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AROUND THE CAPITOL

The House debated a short calendar in the morning before adjourning until Monday afternoon. The Senate took up one bill today and then adjourned until Monday.

The Senate approved [SF 192 3% SSA/CATEGORICAL RATE](#) on a 34-15 vote, with Senator Bisignano voting with the Republicans in support of the bill. Senator Westrich was absent. Senator Rozenboom, who managed the bill, said that the funding level in the bill is sustainable and reflected the conservative budgeting practices of Republicans. The House has already approved [HF 171 3% SSA/CATEGORICAL RATE](#) in committee and is expected to pass the bill next week and send it down to Governor Reynolds.

Democrats offered four amendments to the bill: to raise pre-school funding, to raise the overall funding to 5.9%, to raise funding for special education to 5.9% and to add a supplemental weighting to increase funding for at risk programs. Senator McClintock voted with the Democrats for the 5.9% overall rate, but the amendments drew no other Republican support.

Senator Quirmbach released a statement in support of his amendment to increase the SSA rate:

Statehouse Republicans' low-ball offer on school funding insults parents and teachers and shortchanges our kids. Democrats have a better plan. We're calling on the state to invest \$267 million in our kids' education today and Iowa's future tomorrow. Republicans are spending \$267 million on corporate tax giveaways and private schools subsidies this year alone, while refusing to support public education at a time of rising costs and increasing needs. That's not fair to our kids. Our priority should be stopping school closures, ending the teacher shortage, and adequately funding our public schools.

Quirmbach said that 5.9% rate would roughly double the expected \$220 per-pupil funding increase expected with a 3% rate. Senator Jochum said that the special education students are often turned away at private schools and that special education is underfunded in public schools by about \$140 million. She said that the amendment would not fully fund special education but it would bring relief for property tax payers.

The House approved six bills today, largely on unanimous votes. Twenty-one Democrats voted against [HF 112 DOMESTIC ABUSE LOOKBACK](#) which strikes the 12-year look back used to determine if a domestic abuse offense is a second offense. Representative Wessel-Kroeschell, who voted against the bill, said that the disparate minority impact of the bill should be addressed before it moves forward.

TODAY IN THE LEGISLATURE

Bills to the Senate: (6)

Bills to the House: (1)

House Files: 8 (HF 184- HF 191)

House Study Bills: 5 (HSB 129 - HSB 133)

Resolutions INTRODUCED in the House: (2)

[HR 5](#) CONSTITUTION & DECLARATION (Sherman, 19 R's) (State Government)

Acknowledges the US Constitution as the supreme law of the land and the Declaration of Independence for acknowledging the unalienable rights of people.

[HR 6](#) JEWISH HERITAGE MONTH (Wills, 19 R's) (State Government)

Designates May 2023 as Jewish American Heritage month.

WITHDRAWN: [HF 25](#)

Senate Files: 14 (SF 194 - SF 206)

Senate Study Bills: 10 (SSB 1123 - SSB 1132)

HOUSE FLOOR ACTION

Bills to the Senate: (6)

[HF 111](#) TRANSFER TAX EXEMPTION

Creates an exception to the real estate transfer tax for deeds that transfer the distribution of assets to beneficiaries of a trust.

The **House PASSED** the bill 98-0; it now GOES to the **Senate**

[HF 112](#) DOMESTIC ABUSE LOOKBACK

Strikes the 12-year lookback used to determine if a domestic abuse offense is a second offense.

The **House PASSED** the bill 77-21; it now GOES to the **Senate**

[HF 113](#) CHILD WELFARE REPRESENTATION

Extends the State Public Defender pilot project for child welfare representation to June 2025 and to 16 counties.

The **House PASSED** the bill 98-0; it now GOES to the **Senate**

[HF 143](#) RANSOMWARE ATTACKS

Establishes penalties for ransomware attacks: Aggravated Misdemeanor (under \$10,000 in damages); Class D Felony (\$10,000 to \$50,000); Class C (over \$50,000). Defines ransomware and what constitutes such attacks and makes exceptions.

[H 1005](#) by Wood - Rewrites the section on exceptions and makes corrections. **ADOPTED**

The **House PASSED** the bill as amended 97-1; it now GOES to the **Senate**

HOUSE FLOOR ACTION (CONTINUED)

Bills to the **Senate**: (continued)

HF 150 CONDEMNATION AWARD REDUCTION

Reduces a condemnation award if the owner of the property fails to respond in a timely manner after all the notices. Requires that at least two notices have been sent and that the notices include the consequences for a failure to respond in a timely manner. Reduces the award by the additional costs incurred, including attorney fees. Applies to condemnation proceedings started after July 2023.

The **House PASSED** the bill 98-0; it now GOES to the **Senate**

HF 158 ALCOHOL PLACEMENTS & INCENTIVES

Requires the ABD to adopt federal rules on the placement of alcoholic drinks and on inducements offered by brewers, distillers and wholesalers.

The **House PASSED** the bill 98-0; it now GOES to the **Senate**

SENATE FLOOR ACTION

Bills to the **House**: (1)

SF 192 3% SSA/CATEGORICAL RATE

Establishes an SSA and a Categorical Growth rate of 3% for the 2023-24 school year.

Amendments to [SF 192](#)

[S 3009](#) by [Weiner](#), 10 D's - Makes the pre-school budget enrollment 100% of the actual enrollment.

FAILED 33-16

[S 3010](#) by [Quirnbach](#), All D's - Raises the rate to 5.9%. **FAILED** 32-17

[S 3011](#) by [Donahue](#), 13 D's - Raises the rate for special education to 5.9%. **FAILED** 33-16

[S 3012](#) by [Celsi](#), 13 D's - Increases assistance for at-risk programs. **FAILED** 34-15

The **Senate PASSED** the bill 34-15; it now GOES to the **House**

HOUSE COMMITTEE ACTION

House Judiciary Committee: Voted Out (2)

HSB 5 ESTABLISHING PATERNITY

Allows a juvenile court to require DNA/blood testing of a child and established father on its motion in CHINA/parental rights proceedings. Allows the juvenile court to issue an order overcoming paternity based on the results and if the established father does not object to the determination or if the juvenile court finds it in the best interest of the child despite the objection of the established father. Requires the juvenile court to send notice to the clerk of courts and for a district court to take judicial notice of the ruling. Makes various conforming changes, including that under juvenile justice provisions, paternity does not include a father whose paternity has been overcome. **PASSED** 21-0; *FM: Wheeler*

HSB 114 TRUCK ACCIDENT LIABILITY

Makes an employer liable for the negligence of a driver of a company vehicle under the doctrine of *respondeat superior* and dismisses other negligence liability theories if the employer makes certain stipulations. Limits non-economic damages to \$1 million. Does not allow the initial filing in these cases to include punitive damages but allows for a filing to be amended if after discovery, a *prima facie* case for punitive damages can be made. **PASSED** 11-10; *FM: Gustoff*

SENATE COMMITTEE ACTION

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

SF 75 RURAL EMERGENCY HOSPITALS

Authorizes the state licensing of rural emergency hospitals that meet federal guidelines for enhanced Medicare payments. Authorizes emergency rulemaking. Specifies that the provisions apply to a hospital operating by December 2020 in a county with a population between 30,000 - 35,000 and that the hospital will not be subject to requirements to convert its certificate of need. **AMENDED & PASSED 13-0;**

FM: Costello

SSB 1046 DIAGNOSTIC IMAGING

Allows a Physical Therapist to refer a patient for diagnostic imaging (x-rays and MRIs). Requires the imaging to be evaluated by a qualified health care provider. **AMENDED & PASSED 13-0; FM: Edler**

SSB 1078 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 13-0; FM: Edler**

Senate Natural Resources & Environment Committee: Voted Out (2)

SF 109 YOUTH DEER HUNTING

Requires the DNR to make youth hunting licenses available for purchase in all deer hunting seasons. **PASSED 13-0; FM: De Witt**

SF 175 BOW HUNTING

Allows a bow hunter who was unsuccessful to use the license in the January antlerless deer season or the late muzzleloader season. Allows the use of a crossbow. **PASSED 8-5; FM: Green**

Senate Transportation Committee: Voted Out (2)

SF 16 CRIMES AGAINST BICYCLISTS

Adds certain traffic offenses by drivers against bicyclists to the offenses with enhanced penalties for causing death or serious injury. **PASSED 17-0; FM: Lofgren**

SF 60 NO ELECTRONICS WHILE DRIVING

Prohibitions: Prohibits the use of any electronic devices while driving. Establishes exemptions in some situations for hands-free devices, for law enforcement, health care workers, transit workers, utility maintenance workers, in emergency situations, agricultural uses and for other reasons. **Other:** Makes citations a moving violation. **PASSED 18-0; FM: Lofgren**

HOUSE SUBCOMMITTEE ASSIGNMENTS

	<u>HEALTH & HUMAN SERVICES</u>	
HF 172	BABY FORMULA FOR WIC	Kniff McCulla (C), T Moore , Wessel-Kroeschell
	<u>WAYS & MEANS</u>	
SF 181	RESIDENTIAL VALUATIONS/TAX MATTERS	Kaufmann (C), Bloomingtondale , Forbes, Harris , Jacoby

SENATE SUBCOMMITTEE ASSIGNMENTS

	<u>EDUCATION</u>	
SF 161	ALTERNATIVES TO PE	Sinclair (C), Kraayenbrink , Trone Garriott
SF 177	SEIZURE ACTION PLANS	Cournoyer (C), Garrett , Trone Garriott
SF 179	FFA & 4-H ABSENCES	Rozenboom (C), Giddens, Gruenhagen
	<u>HEALTH & HUMAN SERVICES</u>	
SF 160	PRESCRIPTION RESTRICTIONS	Salmon (C), Donahue, Edler
SF 165	PROMOTING DEVICES/DRUGS	Garrett (C), Evans , Trone Garriott
SF 168	ADVERTISING PRESCRIPTION DRUGS	Edler (C), Costello , Jochum
SF 172	DIRECT HEALTH CARE SERVICES	Garrett (C), Costello , Trone Garriott
	<u>JUDICIARY</u>	
HF 94	MOVIE PROP MONEY FRAUD	Rowley (C), De Witt , Weiner
	<u>LOCAL GOVERNMENT</u>	
SF 137	LOCAL DISASTER LOANS II	Westrich (C), Lofgren , Weiner
SF 169	BOARD OF REVIEW MEETING	Westrich (C), Knox , Webster
SF 170	COUNTY COMPENSATION BOARDS III	Klimesh (C), Guth , Winckler
	<u>STATE GOVERNMENT</u>	
SF 176	WINE RETAIL LICENSES	Cournoyer (C), Jochum, Koelker

HOUSE FILES (HF 184 – HF 191)

[HF 184](#) UNLAWFUL SUBSTANCE REPORTING (**Public Safety**; Successor to [HF 76](#)) FM: **Fisher**

Strikes certain reporting requirements for law enforcement officers to the DPH (now HHS) related to arrests for substance abuse.

[HF 185](#) INNOVATIVE BUTCHERY ELIGIBILITY (**Economic Growth & Technology**; Successor to [HF 30](#)) FM: **Ingels**

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

[HF 186](#) IOWA TUITION GRANT ELIGIBILITY (**Stone**) (Education)

Makes an accredited private university (Waldorf University) that was purchased in 2010 by a for-profit school and then sold to an Iowa non-profit in December 2022 eligible for Iowa tuition grants from December 2022 to June 2023. Retroactive.

[HF 187](#) HPV VACCINATION INFORMATION (**Shipley**) (Education)

Strikes the ability of a minor to consent to vaccinations. Strikes the requirement that Human Growth & Development (sex ed) courses include information on HPV vaccinations. Similar to [HF 166](#).

[HF 188](#) MEDICAID LONG TERM SUPPORTS (**Brown-Powers, 12 D's**) (Health & Human Services)

Requires HHS to require Medicaid MCOs to report information on Long-Term Services & Supports, including spending by setting and population, increases or decreases in spending and other matters. Requires the HHS to convene stakeholders to determine if the current metrics work, to review national standards on metrics, to review whether the system has incentives to underserve members or deny claims, and to make recommendations by October 2023.

[HF 189](#) DENTAL PLAN REIMBURSEMENTS (**Brown-Powers**) (Health & Human Services)

Appropriates \$31.5 million to HHS for reimbursements under the dental wellness plans.

[HF 190](#) STRIKING GENDER PROTECTIONS (**Fisher, 11 R's**) (Judiciary)

Strikes gender protections from the Iowa Civil Rights Act and defines sex as either male or female.

[HF 191](#) DOG BREED PROTECTIONS (**Ehlert, 3 D's**) (State Government)

Prohibits counties and cities from adopting ordinances on a specific dog breed or the physical characteristics of a dog. Similar subject as [HSB 99](#).

HOUSE STUDY BILLS (HSB 129 – HSB 133)

[HSB 129](#) CHILDCARE PHYSICALS II (Health & Human Services) **Fry** (C), **Baeth**, **Boden**

Strikes the requirement that employees of childcare facilities must have a pre-employment physical exam. Same subject as [SF 126](#).

[HSB 130](#) PRIOR AUTHORIZATION (Health & Human Services) **Lundgren** (C), **Brown-Powers**, **A Meyer**

Requires an insurer which requires prior authorization to exempt a provider from making requests if in the last evaluation period, the insurer has approved 80% of such requests from the provider. Requires the insurer to evaluate the provider every six months to determine if the exemption should continue but allows the insurer to continue it without an evaluation. See [SSB 1100](#)

[HSB 131](#) REAL ESTATE LICENSE REVOCATIONS (Judiciary) **Lohse** (C), **Scheetz**, **C Thomson**

Deems that only the dates when violations by a real estate broker occurred shall be considered when determining if the broker has committed the three violations in a three-year period needed to trigger an automatic license revocation.

[HSB 132](#) MIDWEST RAIL COMPACT (Transportation) **Sorenson** (C), **Meggars**, **Zabner**

Enacts the Midwest Interstate Passenger Rail Compact to develop intercity passenger and high speed rail traffic and allows the state to join the existing compact. Includes implanting provisions.

[HSB 133](#) TELEVISED COMMITMENT TESTIMONY (Health & Human Services) **Lohse** (C), **Baeth**, **Kniff McCulla**

Allows a court to hear testimony from a doctor during an involuntary commitment proceeding by telephone or televised means. Allows for the respondent or attorney, or the applicant, to waive the televised/telephoned appearance.

SENATE FILES (SF 194 – SF 203)

SF 194 OPTOMETRIST SHOTS (State Government; Successor to [SF 26](#)) FM: *Cournoyer*

Allows an optometrist to give local anesthetic shots prior to minor surgical procedures, as authorized by law. See [HF 179](#)

SF 195 CYBER SECURITY (Technology; Successor to [SF 46](#)) FM: *Webster*

Includes cyber security protections as an essential corporate/county purpose. Defines cyber security events.

SF 196 BANKING POWERS (Commerce; Successor to [SSB 1021](#)) FM: *Rowley*

Makes changes related to banking, including allowing various notices to be delivered by any allowed means, that a person gaining control of a state bank shall not jeopardize the interests of the bank, and allowing investments in tax equity financing to equal 20% of the aggregate capital. See [HF 136](#)

SF 197 LAND SURVEYOR LICENSING (State Government; Successor to [SSB 1079](#)) FM: *Brown*

Retains requirements for land surveyors to have practical experience for licensing but strikes the 6-year requirement. Strikes outdated licensing provisions and updates references. Strikes the requirements for a candidate to demonstrate necessary practical experience before a licensing exam.

SF 198 POWER PLANT EMISSION PLANS (Commerce; Successor to [SSB 1043](#)) FM: *Bousselot*

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.

SF 199 ROBOTICS (Jochum) (Technology)

Requires the DOE to include information on robotics in its technical education assistance to schools and for robotics to be taught in schools. Allows a HS athletic organization to sponsor robotics competitions.

SF 200 SEX ABUSE SOL (Sweeney) (Judiciary)

Strikes the SOL for 4th degree sex abuse and allows actions to be brought any time after the offense.

SF 201 TECHNOLOGICAL STALKING (Technology; Successor to [SSB 1070](#)) FM: *Cournoyer*

Makes all stalking offenses using technological devices a Class C felony. Makes definitions. Establishes a rebuttable presumption that a person convicted on stalking with a technological device should not be released on bail while awaiting judgement.

SF 202 PUBLIC RECORD REQUESTS (State Government; Successor to [SSB 1036](#)) FM: *Koelker*

Requires the custodian of a public record, in response to a request, to promptly give contact information, a date for the record release and an estimate of reasonable costs. Requires that the custodian inform the requestor of any delays or if the record is non-existent or confidential.

SF 203 RANSOMWARE ATTACKS (Technology; Successor to [SSB 1072](#)) FM: *Cournoyer*

Establishes penalties for ransomware attacks: Aggravated Misdemeanor (under \$10,000 in damages); Class D Felony (\$10,000 to \$50,000); Class C (over \$50,000). Defines ransomware and what constitutes such attacks. Attached to [HF 143](#).

SENATE FILES (SF 204 – SF 206)

[SF 204 SUPREME COURT RULES](#) (**Dawson**) (Judiciary)

Subpoena: Requires a criminal defendant to apply to the court in order to use a subpoena. Requires a defendant to show a compelling need by clear and convincing evidence. Makes any evidence received due a subpoena not in compliance with these provisions inadmissible in court. **Deposition:** Prohibits a person in a criminal matter from using depositions until the person is indicted. Requires the Supreme Court to adopt rules that prohibit a defendant from being physically present when a minor is being deposed. **Other:** Limits the use of conditional guilty pleas. Disqualifies persons who have been convicted of sex offenses or who are on parole/probation due to a felony conviction from jury duty. **SC:** Requires the Supreme Court to revise proposed rules of October 2022 to comply with these provisions.

[SF 205 STUDENT VOTER REGISTRATION](#) (**Knox, All D's**) (Education)

Requires school boards to allow 17-year-olds to register to vote on the fourth Tuesday in September and on one other day. Requires the county auditor (commissioner) or a designee to conduct the registration. Requires schools to report on voter registration activities with the DOE. See [HF 165](#)

[SF 206 MEDICAL ERROR TASKFORCE](#) (**Lofgren**) (Health & Human Services)

Directs the HSS to convene a task force to look at medical errors by doctors and to make recommendations on how to reduce errors and whether current penalties are sufficient. Requires the report by January 2024. Specifies the membership of the task force.

SENATE STUDY BILLS (SSB 1123 – SSB 1127)

SSB 1123 STATE GOVERNMENT REORGANIZATION (SG) **Schultz** (C), **Bisignano**, **Boulton**, **Bousselot**, **Webster**
Enacts provisions to reorganize all of state government. See [HSB 126](#)

SSB 1124 PROPERTY TAXES (Ways & Mean) **Dawson** (C), **Jochum**, **Koelker**, **Klimesh**, **Petersen**

Lease: Lowers the threshold to trigger voter approval requirements for lease-purchases to a level comparable to essential county purpose bonds. **Reporting:** Requires that annual county financial reports include reports on bonds and other obligations. **County levy limitations:** Modifies the county levy rate, based in part whether the assessed value in the county exceeds the assessed value used for the previous year and exceeds certain amounts. Strikes supplemental levies for the maintenance of the court but rolls such existing levies in the general services levy. Strikes emergency reasons for levying additional property taxes, except for natural disasters. **Essential Purposes:** Reduces the threshold for essential county purpose bonds and limits the essential purposes. **Cities:** Modifies the city levy rate based on the growth of assessed value compared to previous years. Limits the use of emergency levies to natural disasters. Reduces thresholds for general corporate bonds and limits the definition of such purposes. **Public Recreation:** Strikes the public recreation property tax levy as of 2026. **Brucellosis:** Strikes the brucellosis and tuberculosis levies.

SSB 1125 SALES TAXES (Ways & Mean) **Dawson** (C), **Driscoll**, **Jochum**, **Koelker**, **Winkler**

Sales tax: Increases the sales tax to 7% as of 2025 and strikes local option sales taxes (LOST). Transfers part of the sales tax increase to local governments and requires the money to be spent according to the jurisdiction's revenue purpose statement. Requires Polk County to use a revenue purpose statement that specifies for unincorporated areas, 75% of revenues will be used for property tax relief and limits spending on the regional transit district. **Water:** Makes the water excise tax a sales tax. Increases it to the rate of the state sales tax and deposits all the funds in the GF. **TIF:** Authorizes the use of state sales tax in lieu of local sales taxes. Allows city ordinances using LOST revenue for urban renewal to remain in effect until repealed or expired. Includes provisions on tax distributions in areas with wind facilities. Limits the use of certain exemptions. **QC:** Strikes the authority of the Quad Cities to impose a LOST under its interstate metropolitan authority. **PT Credits:** Phases in a homestead property tax exemption in place of the homestead credit. Increases the income eligibility for the Elderly/Disabled credit to 330% of the FPL. Increases the military property exemption to \$4,000 by 2025. Phases on funding for the military credit. **Property Assessments:** Reduces the assessment on pipelines to 90% by 2025. Reduces certain assessments for commercial, industrial and RR property to 80% by 2026. **NR:** Scoops part of the sales tax increase for the Natural Resources fund. **Conservation:** Prohibits a charitable conservation contribution credit from being claimed after 2025, except for credits being carried forward. **Transit:** Establishes conditions under which Des Moines can impose a franchise fee of 7.5% and requires that the amount in excess of 5% be used to reduce property tax levies for regional transit.

SSB 1126 INCOME/PREMIUM TAXES (Ways & Means) **Dawson** (C), **Quirnbach**, **Schultz**

Fund: Changes the Taxpayer Relief Fund to the Individual Income Tax Elimination Fund. **Individuals:** Phases in a reduction to 2.5%. Uses the II tax elimination fund to reduce rates in later years. **Corporate Tax:** Requires the DOR to determine every year if corporate income tax receipts will exceed \$700 million. Requires corporate rates to be reduced until the rate reaches 5.5%. **Insurance:** Reduces the premium tax to 0.9%.

SSB 1127 WITHHOLDING EXEMPTION (Ways & Means) **Koelker** (C), **Dickey**, **Winckler**

Decouples Iowa from federal bonus depreciation.

SENATE STUDY BILLS (SSB 1128 – SSB 1132)

[SSB 1128](#) DEVICE PERMITS (Ways & Means) **Dawson** (C), **Koelker**, **Quirnbach**

Requires device retailers to be licensed as tobacco retailers and to sell tobacco, as well as holding a device retailer permit. Sets the fee at \$1,500 for a permit and establishes other requirements. Defines devices as pipes used to smoke tobacco or hemp or other combustible material. Prohibits sales to persons under 21. Includes restrictions on displays and requirements verifying the age for sales and maintaining records for five years. Establishes penalties for violations.

[SSB 1129](#) FOREST/FRUIT TREE EXEMPTION (Ways & Means) **Dawson** (C), **Dotzler**, **Klimesh**

Establishes a formula for to reduce the value of the forest reservation/fruit tree property tax exemption.

[SSB 1130](#) WITHHOLDING EXEMPTION (Ways & Means) **Dawson** (C), **Dotzler**, **Koelker**

Exempts withholding agents from having to withhold taxes for a non-resident subject to pass through entity rules from 2022-24.

[SSB 1131](#) BOARD OF ADJUSTMENT (Local Government) **Green** (C), **Quirnbach**, **Webster**

Allows a landowner who lives in a city but owns land in the county outside of the city to serve on a county board of adjustment.

[SSB 1132](#) MFPRS 411 BENEFITS (State Government) **Cournoyer** (C), **Boulton**, **Webster**

Defines ordinary disability beneficiary and allows the person an accident disability benefit. Makes various related changes and includes requirements. Includes provisions on cities paying hospital costs for injuries arising out of employment.