



iowa legislative news service

VOLUME 59, BULLETIN #24
THURSDAY, FEBRUARY 9, 2023

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AROUND THE CAPITOL

The Senate met in a very short session today, with no floor or committee work, and with only a small number of new bills being introduced. The Senate adjourned until Monday at 1 PM. The full Senate did introduce [SR 2 HONORING JOAN ARNETT](#), which honors Joni Arnett, but did not get a chance to adopt it on the floor. Arnett has been at the Capitol since 1976 and her last day was today.

The House debated eight bills on the floor today, passing six over to the Senate and sending two bills down to the Governor. Most of the bills passed on largely unanimous votes. [HF 175 BLACK BEAR HUNTING](#), which designates the black bear as a fur-bearing animal and authorizes the NRC to allow hunting or trapping, passed on a 90-5 vote, with five Republicans voting against the bill.

The House also passed [HF 159 ASSAULT DEFENSES](#) on a 94-1 vote. The bill bars the “gay panic” defenses of justification or diminished capacity for defendants who commit an assault due to the defendant learning about the sexual orientation or gender identity of the victim. The bill has moved forward in past sessions but has not made it down to the Governor’s office.

The House also approved [HF 177 PUBLIC EXPRESSION PROTECTIONS](#) on a 94-1 vote. Representative Holt, who managed the bill, said that it will protect small-town newspapers from lawsuits that are without merit and intended to intimidate the media.

Governor Reynolds’ education bill was introduced into the Senate today ([SSB 1145](#)). The bill restricts what can be taught in human growth & development (sex ed) courses, restricts teaching about emotional learning and creates a list of books that have been removed from school libraries after being challenged. School districts would need to report to the removed books to the DOE and the DOE would be responsible for maintaining the removal list. Parents in other school districts would need to give written consent before their child could read a book on the removal list.

Representative Konfrst said that the challenges to public schools are part of a national trend by Republicans. She said that Iowa school children need to feel safe and welcome in Iowa schools and that the bills from Republicans put children at risk. Konfrst said schools already have procedures for parents to challenge a school library book and that parents in one school district should not be able to control the books that are available statewide. Senator Wahls said that schools need to protect LGBTQ students and not erase them from schools and history.

TODAY IN THE LEGISLATURE

Bills to the Governor: (2)

Bills to the Senate: (6)

House Files: 16 (HF 244 - HF 259)

House Study Bills: 3 (HSB 153 - HSB 155)

WITHDRAWN: [HF 23](#), [HF 30](#), [HF 89](#), [HF 199](#), [HF 200](#)

Senate Files: 8 (SF 254 - SF 261)

Senate Study Bills: 3 (SSB 1145 - SSB 1147)

Resolutions INTRODUCED in the Senate: (1)

[SR 2](#) HONORING JOAN ARNETT ([Jochum](#), [All R's](#), [All Ds](#))

Honors Joni Arnett, who is retiring after nearly fifty years of service as a tour guide at the Capitol, including 25 years as the tour guide supervisor.

HOUSE FLOOR ACTION

Bills to the Governor: (2)

[SF 153](#) SINGLE TRIP EXEMPTIONS

Allows the DOT or the authority that issues a single-trip permit to include exemptions for per-axle load limits.

The **Senate PASSED** the bill 49-0 (2/1)

The **House PASSED** the bill 95-0; it now GOES to the **Governor**

[SF 154](#) HYDRO EXCAVATION EQUIPMENT

Adds specified hydro-excavation equipment to the list of vehicles exempt from size, weight, load and permit requirements.

The **Senate PASSED** the bill 48-1 (2/1)

The **House PASSED** the bill 95-0; it now GOES to the **Senate**

HOUSE FLOOR ACTION (CONTINUED)

Bills to the Senate: (6)

[HF 159](#) ASSAULT DEFENSES

Bars the defenses of justification or diminished capacity for a defendant who assaults another person after a non-violent sexual advance or an assault due to the defendant learning about the sexual orientation or gender identity of the victim.

The **House PASSED** the bill 94-1; it now GOES to the **Senate**

[HF 175](#) BLACK BEAR HUNTING

Designates the black bear as a fur-bearing animal. Authorizes the NRC to allow hunting or trapping. Establishes penalties.

The **House PASSED** the bill 90-5; it now GOES to the **Senate**

[HF 176](#) CONTINUOUS SEXUAL ABUSE

Defines continuous sexual abuse of a child as being at least three acts of abuse with at least 30 days in-between the first and last act. Requires an offender to serve at least 70% of the sentence before being eligible for parole/work release.

The **House PASSED** the bill 95-0; it now GOES to the **Senate**

[HF 177](#) PUBLIC EXPRESSION PROTECTIONS

Creates the Public Expression Act. Creates a special motion for expedited action in free speech cases, including the rights of free press and the right to association. Excludes causes of action against a governmental employee acting in an official capacity to protect against imminent danger or against business for specified reasons. Makes definitions and sets timelines for expedited actions. Allows for reasonable attorney fees and costs.

The **House PASSED** the bill 94-1; it now GOES to the **Senate**

[HF 183](#) PRESCRIBING PSYCHOLOGISTS

Retains the requirement that a psychologist seeking a conditional prescription certificate complete certain education and clinical experience but strikes the requirement that it be done in the five years immediately prior to application. Requires the prescribing psychologist to maintain a relationship with a patient's primary care doctor. Makes other changes.

The **House PASSED** the bill 95-0; it now GOES to the **Senate**

[HF 185](#) INNOVATIVE BUTCHERY ELIGIBILITY

Increases the number of employees a company can have and still be eligible for Innovative Butcher grants to 75 employees.

The **House PASSED** the bill 95-0; it now GOES to the **Senate**

HOUSE COMMITTEE ACTION

House Agriculture Committee: Voted Out (3)

[HF 69](#) WATER QUALITY PROJECTS

Makes changes to Soil Conservation District laws. Gives districts and local governments the authority for water quality projects and makes conforming changes to financing laws. **AMENDED & PASSED** 20-0;

FM: *Mommsen*

[HF 80](#) STATEWIDE FARMERS MARKETS

Establishes statewide licensing for farmer's markets under the regulation of DIA or under a local government that has assumed the regulatory duties of DIA. Makes the county-wide licenses valid statewide. **AMENDED & PASSED** 20-0; FM: *Ingels*

[HSB 113](#) DALS BILL

Pets: Doubles the exemption (under \$1,000 or 12 animals) for businesses to avoid being considered a pet shop. **Grain:** Changes references to scale weight ticket and Grain Depositors and Sellers Indemnity Fund. Allows the weight of all grains to be adjusted due to moisture content using USDA standards. Requires a storage operator to issue a warehouse for delivered grain in open storage on request. **Pumps:** Deems that the fee for a gasoline pump is for the license and not for the annual inspection and makes inspections biennial. Strikes certain bonding requirements. **Fuel:** Adds requirements for RD-100 fuels. Recognizes the Iowa Central Fuel Testing Lab at ICC as the official fuel testing lab. **AMENDED & PASSED** 16-4; FM: *Hora*

House Health & Human Services Committee: Voted Out (3)

[HF 74](#) HOME & VEHICLE MODIFICATION SERVICES

Requires the HHS to eliminate the lifetime cap on home and vehicle modification services and establish an annual maximum cap waiver for such services under the Medicaid intellectual disability HCBS waiver, comparable to the waiver for brain injuries. Continues other requirements for the program. **PASSED** 19-0;

FM: *Kniff McCulla*

[HSB 57](#) PSYCHIATRIC FELLOWSHIPS

Renames the State Psychiatric residency program as the State Funded Psychiatry Residency and Fellowship program. Requires the UI Hospitals and Clinics to administer the program for nine residents and two fellowships. Continues various aspects of the program and awards \$150,000 for the fellowships. **PASSED** 19-0; FM: *A Meyer*

[HSB 76](#) BRAIN ILLNESS

Includes brain illnesses in the legislative findings related to MI/ID/DD/BI (brain injury) services. Makes brain health and brain illness synonymous with mental health and mental illness. Requires the HHS to recognize the term brain health. **PASSED** 19-0; FM: *Bradley*

House Judiciary Committee: Voted Out (3)

[HF 60](#) BIRTH CERTIFICATE INFORMATION

Allows an adopted person who is 18 and whose original birth certificate has been substituted to request that information on the original parents be added to the new certificate. Includes requirements for amending the certificate. Makes definitions. **PASSED** 21-0; FM: *Lohse*

HOUSE COMMITTEE ACTION (CONTINUED)

House Judiciary Committee: Voted Out (continued)

[HF 114](#) ADOPTIVE PARENTS

Requires employers to treat adoptive parents in the same manner as biological parents for family leave purposes. Makes definitions and exceptions. Establishes penalties. **PASSED** 21-0; *FM: Lohse*

[HJR 2](#) HUNTING & FISHING AMENDMENT

Proposes a constitutional amendment that Iowans have a right to hunt, fish and trap using traditional methods. **PASSED** 13-8; *FM: Collins*

House Local Government Committee: Voted Out (6)

[HF 87](#) LOCAL DISASTER LOANS

Increases the maximum for disaster loans from the state to local governments to \$5 million and allows the Executive Council to forgive up to \$1 million. **PASSED** 16-0; *FM: Nordman*

[HF 115](#) ASSESSOR CONDUCT

Requires an assessor to comply with any policies on employees or expenditures put into place by the city or county. **AMENDED & PASSED** 18-0; *FM: Dunwell*

[HF 116](#) COUNTY SUPERVISOR ELECTIONS

Requires a county with a population of 60,000 in the most recent census to use plan 3 (districts) for electing supervisors. Effective on enactment. **PASSED** 12-6; *FM: Deyoe*

[HSB 94](#) TAX PROTEST DEADLINES

Extends the informal review period for property tax protests to May 25 if the county was declared a disaster area the previous month. Extends filing deadlines and extends the period for a board of review to meet until July 15. **PASSED** 17-0; *FM: Osmundson*

[HSB 95](#) COUNTY DRIVERS LICENSE FEES

Allows a county treasurer to charge a non-resident of the county a \$10 fee for issuing a license except if the non-resident pays property taxes in the county. **PASSED** 16-2; *FM: Bloomingdale*

[HSB 97](#) DELINQUENT TAX SALES

Allows a county treasurer to move a delinquent tax sale to any date prior to the sale of the subsequent year, or to move sales to the subsequent year, under the reasons for good cause to delay the tax sale. **PASSED** 11-7; *FM: Deyoe*

HOUSE SUBCOMMITTEE ASSIGNMENTS

HEALTH & HUMAN SERVICES
[HF 235](#) NURSING HOME SEX OFFENDERS Fry (C), Brown-Powers, A Meyer

SENATE SUBCOMMITTEE ASSIGNMENTS

HEALTH & HUMAN SERVICES
[SF 206](#) MEDICAL ERROR TASKFORCE Edler (C), Donahue, Guth

JUDICIARY
[SF 232](#) HUMAN TRAFFICKING & SOCIAL MEDIA Reichman (C), Petersen, Shipley
[SF 233](#) CRIMINAL MATTERS Dawson (C), De Witt, Weiner

NATURAL RESOURCES & ENVIRONMENT
[HF 35](#) RECREATIONAL LAND & USES Sweeney (C), Evans, Knox

STATE GOVERNMENT
[SSB 1094](#) PUBLIC FUND INVESTMENT Kraayenbrink (C), Boussetot, Jochum (reassigned)

HOUSE FILES (HF 244 – HF 254)

HF 244 MH PRACTITIONER LOAN REPAYMENTS (ED; Successor to [HSB 47](#)) AP **Lohse** (C), **Brown-Powers**, **Fry**

Requires the CSC to make loan repayments for MH practitioners using the MH loan repayment program at the end of each year. Prohibits the CSC from making further payments for a MH practitioner who fails to fulfill service obligations. Establishes provisions for proportional payments for part-time practitioners. Effective for loan repayments on enactment. See [SF 253](#)

HF 245 BOARDS OF REVIEW (**Gustoff**) (Local Government)

Allows a local board of review to appoint a 3-member sub-unit to conduct hearings and to make recommendations on protests. Requires the full board to hear a protest heard by the sub-unit.

HF 246 YOUTH DEER HUNTING (**Gustoff**) (Natural Resources)

Requires the DNR to make youth hunting licenses available for purchase in all deer hunting seasons. See [SF 109](#)

HF 247 ELECTRONIC MESSAGING BY BANKS (**Commerce**; Successor to [HSB 33](#)) FM: *Bloomingtondale*

Allows banks to use electronic messaging along with written communications as a means to contact owners about abandoned property.

HF 248 POWER PLANT EMISSION PLANS (**Commerce**; Successor to [HSB 73](#)) FM: *J Wills*

Allows coal-fired power plants in Iowa to develop a multi-year, reasonably cost-effective plans on managing emissions. Strikes the current requirement for such plans and updates. Allows for the advanced review and approval of pollution and emission projects and requires rate-regulated utilities to seek such review. Effective on enactment.

HF 249 MEDICAL JAIL COSTS (**Public Safety**; Successor to [HF 78](#)) FM: *H Wilz*

Requires courts to approve reimbursement costs for jail and medical services for prisoners regardless of the ability of the person to pay such costs.

HF 250 VIDEO SERVICES (**Commerce**; Successor to [HSB 34](#)) FM: *Lohse*

Excludes video programming from a satellite provider and video offered over the internet from the definition of video service.

HF 251 FARM WORK DRIVING (**Education**; Successor to [HSB 58](#)) FM: *Fry*

Strikes the farm work exception that authorizes minors with a special permit to drive for farm work.

HF 252 COMPREHENSIVE TRANSITION SCHOLARSHIPS (**Education**; Successor to [HF 16](#)) FM: *Ingels*

Requires the CSC to develop a scholarship program for individuals over 18 who have intellectual, development or learning disabilities and who are enrolled in a comprehensive transition program post-secondary program. Requires the CSC to develop criteria for the program and to adopt rules.

HF 253 CHARTER SPORTS (**Education**; Successor to [HF 39](#)) FM: *Bradley*

Allows a student attending a charter school to participate in athletics and extra-curriculars at the student's district of residence if the charter school does not offer the activity. Counts the student in the school enrollment and as 0.1 students for funding. Requires the state BOE to adopt rules.

HF 254 COSMETOLOGY LICENSE (**Education**; Successor to [HSB 90](#)) FM: *Hora*

Reduces the number of hours for cosmetology training to 1,000 hours.

HOUSE FILES (HF 255 – HF 259)

[HF 255](#) **TEACHING LICENSES** (**Education**; Successor to [HF 4](#)) *FM: Stone*

Requires the BEE to issue temporary initial teaching licenses to candidates who complete an alternative certification program. Requires the BEE to issue teacher intern licenses to candidates who complete a qualified college program for teacher interns. Requires the BEE to allow a teacher intern to apply for a teaching license on the recommendation of the employing school and the college program. Strikes requirements for an applicant for a regional license be an Iowa resident if the applicant has an Iowa job offer. Requires the BEE to allow candidate to be issued career and secondary authorizations before receiving a job offer. Requires the BEE to issue temporary initial teaching licenses to candidates with an undergraduate degree who successfully complete an alternative certification program. Requires alternative teaching programs to operate in at least five states and for at least ten years. Requires the BEE to treat candidates who have completed these programs and who receive an initial license in the same manner as those who finish traditional programs. Imposes the same requirements on candidates with a temporary license seeking licensing beyond that as are on candidates with an initial license.

[HF 256](#) **BEE LICENSING AGE** (**Education**; Successor to [HF 100](#)) *FM: T Moore*

Strikes the requirement that an applicant for a BEE license be 21.

[HF 257](#) **CDL THIRD PARTY TESTERS** (**Transportation**; Successor to [HSB 28](#)) *FM: Sorensen*

Strikes the current list of third-party CDL testers and authorizes the DOT to adopt rules restricting the scope of third-party testers. See [SF 152](#)

[HF 258](#) **CDL CLEARINGHOUSE** (**Transportation**; Successor to [HSB 92](#)) *FM: Dunwell*

Aligns state laws on CDLs & the drug and alcohol clearinghouse with federal regulations related to enforcement, checking the clearinghouse and other matters. See [SF 155](#)

[HF 259](#) **VETERAN PROGRAMS** (**Veterans Affairs**; Successor to [HSB 103](#)) *FM: Andrews*

Defines veteran to meet federal definitions. Strikes certain CE requirements for county commissioners. Allows the DVA to receive donations and gifts to be used for training county commissioners and others. Strikes certain duties to train/certify and requires the DVA to verify that various officers are qualified. Includes other certification/CE requirements. Prohibits using money from the Veterans Trust for cemetery development grants. Requires the county where a veteran lived to pay for the funeral expenses of a veteran, spouse or child, if the veteran died without means to pay such expenses. See [SF 236](#)

HOUSE STUDY BILLS (HSB 153 – HSB 155)

[HSB 153](#) RANSOMWARE ATTACKS (Economic Growth & Technology) **Wood** (C), **Meggars**, **Wilson**

Prohibits the state and local governments from making ransomware payments. Requires ransomware attacks be reported to the Chief Information Officer. Allows the CIO to adopt rules and to take action in emergency situations. Allows the purchase of ransomware insurance. Makes definitions. Includes legislative intent. Various effective dates.

[HSB 154](#) SMART CONTRACTS/CYBERSECURITY (EG & Technology) **Kniff McCulla** (C), **T Moore**, **Turek**

States that records, signatures or contracts will not be invalid due to the use of distributed ledger technology or smart contracts. Establishes affirmative defenses for entities which use cybersecurity programs. Contains related provisions.

[HSB 155](#) DAIRY INNOVATION FUND (Agriculture) **Mommsen** (C), **Carlson**, **Kurth**

Creates a dairy innovation fund in the EDA for grants to dairy projects and specifies kinds of projects that are eligible. Allows the EDA to establish eligibility by rule. Does not allow a grant for more than the project cost. Allows businesses to seek other assistance besides the dairy grants.

SENATE FILES (SF 254 – SF 261)

[SF 254](#) RIGHT OF WAY INSTALLATIONS (**Evans**) (Commerce)

Requires rural electric coops to give written notice to a landowner at least 30 days prior to an installation on a right-of-way. Deems rural electric coops to be subject to IUB regulation in regard to right-of-way installations. Makes definitions.

[SF 255](#) OUTFITTER LICENSES (**Green**) (Natural Resources)

Requires the NRC to reserve 500 licenses for non-resident deer hunters who have a reservation with an outfitter. Requires the outfitter to be registered. Limits the number of bow licenses in the reservation to 35% and disposes of unsold reserved licenses like other excess licenses.

[SF 256](#) REASONABLE FORCE PROSECUTIONS (**Dawson**) (Judiciary)

Prohibits another prosecutor from bringing a case against a police officer if the AG has determined that a death caused by the officer had legal justification to use deadly force.

[SF 257](#) WALLACE BUILDING NAME (**Dawson**) (State Government)

Requires the Capitol Planning Commission to recommend alternative names for the Henry Wallace Office Building.

[SF 258](#) STUDENT SCHOOL BOARD MEMBERS (**Donahue, 12 D's**) (Education)

Requires school boards to appoint a least one non-voting student member. Requires the student be at least grade 11. Lets the student sit in on meetings and review non-confidential information.

[SF 259](#) SEX ABUSE CIVIL SOL (**Petersen**) (Judiciary)

Allows a student to bring an action for exploitation by a school employee, counselor or therapist at any time. Extends the SOL for civil actions against certain sex abuse crimes against minors or persons with MI. Allows previously barred actions to be revived and allows the court to give preference to some of the revived actions.

[SF 260](#) LAW ENFORCEMENT CHECKS (**Petersen**) (Judiciary)

Requires that a law enforcement officer seeking certification or recertification be subject to a background check to ensure that the officer has not been convicted of a felony or a crime of moral turpitude. Defines such crimes.

[SF 261](#) SEX ABUSE SOL (**Petersen**) (Judiciary)

Strikes any time limits on when a victim of sexual abuse can bring an action.

SENATE STUDY BILLS (SSB 1145 – SSB 1147)

SSB 1145 GOVERNORS EDUCATION BILL (Education) **Rozenboom** (C), **Quirnbach**, **Sinclair**

Sex Ed: Prohibits instruction on gender identify or sexual activity in grades K-3. Strikes required instruction on AIDS in Human Growth & Development (Sex Ed) courses and on HPV for grades 7-12. Requires sex ed to be age-appropriate and evidence-based in the kindergarten project. **Civics:** Requires the use of the US citizenship test in HS civics courses and that results be submitted to the DOE. Requires students to score 70% or to retake the test. **Emotional Learning:** Prohibits surveys on emotional learning or on physical health that are not required under law, unless the parent or guardian agree. Requires written notice of such surveys. **Books:** Requires schools to publish a list of the material used in class, lists of persons with student contact, books available in the library and procedures to request removal of materials. Requires the school to notify the DOE of the removal of a book and for the DOE to maintain a removal list. Requires the parents of a minor child in other districts give written consent before a child can check out a school book on the removal list. **Gender ID:** Requires schools to report to parents if a child expresses a different gender identity, unless the school believes the report will lead to child abuse. Requires the school to then report to HHS instead for potential action as a ChINA case. **Other:** Allows parents to review all school records on a child. Prohibits school districts from any activity involving obscene material or sexually explicit material. Includes civil penalties for schools. Deems the parent as ultimately responsible for decisions affecting medical care, moral upbringing, religion, residence, education and extracurriculars.

SSB 1146 GUARDIANSHIPS & CONSERVATORSHIPS II (Judiciary) **Dawson** (C), **Bisignano**, **Shipley**

Deems that the juvenile courts have exclusive jurisdiction over the guardianship of minors. **Court Visitors:** Includes requirements for court visitors, including the discharge of a court visitor. **Hearings:** Allows a petition for a guardianship to be recorded if a court reporter is not used. **Temporary Guardianships:** Allows extensions for good cause and includes reporting requirements. **Checks:** Allows background checks of proposed guardians. **Conservators:** Requires petitions to include the basis for the conservatorship. Specifies the fiduciary powers of a conservator and when financial powers can be executed without court order. Makes changes to reporting requirements for conservators and guardians.

SSB 1147 GUARDIANSHIPS & CONSERVATORSHIPS (Judiciary) **Dawson** (C), **Bisignano**, **Shipley**

Deems that the juvenile courts have exclusive jurisdiction over the guardianship of minors. Makes official juvenile court records in guardianships confidential and allows release to specific persons without a court order (judges and staff, to various legal counsel, parents, guardians, custodians and court visitors). Requires petitions to include the address of persons the minor has lived with in the six months prior to the petition. Requires petitions to state if a conservatorship is in place. Includes notice requirements and requirements for court visitors, including that the court visitor be discharged when a guardian/conservator is appointed except by court order to continue. Makes changes to background checks. Makes changes to the duties of conservators. Makes changes to reporting requirements for conservators and guardians. See [HSB 109](#)