



iowa legislative news service

VOLUME 59, BULLETIN #44
THURSDAY, MARCH 9, 2023

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AROUND THE CAPITOL

With snow falling in Des Moines and across the state, most of the Senate left Des Moines early to beat the storm. The Senate read in five successor bills but did not hold committee meetings or debate bills on the floor. The House did not introduce any new bills but passed twenty-five bills on the floor, with twenty-four going to the Senate for the first time, and with [SF 391](#) returning with an amendment. Both chambers adjourned until Monday afternoon. Representative Windschitl said that the House will not do floor work on Monday but will debate bills on Tuesday and Wednesday.

The House spent approved [SF 391 EDUCATION IMPROVEMENTS](#) on a 62-34 largely party-line vote; Representative Ingels voted with Democrats against the bill. The House debated amendments on its bill first, and then conformed [HF 327](#) and substituted [SF 391](#). The House then amended [SF 391](#) and struck the changes made by the Senate to CPR requirements in school and waivers for PE. The Senate will now need to consider the House amendment.

Representative Johnson, who managed the bill, said that it incorporates many of the proposals made by Governor Reynolds. He said that it removes unnecessary restrictions on schools and will give schools greater flexibility in handling matters of instruction and hiring. Representative Cahill offered several amendments to the bill, said that the bill downplays the importance of teacher-librarians in schools. She said that school librarians have teaching responsibilities and do more than just “shelve books.”

State Auditor Rob Sand held a press conference today and criticized the passage of [SF 478 AUDITOR INFORMATION](#), which the Senate approved on a 33-16 vote on Tuesday. The bill is now in the House State Government Committee and will need to be approved in that committee before the second funnel at the end of March. The Senate expanded the confidentiality protections in the bill through an amendment. Senator Bousset, who managed the bill, said it will keep the personal information of Iowans that is not needed for an audit confidential.

Auditor Sand said that the bill will “gut” the ability of the State Auditor to conduct audits and said the bill is “the single most pro-corruption bill that has ever come out of the Iowa Legislature.” He said that the bill will allow state agencies to hide information and will prevent the Auditor from going to court to force the release of information. Sand said that the bill, as passed by the Senate, could hurt the state bond rating and could jeopardize federal funding due to the lack of appropriate auditing powers.

FISCAL IMPACTS

[HF 353](#) DRAINAGE DISTRICT EXEMPTION

Creates an exemption for some of the value of a property in a drainage district that borders the Mississippi and Iowa rivers and is 35,000 acres if the property's drainage district taxes exceed the county's five-year average drainage district tax. Limits the exemption to no more than 50% of the actual land value and creates a formula for the exemption.

The House Ways & Means Committee has approved the bill and Representative Osmundson is the floor manager. The bill affects the Two Rivers Levee and Drainage District in Louisa County (13,500 acres) and Des Moines County (31,500 acres), about 70 square miles in all.

The property tax exemption is expected to reduce property taxes in Des Moines County by about \$216,000, offset by a \$48,000 increase in GF spending to K-12 schools. In Louisa County, property taxes are expected to be reduced by \$162,000, offset by a \$36,000 increase in GF funding for K-12 schools.

TODAY IN THE LEGISLATURE

Bills RETURNED to the Senate: (1)

Bills to the Senate: (24)

House Files: none (last introduced HF 661)

House Study Bills: none (last introduced HSB 229)

Resolutions ADOPTED by the House: (1)

[HR 9](#) DISABILITIES MONTH

Makes March Disabilities Awareness Month in Iowa.

WITHDRAWN: [HF 20](#), [HF 26](#), [HF 61](#), [HF 96](#), [HF 192](#), [HF 221](#), [HF 301](#), [HF 327](#), [HF 373](#), [HF 406](#),
[HF 416](#), [HF 417](#), [HF 492](#)

Senate Files: 5 (SF 546 - SF 550)

Senate Study Bills: none (last introduced SSB 1203)

HOUSE FLOOR ACTION

Bills RETURNED to the **Senate**: (1)

SF 391 EDUCATION IMPROVEMENTS

Eliminates the Comprehensive School Improvement plan. Requires schools to file appropriate information with the DOE. **Librarians**: Allows schools to hire someone previously employed by a public library without being licensed by the BEE. Prohibits the BEE from requiring teacher librarian applicants to have an MLS. Strikes certain exceptions for media specialists. **Counseling**: Requires that a K-12 guidance program be designed to allow the counselor to work collaboratively with students, staff and others. **Internet Instruction**: Prohibits more than 5 days (30 hours) of school instruction time to be counted towards instruction hour/days requirements. **CC**: Strikes certain conditions on community colleges offering science and math classes to HS students and allows any cc to offer these classes. **Sequential Instruction**: Allows a cc teacher or a licensed teacher to teach two sequential units of the same subject in the same classroom. Includes requirements. **Standards**: Strikes the requirement for a technology literacy standard. Strikes standards for pre-kindergarten instruction on the family in relation to the child. Requires pre-kindergarten programs to encourage co-operation between home and school and focus on community resources. Requires 7-8 career exploration requirements to include skills to facilitate career development. Reduces the requirements for world language and fine arts requirements to two units. Allows all HS students to use certain current exceptions to taking PE course. Strikes required instruction on AIDS and CPR and requirements for students to learn CPR but allows schools to offer CPR.

AMENDMENTS **HF 327** GOVERNOR EDUCATION BILL

[H 1073](#) by **Johnson** - Conforms to [SF 391](#) EDUCATION IMPROVEMENTS.

AMENDMENTS to [H 1073](#)

[H 1075](#) by **Madison** - Renames guidance counselors as school counselors. **FAILED** 61-35

[H 1076](#) by **Cahill** - Allows the Monday following the State Fair as the earliest start date. **FAILED**

[H 1077](#) by **Cahill** - Requires teacher librarians to be licensed by the BEE. **FAILED** 63-33

[H 1078](#) by **Steckman** - Requires good faith efforts to find a qualified teacher before hiring a community college teacher for science and math classes. **FAILED** 63-33

[H-1079](#) by **Cahill** - Requires a librarian who previously worked elsewhere to have been a teacher-in order to be a teacher-librarian. **FAILED** 63-33

[H 1054](#), [H 1055](#), [H 1056](#), [H 1057](#), [H 1058](#), [H 1062](#) - **OUT-OF-ORDER**

[H 1073](#) by **Johnson** - Conforms to the Senate bill. **ADOPTED**

AMENDMENTS to [SF 391](#)

[H 1074](#) by **Johnson** - Strikes changes to PE courses and increases language requirements to 3.

[H 1081](#) to [H 1074](#) by **Fry** - Strikes the changes to CPR.

[H 1074](#) by **Johnson**, as amended - **ADOPTED**

The **House PASSED** the bill as amended 62-34; it now RETURNS to the **Senate**

Bills to the **Senate**: (24)

HF 305 INVENTORY CHECKLISTS

Allows landlords to use an inventory checklist at the beginning and end of leases. Specifies items to be covered on a checklist. Requires the checklist to be kept for at least one year. Deems that damage not noted on the checklist is the fault of the tenant. Prohibits a landlord who does not give the tenant a copy of the ending checklist from keeping any of the deposit. Allows a refundable \$150 deposits and includes rules on deposits.

The **House PASSED** the bill 95-1; it now GOES to the **Senate**

HOUSE FLOOR ACTION (CONTINUED)

Bills to the Senate: (continued)

[HF 335](#) RESTRICTED FARM CDLS

Strikes current provisions exempting various agricultural drivers from CDL requirements. Requires the DOT to issue a restricted CDL to certain agricultural drivers. Waives skills and knowledge test requirements but imposes requirements for a good driving record, limits the miles and areas a driver with a restricted CDL can operate and limits the restricted CDL to 210 days. Establishes an \$8 fee for restricted CDLS.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 345](#) SCENIC BYWAY FUND

Establishes a Scenic Byway enhancement fund for various improvements on scenic byways. Requires treasurers to request donations to the fund when renewing licenses.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 350](#) PUBLIC RECORD REQUESTS

Requires the custodian of a public record, in response to a request, to promptly give contact information, an approximate date for approximate the release and an estimate of reasonable costs. Requires information be given on delays in record production.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 398](#) ADOPTION PROCEEDINGS

Deems that a public defender shall continue to represent parties in subsequent adoption proceedings regardless of whether the person is indigent and that rules for conflict of interest apply in those cases. Includes similar provisions for guardian ad litem representations. Requires the HHS to give a parent adopting a child a certified birth certificate if the HHS is the guardian. Exempts a person who is an adult and being adopted from certain notice requirements and includes alternate notice provisions.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 425](#) NEWBORN CUSTODY

Expands the places a parent can voluntarily relinquish custody of a newborn to include fire stations, to medical staff after notifying the staff of the intent to relinquish the newborn or surrendering the child. Allows a parent to seek custody of the newborn through a DNA test.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 536](#) TRAFFIC VIOLATIONS & PARAPHERNALIA

Paraphernalia: Makes the scheduled fine for possession of paraphernalia a \$265 fine. **Reckless Driving:** Makes it a prima facie case of reckless driving if a driver is traveling more than 35 mph over the speed limit or passing another vehicle on the crest of a hill or curve where the sight of the driver is obstructed. **Passing:** Requires drivers to move into another lane if possible, when passing a slow-moving (15 mph) vehicle or to slow down to 20 mph under the speed limit. **School Bus:** Does not require a driver cited for failing to stop for a school bus to purchase SR-22 insurance for all vehicles owned by the person. **Fines:** Reduces fines for windshields to \$35. Increases the fine for speeding to \$10 for every mile over. Makes the scheduled fine for not driving at a reasonable speed, but not exceeding the speed limit, \$135. Reduces seat belt fines to \$50.

[H 1072](#) by **Dieken** - Makes all drug paraphernalia scheduled violations that cannot be used for enhanced penalties. Specifies that move over laws do not apply to city streets. **ADOPTED**

The **House PASSED** the bill as amended 96-0; it now GOES to the **Senate**

HOUSE FLOOR ACTION (CONTINUED)

Bills to the Senate: (continued)

[HF 541](#) SANITARY DISTRICT BUDGETS

Requires a sanitary district to certify its budget by March 15.

The **House PASSED** the bill 95-1; it now GOES to the **Senate**

[HF 567](#) CODE EDITOR I

Makes the non-substantive Code editor changes.

[H 1042](#) by **Judiciary** - Corrective. **ADOPTED**

The **House PASSED** the bill as amended 96-0; it now GOES to the **Senate**

[HF 568](#) TRIBES AS JUSTICE AGENCIES

Adds federally recognized Indian tribes to the definition of criminal and juvenile justice agencies. Requires the tribe to irrevocably give up any sovereign immunity defenses.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 573](#) CODE EDITOR II

Makes the statutory Code editor changes.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 583](#) VEHICLE TITLES

Allows a person entitled to ownership of a vehicle of a decedent to file an affidavit on the right of ownership and to make any necessary odometer statement for obtaining a title as the affiant.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 584](#) FOSTER PARENTS

Establishes rights of foster care parents and responsibilities of HHS. Requires HHS establish a process for foster parents to file a complaint electronically regarding violations of the rights of foster parents. Requires the HHS to describe any training opportunities to foster care parents that the HHS believes could benefit the parents.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 588](#) OFFICER HIGHWAY DRIVING INSTRUCTION

Allows certain peace officers who are authorized to teach highway driving instruction without being authorized by the BEE to teach without being authorized by the DOT.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 590](#) FLOOD MITIGATION FUNDS

Strikes the repeal set for 7/23 of the transfer of funds from the Flying Our Colors plates to the Flood Mitigation Fund.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

[HF 593](#) SUSPENDING REGISTRATIONS

Requires the DOT or county treasurer to issue a registration for a vehicle that is subject to suspension and then to suspend the registration until proof of insurance is shown or an appropriate security deposit is made.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HOUSE FLOOR ACTION (CONTINUED)

Bills to the Senate: (continued)

HF 601 UTILITY RATE INCREASE NOTICES

Changes the timeline for notice by utilities to customers of rate increases to 30 days. Requires the notice to explain the impact of the increase for the typical customer and methods of protesting increases to the IUB. Requires the notice to be delivered in the manner that bills are sent to the customer and strikes requirements for the IUB to determine how notices are sent.

The **House PASSED** the bill 88-8; it now GOES to the **Senate**

HF 607 REAL ESTATE BROKER DUTIES

Prohibits a real estate broker from being in possession of a client's real estate but gives the broker the right to enter to fulfill various obligations to the client. Deems that the broker does not have a duty of care related to other persons entering and viewing the property and that the broker is not liable for damages caused by others. Deems the client to be responsible for the care and maintenance of the property.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HF 609 MORTGAGE LOANS

Deems a loan made by a mortgage banker where points and fees are charged cumulatively and are not excessive to not be covered by rules on loan and interest fees.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HF 614 OUT-OF-STATE LICENSING

Specifies some of the required equivalents to be used by the BEE in licensing out-of-state applicants. Includes all license holders who move to the state under exceptions for certain professions that allow military members/spouses to be licensed without examination.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HF 617 IUB RATE-MAKING REVIEW

Requires the IUB to review current rate making procedures to determine if different procedures would result in more cost-effective rates. Requires the Consumer Advocate and rate-regulated utilities to participate. Allows other interested parties to participate and allows the IUB to use additional services. Requires recommendations by 1/2024.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HF 621 SUBSTANCE ABUSE TREATMENT

Directs the HHS to adopt Medicaid 1915 (b)(3) services reimbursement rates for providers who offer substance abuse and outpatient treatment meeting those guidelines. Requires HHS to adopt timelines, review plans and other matters to implement the program.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HOUSE FLOOR ACTION (CONTINUED)

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

[HF 626](#) NON-MEDICAL SWITCHING

Prohibits health plans from limiting coverage of a prescription drug for a covered person if the person is medically stable, as determined by medical professionals, the person was previously approved for the drug by the coverage plan and the prescriber has issued a prescription for the drug in the last six months. Includes exceptions for equivalent generic drugs, for federal actions or the discontinuance of the drug. Requires that the plan have an option for a covered person to seek a coverage exemption and for expedited procedures for decisions. Authorizes the Insurance Commissioner to take enforcement actions. Includes other provisions on coverage decisions.

[H 1068](#) by **G Mohr** - Corrective. **ADOPTED**

The **House PASSED** as amended the bill 96-0; it now GOES to the **Senate**

[HF 630](#) HUMAN TRAFFICKING PENALTIES

Increases the range of penalties for human trafficking from an aggravated misdemeanor ranging to a Class C felony to a Class D felony ranging to a Class B felony, and to a Class A felony for an specified offenses against minors. Prohibits deferred judgments or suspended sentences.

The **House PASSED** the bill 96-0; it now GOES to the **Senate**

HOUSE COMMITTEE ACTION

House Ways & Means Committee: Voted Out (4)

HF 266 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** 24-0; *FM: Deyoe*

HF 277 DAL'S 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. Extends the maximum duration for a credit-sale (price-later) contract to 15 months. 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. **PASSED** 23-1; *FM: Sexton*

HSB 68 VEHICLE LEASE EXEMPTIONS & REFUNDS

Exempts the lease of a vehicle between affiliates from new registration fees or the sales tax if such fees or taxes have been paid by the original affiliates. Retroactive to 2015 and allows refunds up to an aggregate of \$15,000 per year. Makes definitions. **AMENDED & PASSED** 24-0; *FM: P Thompson*

HSB 124 LAND REDEVELOPMENT TRUSTS

Allows a city or cities to establish a land redevelopment trust to rehabilitate blighted/tax delinquent and other similar properties. Includes procedures for the sale. **PASSED** 24-0; *FM: Johnson*

HOUSE & SENATE AGENDA

FRIDAY, MARCH 10, 2023		
5:30-8:30 PM	<i>2023 Great DSM Hot Air Balloon Hunt - The Greater Des Moines Partnership</i>	<i>Finkbine Drive</i>

HOUSE SUBCOMMITTEE ASSIGNMENTS

APPROPRIATIONS

HF 339	SCHOOL BUILDING DEMOLITION FUND	Bossman (C), Amos , Matson , Sorensen , Wood
HF 427	GOVERNOR HEALTH PROGRAMS	Wood (C), Fry , Matson , A Meyer , Wessel-Kroeschell
HF 451	NURSING HOME SEX OFFENDERS	Young (C), Brown-Powers , Ehlert , Fry , A Meyer
HF 476	JUVENILE JUSTICE PROGRAMS	A Meyer (C), Bagniewski , Lohse , G Mohr , Wilburn
HF 559	FARM EDUCATION	Nordman (C), Collins , Scheetz , Young , Zabner
HF 574	HYPERBARIC OXYGEN TREATMENT	Collins (C), Bergan , Brown-Powers , Fry , Wilburn
HF 579	DOT PEACE OFFICER TRANSITION	Lohse (C), Amos , Bossman , Holt , Wessel-Kroeschell
HF 580	DAIRY INNOVATION FUND	Mommsen (C), Graber , Latham , Scheetz , Zabner
HF 613	WELFARE TESTING	Fry (C), Ehlert , Matson , A Meyer , Stone

COMMERCE

SF 411	BANNING ENERGY SOURCES	C Thomson (C), Forbes , J Wills
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JUDICIARY

SF 295	GUARDIANSHIPS & CONSERVATORSHIPS	Gustoff (C), Scheetz , C Thomson
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VETERANS AFFAIRS

SF 329	STATE EMPLOYEE ABSENCES	Stoltenberg (C), Cahill , Golding
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SENATE SUBCOMMITTEE ASSIGNMENTS

WAYS & MEANS

SSB 1162	MAJOR ECON DEVELOPMENTS	Dawson (C), Dotzler , Driscoll , Koelker , Quirnbach (<i>reassigned</i>)
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SENATE FILES (SF 546 – SF 550)

SF 546 ON-LINE NOTICE PORTAL (**Ways & Means**; Successor to [SF 480](#)) *FM: Cournoyer*

Requires the SOS to create an on-line portal for the posting of notices by a public posting entity but exempts the Legislature and the Governor. Defines such entities. Requires that notices required by statute be posted on-line and that physical copies of the notice be placed in certain other places. Allows posting in newspapers or in other places on-line. Requires notice about the provisions of this bill be published in newspapers.

SF 547 NO ELECTRONICS WHILE DRIVING (**Ways & Means**; Successor to [SF 207](#)) *FM: Klimesh*

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 and increases the scheduled fine to \$100. Establishes a warning period until January 2024.

SF 548 FOREST/FRUIT TREE EXEMPTION (**Ways & Means**; Successor to [SSB 1129](#)) *FM: Dawson*

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

SF 549 CAPTIVE INSURANCE COMPANIES (**Ways & Means**; Successor to [SF 509](#)) *FM: Boussetot*

Enacts provisions on captive insurance companies. Defines such companies. Includes reporting requirements, tax payments on direct premiums, requirements to apply to the Insurance Commissioner for authority to issue various kinds of insurance, the duties of the Insurance Commissioner and on other matters related to these companies.

SF 550 SALES TAXES (**Ways & Means**; Successor to [SSB 1125](#)) *FM: Dawson*

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. Initially transfer 1.4% and phases in a reduction to 1.25% by 2030. 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. **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, including for the Natural Resources account in the DNR, the Soil Conservation account in DALS and water quality initiatives in IFA. Strikes current funding from REAP and the RUTF for various projects. Requires the Legislative Council committee reviewing spending from the fund involve IFA and establishes spending priorities for nutrient reduction and for maintaining existing uses rather purchasing new public lands. **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.