air Force – serving during the Korean Conflict.

In 1955 Bill married Jo Ann Reser. To this union four daughters were born. They established their home in Guthrie Center and owned and operated a dry-cleaning business for over 35 years.

Bill first ran for the House of Representatives in 1972. He served in the House until 1976. He was then elected to the Iowa Senate in 1977 and served until 1992. During his time in the Senate – he was an assistant leader and eventually served as Senate Majority Leader. Due to his wife’s declining health, he retired during his 5th term in the Senate.

Sen. Hutchins was also a member of the “Knot Hole Gang” and the adventures, trips, stories and friendships formed were so important to him, he continued scheduling meetings well after his years of serving on the Hill. The men would gather (along with their spouses), and share both a meal and stories as they relived wonderful times together.

After his retirement from the Legislature Senator Hutchins joined a consulting and lobbying firm and later purchased that firm and Charles W. Hutchins and Associates, Inc was formed. This firm represented many organizations and clients.

Bill married Marlene Wille in October of 2003 in Phoenix Arizona. During his retirement years, he enjoyed hunting, golfing, fishing and an occasional casino or two.

Senator Hutchins was an Audubon County Democrat.

Senator Bill Hutchins passed away December 8, 2019 at the age of 88.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Charles “Bill” Hutchins, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Eric Giddens
Amanda Ragan
Craig Williams
Committee

GENE V. KENNEDY

Gene V. Kennedy was born October 28, 1927 in Le Mars, Iowa to Eugene and Lillian Kennedy. He later attended Trinity College in Sioux City and received a B. A. from Loras College in Dubuque.

He married, the love of his life, Dorothy Evelyn Sell on May 21, 1952. They shared just short of 70 married years together. To this union, 8 children were born.

Gene served on the Iowa Highway Patrol – out of Red Oak Iowa. They later moved to Dubuque and after owning a business there, he was urged to run for the Iowa Legislature.

Gene served terms in both the Iowa House and the Iowa Senate. During these years, he prioritized issues that involved law enforcement, and private schools – including the Iowa Tuition Grant Bill.

After his terms in the Legislature, he joined the Lobby. It was there that he spent the majority of his years at the Capitol. Gene believed that it was important for legislators to get to know each other and spend time together outside of the Chamber – so the infamous “Tuesday Night Parties” were born. While these nights were filled with wonderful food, cooked by Dorothy, it also allowed legislators to really get to know each other and their families, they were a huge success!

Senator Kennedy was also a member of the unofficial “Knot Hole Gang” and he could share endless stories of how to catch, clean and cook fish. The years spent with his closest legislative friends in this group spanned decades. He was forever grateful for their friendships.

Senator Kennedy was a Dubuque County Democrat

Senator Gene V. Kennedy passed away on March 7, 2021 at the age of 93

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Gene V. Kennedy, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Tony Bisignano
Pam Jochum
Carrie Koelker
Committee

WILLIAM “BILL” PALMER

William D. Palmer was born on January 13, 1935 to George and Florence Palmer.

Bill grew up in Des Moines, Iowa and graduated from East High School. He lived his entire life as a proud east-sider, where he owned Palmer Insurance Agency for 30 years.

Bill married Evelyn Johnson in June of 1953 – to this union 3 children were born. He later married Evadna and they were blessed to share over 29 years together.

His service in the Iowa Legislature included both the House of Representatives, serving from 1965 to 1969 and the Iowa Senate from 1969 to 1999. During this time, he was on the Commerce, Labor and Business Relations, Small Business and Economic Development and Ways and Means Committees.

Yet another “unofficial” club in which he belonged, Senator Palmer was a distinguished member of a bipartisan group of Senators known as Montana Mafia. While the name may sound alarming, it was named after a well-known and frequently visited restaurant known as Montana’s, which was located at the bottom of the hill from the Capitol. Many stories were shared and a lot of food consumed by this group of legislators. He was also the original owner and creator of the Depot Bar at the Iowa State Fair.

Although he believed, at times, his limited education would prevent him from interacting with his Legislative peers – it only took one conversation with him to know that he was well versed on just about any subject. He really enjoyed spending time talking with everyone – and his ability to engage in conversation was truly one of his strongest assets.

Senator Palmer was able to look beyond his own personal choices and look at the bigger picture, recognizing what could potentially help the majority of people. This was evident when he voted with members of his own caucus and the new Republican majority in passing the smoke free legislation.

Senator Palmer was a Polk County Democrat.

Senator Bill Palmer passed away on February 22, 2020 at the age of 85.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable William “Bill” Palmer, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

Tony Bisignano
Janet Petersen
Brad Zaun
Committee

RICHARD VANDE HOEF

Richard Vande Hoef was born on May 15, 1925 to Paul and Maggie Vande Hoef on a farm south of Boyden, Iowa. He grew up on the farm near Boyden, but he felt his help was needed on the farm rather than to continue pursuing an education.

Shortly before his 19th birthday Rich was drafted in the United States Army and served until 1946, during World War II. After returning home he was united in marriage on September 4, 1946 to Harriet Vander Maten at the First Reformed Church in Boyden, Iowa. To this union four children were born.

Rich was elected State Senator in 1980 and served in the Iowa Senate for 12 years. After the 1990 reapportionment, he served six years in the Iowa House of Representatives.

While serving in the Legislature, he was a member of the Human Resources, Transportation and Chair of the Local Government committees.

Upon his retirement from the legislature in 1998, he moved his family to Sibley Iowa. He retained an interest and engagement in civic activities and considered his work on Hawkeye Point, and its development as an attractive asset to the area, as one of his greatest accomplishments.

Rich received many awards such as the Osceola County Farm Bureau Service to Agriculture Award. He was also a member and Elder of Ocheyedan Christian Reformed Church, American Legion, Osceola County Cattleman's Association and Pork Producers.

Senator Vande Hoef was an Osceola County Republican

Senator Richard Vande Hoef passed away on December 20, 2020 at the age of 95.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Richard Vande Hoef, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

David Rowley
Jackie Smith
Jeff Taylor
Committee

MARK ZIEMAN

Mark Zieman was born January 17, 1945 to Lyle and Leah Zieman in Postville Iowa. He graduated from Postville High School in 1963 and then went on to attend Iowa State University.

Mark was united in marriage to Jennifer Overland on August 8, 1964. To this union four children were born. He was a farmer starting in 1965 and also owned Cherry Valley Enterprises and Hi-Way Lanes. Following in his father's footsteps – he served as a State Senator from 2001 to 2008.

While serving in the Legislature, he served on the Agriculture, Appropriations, Economic Growth, Local Government and Transportation committees.

He was always one to give generously of his time, serving in various capacities throughout his life including being a church council member at St. Paul Lutheran Church, past Chairman of the Board of the Iowa Motor Truck Association, past President of Tri City Golf Club and past Chairman of the Allamakee County Republican Central Committee to name a few.

Mark was an avid bowler. He attended the national bowling tournament for 25 consecutive years and he bowled a perfect 300 game at the state bowling tournament in 2005.

He enjoyed RV adventures, fishing trips, golf, playing cards, crop tours and cheering on the Cubs. The thing he loved the most was spending time with his family.

Senator Zieman was an Allamakee County Republican.

Senator Mark Zieman passed away on September 8, 2019 at the age of 74.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Mark Zieman, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

William A. Dotzler, Jr.
Craig Johnson
Mike Klimesh
Committee

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