

Legislative Newsletter

Jan. 29, 2021



Despite blizzards and COVID, the Legislature kept moving things along in Week 3, including floor debate. The first bill of session was signed by the Governor. After debates about schooling and COVID (Senate File 160) went late into Thursday, Gov. Reynolds enacted the bill first thing Friday morning.

Among the highlights of Week 3: The homestead tax credit bill was introduced - **Senate File 120**: This bill establishes a property tax adjustment for the homestead of a person age 65+ or a disabled person with less than \$30,000 in income and with a homestead valued at \$250,000 or less. The bill also creates a formula for the adjustment and makes an appropriation. The lobbying team will continue to keep an eye on this bill as the legislative session progresses.

Legislation pertaining to county compensation boards are also back this session. This is an issue that has been raised for the last few sessions and in a few different ways. **House File 125** would abolish county compensation boards and give the supervisors the responsibility for making compensation decisions. It's companion bill, Senate File 77, passed subcommittee during week 3, although its long-term fate is unknown. The UCC is presently monitoring the bill. **Senate File 108** would not abolish these boards, but would place more regulation on the compensation boards, including that information on county compensations should be based on the neighboring counties. This is troubling because while some urban counties share borders, that is not the case for all urban counties, and using information from more rural counties to address urban county needs is not entirely appropriate. The subcommittee for SF 108 is Feb. 4.

There was an expectation some election law bills would be filed in the 2021 session following the 2020 general election. **Senate File 115**: This bill makes changes to election law by requiring absentee ballot requests be received at least 15 days before an election and that an absentee ballot be mailed at least ten days before an election.

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In Committee work, the Senate Judiciary Committee voted on **Senate File 170** (formerly **Senate Study Bill 1001**). This bill requires that a person who intentionally or recklessly causes unreasonable distress when making a loud noise commits an act of disorderly conduct. This bill passed unanimously.

Another bill of concern is **Senate Study Bill 1079**: This bill prohibits cities and counties from adopting ordinances that prohibit landlords from refusing to accept federal housing vouchers and makes any such ordinance void. Through our conversations with UCC members, there is concern this bill essentially legalizes housing discrimination. We expect more conversations on this as the session moves forward.

Also introduced in Week 3:

House File 108: This bill requires the Department of Human Services to submit a Medicaid waiver to allow comprehensive, evidence-based substance abuse treatment for Medicaid members. We are in support of this bill.

House File 107: This bill would require the Board of Behavioral Science and the Board of Social Work to adopt rules that do not require in-person supervision for licensure applicants as social workers, marital/family counselors and mental health therapists. The Board of Behavioral Science would be prohibited from requiring marital/family counselors and mental therapists to acquire more supervised clinical experience than required for social workers.

House Study Bill 102: This bill allows the Dept. of Transportation and counties to charge fees of up to \$25 for the three parts of the CDL skills test; if enacted, this bill will take effect in January 2022.

House Study Bill 103: This bill strikes the requirement that police give notice about personal property found in an abandoned vehicle.

Senate File 133: This bill allows counties to employ a deputy assessor and related staff through a 28E agreement.

House File 213: This bill would allow a city or a metro area of several cities, to establish an entertainment district and to impose a surcharge, in addition to the sales tax, on events occurring there. The bill includes procedures for adopting such a surcharge, for implementing and spending it, and for other related matters.

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House Study Bill 128: This bill permits the use of 28F joint financing for communication works and facilities.

House Study Bill 129: This bill would prohibit local governments from requiring fees or permits for businesses run by minors (on-site transactional businesses traditionally operated by a person under the age of 18). This is a bill the Legislature has proposed in the past few sessions.

Senate File 134/House File 218: We've seen these supervisor district bills before. These companion bills require counties with a population over 60,000 in the 2020 census to elect supervisors under Plan 3, which are the individual members districts.

Senate File 143: This bill prohibits local governments from banning specific dog breeds. Voids existing ordinances.

Senate Study Bill 1085: This Department of Revenue bill eliminates the property tax classification for multi-residential property as of 2022 when assessments for such property are the same as residential property and includes it as residential property.

Senate File 172/House File 232: This bill would add that loud noise causing unreasonable distress to neighbors by a person intentionally or recklessly is disorderly conduct.

Senate Study Bill 1105: This bill from the state auditor's office would prohibit a court from giving a public employee or official a deferred judgment if the person stole more than \$10,000 from a public employer. Prohibits the court from suspending a sentence absent clear and convincing evidence that sufficient mitigating circumstances exist.

Senate Study Bill 1114: This bill makes modifications to the state's open meetings law. The proposed provisions would make any deliberations or actions taken by a government within the budgetary duties of the body as subject to the open meetings laws (Iowa Code Ch. 22). The bill further requires reasonable notice to include notice to any person who has requested notice of a meeting. Excludes weekends and holidays when considering the 24-hour time period.

House Study Bill 156: This is an extensive bill from Dept. of Revenue. Sales tax credit: Allows individuals to claim a credit for sales taxes paid by 3rd-party developers, similar to the corporate credit, if a partnership or LLC has income taxed to the individual.

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Property taxes: Requires applications for each geothermal heat pump for the geothermal credit. Makes changes to proportional revenues under the replacement tax to allow a local government to receive more tax revenue from a solar installation. Strikes provisions prohibiting a deputy assessor from personally assessing property owned by a family member.

Registrations: Makes changes to car registrations, in terms of ownership, fair market value and other matters. Other: Makes changes to calculations for imputed Iowa liability. Makes changes to provisions on pass through entities and partnerships. Allows counties to collect non-tax liabilities for the DOR. Changes the date interest is set by the Dept. of Revenue to November. Includes tax returns under confidential information to be redacted. Expands the authority of the DOR director to disclose confidential information.

Sales taxes: Makes other changes related to sales taxes for ATV, snowmobiles, construction materials, nonprofits, language updates and rentals.

House File 248: This bill strikes the current pilot project allowing counties to establish emergency districts and allows local governments to establish such districts. Includes definitions and procedures. Fire Departments: Requires the state universities to establish a full-time, professional fire department that is separate from the city police department.

House File 251: This bill contains pieces of the Back the Blue bill from the Governor's Office. In this particular bill, a local government would be ineligible for state funding, or federal grants through the state if the local government reduces the budget for law enforcement, unless this is part of a budget-wide cut. It also makes loitering on a highway (defined as having a 55+ mph marker), or organizing people to engage in loitering on a highway an aggravated misdemeanor. This bill establishes offenses for 1st Degree Harassment, 1st Degree Criminal Mischief and for Violent or Disorderly Assembly, with penalties ranging from an aggravated misdemeanor to a Class C felony, and minimum sentences for persons who knowingly throw something at law enforcement or similar persons.

Senate Study Bill 1094: We saw this bill last year before COVID-19 suspended the session and some bills, like this one, were curbed. This bill creates the Public Safety Equipment Fund, and includes reporting requirements for how DPS uses the funds to purchase equipment. It requires treasurers to ask persons renewing their vehicle registration if the person wants to contribute to the fund, and allows the treasurer to keep 5 percent of the donations. If enacted, this bill would take effect in January 2022.

Senate File 162: This bill would limit protests of the assessment of commercial and industrial property if the owner has filed protests in the last three years, and allows protests only if: the assessor

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recommends a protest after an informal review; or if there is a clear mathematical or clerical error; or if or the property has changed ownership, been improved or been re-classified in the past year.

House Study Bill 141: This bill would not allow the State Auditor to have access to personally-identifiable information on a disease report, as well as disallowing state and local agency employees to have access to personally-identifiable information on a disease report from the Department of Public Health or board of health unless the employee has completed HIPPA training.

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