



2024 GENERAL ASSEMBLY LEGISLATIVE BRIEFING

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URBAN COUNTY COALITION

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Legislative Priorities



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2024 Legislative Priorities

The Urban County Coalition is a coalition of the five largest counties in eastern Iowa. We are committed to preserving local control and decision-making authority to give our constituents the greatest control and accountability over their governments. We believe that Thomas Jefferson was correct when he said, “The government closest to the people, serves the people best.”

Local Option Sales Tax and the Iowa Water and Land Legacy Fund: The current proposals to activate the 3/8th of one cent sales tax to fund the Iowa Water and Land Legacy trust fund are not the approach we support to fund the IWLL trust fund. Currently most voters in Iowa have approved a local option sales tax in their jurisdiction and at their directions, their elected representatives have implemented those local option sales taxes. Approval of this tax has provided local voters with an important revenue stream to fund initiatives ranging from property tax relief to road spending. Current proposals to convert this to a statewide sales tax and impose the local option sales tax in every jurisdiction is what has been proposed. This would trigger a constitutional amendment and require the allocation of 3/8th of a cent to the Iowa Water and Land Legacy trust fund (IWLL). While the Urban County Coalition has historically supported funding the Iowa Water and Land Legacy fund, the method proposed is not what we believe Iowans voted for when this passed more than a decade ago.

Our first concern is that voters across Iowa who have voted to utilize the local option sales tax have approved revenue purpose statements (RPS). Those that may have a RPS that expire or may have reauthorized the LOST and the new RPS does not take effect until after January 1, 2023, will

have their RPS voided and be required to either adopt a new RPS by city or county resolution, or spend the revenue in accordance with a state formula. In our opinion, this shows a clear disregard for the will of the voters who have voted to pay a tax to accomplish locally vital initiatives. Current proposals also sunset this provision in 2035 after which no jurisdiction will have the authority to take a LOST proposal to a vote, denying voters the opportunity to determine whether they want to choose to undertake large community projects or provide property tax relief, or increase spending on road projects.

This approach would also leave a shortfall in the sales tax pool that would have to be “backfilled” with state general funds. We are not confident that any backfill on monies going to local governments would continue for very long. Any such commitment to local government has a shelf life of two years until the next election when future General Assemblies can “not-withstand” the commitment for other statewide priorities. Future General Assemblies are not bound by commitments of previous General Assemblies.

Property Taxes: Local governments are focused on making sure that our constituents get the services they demand for the best value. We are happy to engage in discussions on how to efficiently manage tax dollars while maintaining services taxpayers expect. Issues like unfunded mandates and user fees that have not kept pace with actual costs, and therefore must be supplemented with property tax dollars, make this a complicated discussion. In addition, we encourage the legislature to remember that the elimination of the mental health levy was offset by the elimination of the backfill from the commercial property tax reduction. We also believe this discussion should include a recognition that local governments are largely entirely reliant on property taxes to fund the services our constituents expect. **We do believe that any discussions of real reform of property taxes in Iowa must be holistic in nature and must include reviewing all taxing entities and not just cities and counties.**

Mental Health Funding: We appreciate that the Legislature has taken a major step toward sustainable funding for both the children and adult mental health systems. We would encourage them to make sure that they keep in mind several challenges that remain and **continue to follow the process outlined in SF 619 when the State assumed mental health funding:**

- Workforce continues to be a significant challenge for service providers. We appreciate the legislature's allocation of \$14 million for HCBC waiver providers, but we believe that Medicaid rates will continue to present providers with difficulties in recruiting and retaining an adequate workforce and should be examined to determine if those rates reflect current employee recruitment challenges faced by providers.
- Now that there are several Access Centers open across the state, we would encourage the legislature to allow ambulances to transport people directly to access centers and be eligible for reimbursement from Medicaid.
- Allow regions to maintain a fund balance that is adequate (10%) to make sure payments to providers are made on time.

- Much of substance abuse treatment is still paid for with local property tax dollars. Because substance abuse and mental health issues are often present within the same patients, many costs for treating patients who present at access centers with co-occurring disorders can present a billing difficulty for providers. We encourage the state to consider changing Medicaid rules to allow for treatment of co-occurring disorders. Alternatively, access centers should be allowed to bill for treating substance abuse cases that come from outside of the county.

Unfunded and Underfunded Mandates: We encourage the Legislature to act to reduce the instances of cost shifting identified below to eliminate the burdens they place on property taxpayers. The two areas that have the largest impact on local property taxes are colocation of state offices (DHS) and courthouse maintenance and security. We would encourage the General Assembly to conduct an interim study to update its study done a decade ago. Those two issues (Colocation and Security Expenses) are detailed below.

There are others as well that are delineated on the following page.

- **Housing State Offices at Local Taxpayer Expense** – Currently urban counties are forced to house a variety of state agencies (DHS and the Courts, for example) and receive little or no reimbursement from the State. In addition, counties are forced to pay for expenses such as postage and office supplies and equipment at local property taxpayer’s expense. We request that the State no longer require that counties subsidize the local office expenses of state agencies. We would encourage the Legislature to pay particular attention to the document storage requirements of the Iowa Department of Human Services.
- **Courthouse Security and Expenses** - Like the housing of state agencies, local property taxpayers are bearing the entire burden of upgrading, modifying, or even replacing aging courthouses. There is a court expense added to virtually every criminal or civil action but none of this money goes to pay actual courthouse expenses. There needs to be an update of the 1984 compromise when the state absorbed the court system from county governments but left the expenses of the court system on local property taxpayers. With the advent of the 9-1-1 requirements on local government plus the need for security for the court system two decades ago, the state needs to share in these costs. We request the state allocate a portion of these funds to counties for courthouse maintenance and security. This is also an area where the state imposes costs on local governments by not moving the agencies to a paperless document storage program like it has other state agencies.
- **Publishing Costs** – Reduce publishing costs to local governments for publishing meeting and legal notices on-line and require only a summary to be published in local print outlets. Additionally, allow counties to publish in only one local newspaper. We would also encourage the Legislature to provide a

clearer definition of proceedings (for example, does proceedings mean the entire verbatim transcript of the meeting or does it mean a summary transcript of the meeting). *At one time, when there were many local newspapers with circulation throughout the county, it might have made sense to require multiple outlets for official documents. But now with the loss of many smaller newspapers, consolidation of existing ones with larger circulation and many being owned by out-of-state newspaper corporations, it makes sense to reduce the number of outlets required for public notices.*

- **Paper Document Storage** - We request that the State make significant investments in the courts system and the Department of Human Services to increase their document digitization efforts and review all state requirements that deal with the retention of documents.
- **Public Service Fees** - The Legislature needs to help local governments find a mechanism that makes fees more accurately reflect the cost of providing the services. Last year, the Legislature agreed to raise the fee for food inspection services but there are others that are currently still subsidized by property taxpayers. For example, the medical examiners fee for cremation permits has been set at \$75, to reflect the cost of that service; the fee should be adjusted to at least \$100. (The actual cost of providing these permits can be as high as \$150.)
- **EMS Services** - We appreciate that the Legislature provided a mechanism for local authorities to help fund these services, but the State has still provided zero funding. We believe that now that local taxpayers and the federal government have “skin in the game;” the State needs to provide a program whereby local funds can be matched by state funds to provide these services. This program is too vital to the life and health of Iowans to remain an unfunded mandate.
- **Juvenile Detention Costs:** There is an increasing need for juvenile detention beds in this state. Counties are seeing more serious crimes being committed by juvenile offenders resulting in longer stays in detention facilities. We request that the state make more beds available at the state training facilities as well as look at the reimbursement rates (and index these rates to inflation) that are provided to county facilities.
- **Medicaid reimbursement to county-owned facilities:** Counties that still have county hospitals are not receiving the state set rate for RCF services. The MCO’s are paying the lower negotiated rate (80%). The counties in the UCC that are providing these services did not negotiate this lower rate and in the absence of a negotiated rate the MCO’s should be required to pay the state negotiated rate. The current system of managed care has failed, and the Legislature must address the issue by finding other sustainable options.

Fund Place Making programs: We applaud the Governor for allocating \$100 million for Place Making projects in her Destination Iowa program. We believe that this is a critical recognition

that the workforce shortage problem will take a multifaceted approach to attracting and retaining talent to Iowa. We encourage the Legislature to continue to leverage the significant community investments being made and better fund the several programs (Community Attraction and Tourism program, Enhance Iowa, Great Places, Downtown Revitalization Fund) Iowa currently has in place to encourage local communities to improve and expand quality of life investments in Iowa.

County Bonding: The UCC appreciates the Legislature increasing the level of bonding for essential county purposes by 30% as well as making this indexed to inflation. We ask that the limit be raised to a consistent level with cities, currently \$5 million. In addition, the definitions of essential county purposes have not been updated to address new challenges faced by counties. We ask that the following category be added to essential county purposes: Courthouse Improvements and Upgrades. In addition, we request the Legislature consider allowing counties to establish a fund to address the rapid deterioration of our rural roads where funds can be earmarked for infrastructure adversely affected by rainfall, flooding, and other weather events. With the increased costs of construction materials and the increase in the amount of precipitation being experienced in recent years, it is not possible to keep up with maintenance of rural gravel roads and small bridges with the current funding systems. Cities currently have the authority to establish a capital improvement fund for projects like these on a pay as you go basis. Counties need to have a similar authority to make sure that when large expenditures are necessary, strategies can be developed to minimize the effect on taxpayers.

Eminent Domain: We believe that the use of eminent domain should be reserved for public entities and only for projects that are done with governmental entities and regulated utilities.

Iowa Public Employees Retirement System: Iowa has one of the most solvent and well-funded public retirement systems in the United States. It has maintained that status with conservative investment policies and conservative growth projection. IPERS is an important and effective recruiting tool to help government agencies attract talented workers. We encourage the Legislature to carefully consider the long-term implications to that viability before any changes are made to the current system. Additionally, we would request that the State remove the increases in IPERS contributions from the growth limitations outlined in the 2019 and 2023 Property Tax Reform Bills. Local governments have no control over this and to make it subject to the growth limitations is a burden to local governments.

Water Quality: We support the funding of the Iowa Water and Land Legacy fund established by constitutional amendment as passed by two thirds of Iowa voters. The UCC would be opposed to any efforts to change the formula to anything other than that which was overwhelmingly approved by voters. We would also ask the Legislature to look closely at local partnerships that have been established and are having a positive effect. These efforts, including watershed management authorities, should be given the resources they need to make sure the work they are doing can continue.

Dangerous Drug Use: The UCC encourages the General Assembly to work with law enforcement and public health groups to make sure that Iowa's drug paraphernalia laws are compatible with best practices with regards to evidence-based harm reduction strategies. One example is that fentanyl test strips can be an important tool in harm reduction strategies and should not be considered drug paraphernalia. We also encourage the legislature to establish a technical assistance program to help counties make the best use of the funds they receive from the opioid settlement funds. The UCC also continues to encourage the Legislature to fund the drug courts.

Tax Credits: Tax credits play a major role in rebuilding communities. While we understand that these programs should be used judiciously, we believe that the current tax credit programs work (such as the Historic Tax Credit, the Endow Iowa Tax Credit, and the Renewable Energy Tax Credit). Any policy that proposes to change the way these credits currently work should be carefully balanced against the economic/tourism value if implemented.

Tax Increment Financing: We understand that this is an important tool (and one of the few) left to local governments to encourage economic development. We request that the Legislature treat county governments in a similar manner to school districts -- namely consider a mechanism to replace revenue lost from TIF districts when they are established in counties. Should changes be considered, we ask that the Legislature make counties more active partners in the use of TIFs.

Payment in Lieu of Taxes: We request that the State consider clarifying the statute governing PILT and make it mandatory that when PILT agreement is reached that the payment is distributed among all the taxing jurisdictions based on the levy structure in place at the time of the agreement.

REAP: We encourage the Legislature and the Governor to continue the program and fully fund the program at the \$20 million level. By not adequately funding the REAP program, the Legislature is forcing local communities to look towards conservation bonding, with its property tax implications, as well as other avenues to fund projects already supported by voters.

Emergency Management Agency Funding: The current funding formula does not adequately address the needs of the urban counties in Iowa. The UCC encourages the Legislature to eliminate the funding cap on urban counties. We also encourage the State to pass through 80 percent of the federal funding it receives to counties. We would also encourage the legislature to make sure that EMA boards cannot simply dictate levy levels and budgets to boards of supervisors. These boards must be subject to the same oversight as other entities.

Early Voting: The UCC requests that the Legislature reinstate the ability to conduct elections to the locally elected officials who by law are empowered to conduct elections. Many of the changes recently enacted by the General Assembly have made it more difficult for both the voters to cast votes, and more difficult for local officials who are charged to conduct elections by state law.

Manufactured Housing Communities: Manufactured and mobile home communities are critical to the affordable housing infrastructure in rural Iowa. Counties have seen a dramatic increase in

the purchase of these communities by out-of-state companies. While we appreciate the legislature beginning to address this problem recently, we believe that the state should continue its work to make sure that residents of manufactured housing communities enjoy similar protections to those offered by Iowa's landlord/tenant laws.

Alternative Project Delivery: We believe that the Iowa General Assembly should consider allowing alternative methods of project delivery when it is in the best interest of the property taxpayer to do so. This would include options like allowing counties to accept a bid that is within a percentage of the low bid if there is a publicly disclosed reason that the alternative bid is a more acceptable option for the project. This would allow local entities to find the best value for the local taxpayers.

Wage Theft: Wage theft continues to be a problem in Iowa and is exacerbated by having only two investigators for the entire state. The lack of investigators results in delays in investigations and correcting the issues. As a result, the affected workers become reliant on county and state general assistance programs. In addition, a loss of withholding tax revenues at the state and federal levels, as well as the weakening of the ability of families to support themselves occurs. We ask that the State hire more wage claim investigators to enforce the wage theft laws and eliminate the \$6,500 cap on wage claims.

Land Trusts: We encourage the legislature to pass HF 665 and send it to the governor for signature. This will allow local governments to acquire and address dilapidated property, clear titles, eliminate back taxes, and make improvements to allow for rehabilitation or redevelopment.

Legislative Summary

2024 Legislative Summary for Urban County Coalition

The Iowa General Assembly concluded its second annual session for this two-year cycle. A near super majority in both chambers and a Republican Governor allowed the General Assembly to continue a very aggressive agenda on numerous issues.

Any of their numerous priorities, in past years, would have been a full two years' agenda. But instead, the pace from last year continued with acceleration of tax cuts to this year, an unannounced restructuring of the Area Education Agencies, a Texas style of immigration enforcement and a restructuring of the Mental Health System. Many of those issues, along with others, impacted local government directly or indirectly.

Mental Health Restructure

The General Assembly consolidated many agencies within the umbrella of the Health and Human Services Department, including the sprawling Mental Health system. The Governor's bill re-divides the state into new Mental Health regions, DHHS will receive the federal Mental Health funds, create a fund for state funding for Mental Health services, sets a timeline from August 1, 2024, through July 1, 2025, for the development and coordination of Mental Health services and outlines training for Mental Health providers and psychiatric training.

- The bill will divide the state into Behavioral Districts with ASOs overseeing each district. (Established by the DHHS by August 1 and December 31, 2024).

- The Department of Health and Human Services will be the recipient of federal funds for mental health and treatment block grants.

- The bill establishes a behavioral health fund for state funds to participate in treatment funding as part of the growth factor for state mental health services.

- The bill also requires DHHS to designate aging and disability resource centers to establish a coordinated system of providing assistance to persons with disabilities and the elderly.

- The bill also eliminates four boards and commissions: Tobacco use and prevention, Advisory committee, MHDS Commission and the Commission on Aging.

Immigration Bill

An Immigration bill left lots of question marks and very little information, with the passage of SF 2340, which is modeled after the Texas immigration law which empowers law enforcement officers to arrest anyone who is in the state of Iowa illegally regarding immigration status. The bill is light on details, but politically allowed Iowa to be the 2nd state in the country with such a law -- the governor has said she will work with the Department of Public Safety to "assist local law enforcement" in learning how to implement the law.

Currently the Texas law is in the courts on appeal.

Area Education Agency Restructuring

Area Education Agency (AEA) Reform Conversations on AEA reform took up the bulk of the session, and movement on most other major policy items were held up until agreement on this was reached. The AEA's main mission is to equalize the field for access to programming between rural and urban schools, but over time, the agencies have become intertwined with public safety, cities and county government.

The Governor originally released a sweeping AEA reform package, but after feedback from stakeholders, including special education workers and parents, the Governor announced she would scale back her proposal.

The House and Senate worked on different proposals to take this public feedback into account. The bill eventually agreed upon by Republicans in both chambers places the AEA under the supervision of the Department of Education, defines the powers of AEA and requires certain reporting; adds four superintendent members to AEA boards and allows AEA to continue receiving 90% of state special education money and gives school districts 10%.

The bill also allows school districts to decide whether to utilize AEA for media and general education services, limits the amount that AEA administrators can be paid, and creates a task force on AEA to recommend future changes.

Final passage of HF 2612 occurred on March 26, with the Governor signing it into law the next day.

Local Government Limitations & Opportunities

As has been the case with this General Assembly, there have been several bills that have limited the ability of local government to regulate certain activities. Activities such as: stormwater management, some zoning issues, laws regulating exterior materials for residential housing, and a number of increased penalties on local government for violation of open meetings and opening local governments to the threat of damages for violating firearms regulations.

However, late in session, the County Treasurer's licensing bill, which increased fees for the first time in decades, was finally passed by the senate and sent down to the Governor for her signature. HF 681 increased fees and allowed more retention at the local level for some of those funds.

HF2673 – Mental Health Reorg

HF 2673 (LSB 5509HZ (16) 90)

RELATED TO STATE BEHAVIORAL HEALTH, DISABILITY, AND ADDICTIVE DISORDER SERVICES AND RELATED PROGRAMS, INCLUDING THE TRANSITION OF BEHAVIORAL HEALTH SERVICES FROM A MENTAL HEALTH AND DISABILITY SERVICES SYSTEM TO A BEHAVIORAL HEALTH SERVICE SYSTEM, THE TRANSFER OF DISABILITY SERVICES TO THE DIVISION OF AGING AND DISABILITY SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE ELIMINATION OF THE COMMISSION ON AGING, THE ELIMINATION OF SPECIAL INTELLECTUAL DISABILITY UNITS AT STATE MENTAL HEALTH INSTITUTES, MAKING APPROPRIATIONS, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

BEHAVIORAL HEALTH SERVICE SYSTEM

Section 1. NEW SECTION. **225A.1 Definitions.**

As used in this chapter unless the context otherwise requires:

1. "*Administrative services organization*" means an entity designated by the department pursuant to section 225A.4, to develop and perform planning and administrative services in accordance with a district behavioral health service system plan.

2. "*Behavioral health condition*" means a substantial limitation in major life activities due to a mental,

behavioral, or addictive disorder or condition diagnosed in accordance with the criteria provided in the most current edition of the diagnostic and statistical manual of mental disorders, published by the American psychiatric association.

3. "*Behavioral health district*" or "*district*" means a geographic, multicounty, sub-state area as designated by the department under section 225A.4.

4. "*Behavioral health provider*" or "*provider*" means an individual, firm, corporation, association, or institution that, pursuant to this chapter, is providing or has been approved by the department to provide services to an individual with a behavioral health condition.

5. "*Behavioral health service system*" means the behavioral health service system established in section 225A.3.

6. "*Caregiver*" means an adult family member, or other individual, who is providing care to a person outside of a formal program.

7. "*Community mental health center*" means an entity designated by the department to address the mental health needs of one or more counties.

8. "*Department*" means the department of health and human services.

9. "*Director*" means the director of the department of health and human services.

10. "*District behavioral health advisory council*" or "*advisory council*" means a council established by an administrative services organization under section 225A.5, to identify opportunities, address challenges, and advise the administrative services organization in accordance with section 225A.5.

11. "*District behavioral health service system plan*" or "*district behavioral health plan*" means a plan developed by an administrative services organization and approved by the department to outline the services intended to be provided within the administrative services organization's behavioral health district.

12. "*Indicated prevention*" means prevention activities designed to prevent the onset of substance use disorders in individuals who do not meet the medical criteria for addiction, but who show early signs of developing a substance use disorder in the future.

13. "*Selective prevention*" means prevention activities designed to target subsets of the total population who are considered at-risk for a substance use disorder by virtue of their membership in a particular segment of the population. Selective prevention targets the entire subgroup, regardless of the degree of risk of any individual within the group.

14. "*State behavioral health service system plan*" or "*state behavioral health plan*" means the plan developed by the department that describes the key components of the state's behavioral health service system.

15. "*Universal prevention*" means prevention activities designed to address an entire population class for the purpose of preventing or delaying the use of alcohol, tobacco, and other drugs. Population classes include but are not limited to the national population, local populations, community populations, school populations, and neighborhood populations.

Sec. 2. NEW SECTION. **225A.2 State mental health authority — state agency for substance abuse.**

1. The department is designated as the state mental health authority as

defined in 42 U.S.C. §201(m) for the purpose of directing benefits from the federal community mental health services block grant, 42 U.S.C. §300x et seq., and the state authority designated for the purpose of directing benefits from the federal substance abuse prevention and treatment block grant, 42 U.S.C. §300x-21 et seq. This designation does not preclude the state board of regents from authorizing or directing any institution under the board of regents' jurisdiction to carry out educational, prevention, and research activities in the areas of mental health and intellectual disability.

2. The department is designated as the single state agency for substance abuse for the purposes of 42 U.S.C. §1396a et seq.

3. For the purposes of effectuating the department's roles designated in this section, the department shall have the following powers and the authority to take all of the following actions:

a. Plan, establish, and maintain prevention, education, early intervention, treatment, recovery support, and crisis services programs as necessary or desirable for the behavioral health service system established in section 225A.3.

b. Develop and submit a state plan as required by, and in accordance with, 42 U.S.C. §300x-1.

c. Review and approve district behavioral health service system plans developed in accordance with the state behavioral health service system plan.

d. Perform all necessary acts to cooperate with any state agency, political subdivision, or federal government agency to apply for grants.

e. Solicit and accept for use any gift of money by will or otherwise, and any grant of money or services from the federal government, the state, or any political subdivision thereof, or any private source.

f. Collect and maintain records, engage in studies and analyses, and gather relevant statistics.

g. Take any other actions as necessary to execute the duties granted to the department in this chapter, or that are otherwise required to maintain compliance with federal requirements related to the department's roles as designated in this section.

Sec. 3. NEW SECTION. 225A.3 Behavioral health service system — department powers and duties.

1. a. A behavioral health service system is established under the control of the department for the purposes of implementing a statewide system of prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling.

b. The behavioral health service system shall support equitable statewide access to all services offered through the behavioral health service system and offer specialized services with a focus on at-risk populations including but not limited to children, youth, young adults, individuals with disabilities, pregnant and parenting women, older adults, and people with limited access to financial resources.

c. Services offered through the behavioral health service system shall, at a minimum, include all of the following:

(1) Prevention intervention services and education programs designed to reduce and mitigate behavioral health conditions and future behavioral health conditions. Prevention intervention programs shall incorporate indicated prevention, selective prevention, and universal prevention activities.

(2) Evidence-based and evidence-informed early intervention and treatment services.

(3) Comprehensive recovery support services with a focus on community-based services that avoid, divert, or offset the need for long-term inpatient services, law enforcement involvement, or incarceration.

(4) Crisis services with a focus on reducing the escalation of crisis situations, relieving the immediate distress of individuals experiencing a crisis situation, and reducing the risk that individuals in a crisis situation harm themselves.

2. To the extent funding is available, the department shall perform all of the following duties to develop and administer the behavioral health service system:

a. (1) Develop a state behavioral health service system plan that accomplishes all of the following:

(a) Identifies the goals, objectives, and targeted outcomes for the behavioral health service system.

(b) Identifies the strategies to meet system objectives and ensure equitable access statewide to prevention, education, early intervention, treatment, recovery support, and crisis services.

(c) Is consistent with the state health improvement plan developed under section 217.17.

(d) Is consistent with the department's agency strategic plan adopted pursuant to section 8E.206.

(2) The department shall do all of the following when developing the state behavioral health service system plan:

(a) Collaborate with stakeholders including but not limited to county supervisors and other local elected officials, experienced behavioral health providers, and organizations that represent populations, including but not limited to children, served by the behavioral health service system.

(b) Publish the proposed state behavioral health service system plan on the department's internet site and allow the public to review and comment on the proposed state behavioral health system plan prior to the adoption of the proposed state behavioral health plan.

b. Administer and distribute state appropriations, federal aid, and grants that have been deposited into the behavioral health fund established in section 225A.7.

c. Oversee, provide technical assistance to, and monitor administrative services organizations to ensure the administrative services organizations' compliance with district behavioral health plans.

d. Collaborate with the department of inspections, appeals, and licensing on the accreditation, certification, and licensure of behavioral health providers including but not limited to the approval, denial, revocation, or suspension of a behavioral health provider's accreditation, certification, or licensure.

e. Develop and adopt minimum accreditation standards for the maintenance

and operation of community mental health centers to ensure that each community mental health center, and each entity that provides services under contract with a community mental health center, furnishes high-quality mental health services to the community that the community mental health center serves in accordance with rules adopted by the department.

f. Designate community mental health centers.

g. Conduct formal accreditation reviews of community mental health centers based on minimum accreditation standards adopted by the department pursuant to paragraph "e".

h. Establish and maintain a data collection and management information system to identify, collect, and analyze service outcome and performance data to address the needs of patients, providers, the department, and programs operating within the behavioral health service system.

i. Collect, monitor, and utilize information including but not limited to behavioral health service system patient records and syndromic surveillance data to understand emerging needs, and to deploy information, resources, and technical assistance in response.

j. Collaborate with the department of revenue for enforcement of tobacco laws, regulations, and ordinances and engage in tobacco control activities.

k. Adopt rules pursuant to chapter 17A to administer this chapter. Such rules shall include but not be limited to rules that provide for all of the following:

(1) Minimum access standards to ensure equitable access to services provided through the behavioral health service system including but not limited to when services are available, who is eligible for services, and where services are available.

(2) Methods to ensure each individual who is eligible for services receives an uninterrupted continuum of care for prevention, education, early intervention, treatment, recovery support, and crisis services.

(3) Standards for the implementation and maintenance of behavioral health programs and services offered by the behavioral health service system, and by each administrative services organization.

(4) Procedures for the management and oversight of behavioral health providers to ensure compliance with the terms of the behavioral health providers' contracts relating to the behavioral health service system, and with state and federal law and rules.

(5) Procedures for the suspension of an administrative services organization's services due to the administrative services organization's failure to comply with the terms and conditions of its contract with the department.

(6) Procedures for the reallocation of funds from an administrative services organization that is not in compliance with the terms of its contract with the department to an alternative administrative services organization or a behavioral health provider to provide for services the noncompliant administrative services organization failed to provide.

(7) Procedures for the termination of an administrative services organization's designation as an administrative services organization.

(8) Procedures for the collection, utilization, and maintenance of the data necessary to establish a central data repository in accordance with

section 225A.6.

(9) Any other requirements the department deems necessary to ensure that an administrative services organization fulfills the administrative services organization's duties as established in this chapter, and as established in the administrative services organization's district behavioral health plan.

Sec. 4. NEW SECTION. 225A.4 Behavioral health service system — districts and administrative services organizations.

1. a. The department shall divide the entirety of the state into designated behavioral health districts. Behavioral health prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling, shall be made available through each behavioral health district in a manner consistent with directives each district receives from the department.

b. For the purpose of providing equitable access to all services provided through the behavioral health service system, the department shall consider all of the following when designating behavioral health districts:

(1) City and county lines.

(2) The maximum population size that behavioral health services available in an area are able to effectively serve.

(3) Areas of high need for behavioral health services.

(4) Patterns various populations exhibit when accessing or receiving behavioral health services.

c. Notwithstanding chapter 17A, the manner in which the department designates behavioral health districts including but not limited to the determination of the boundaries for each district shall not be subject to judicial review.

2. a. The department shall designate an administrative services organization for each behavioral health district to oversee and organize each district and the behavioral health services associated with the district. The department shall issue requests for proposals for administrative services organization candidates.

b. At the department's discretion, the department may designate any of the following entities as an administrative services organization:

(1) An organization that coordinated administrative services or mental health and disability services for a mental health and disability services region formed on or before June 30, 2024.

(2) A public or private nonprofit agency located in a behavioral health district, or any separate organizational unit within the public or private nonprofit agency, that has the capabilities to engage in the planning or provision of a broad range of behavioral health prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling, only as directed by the department.

c. The department shall consider all of the following factors in determining whether to designate an entity as an administrative services organization:

(1) Whether the entity has demonstrated the capacity to manage and

utilize available resources in a manner required of an administrative services organization.

(2) Whether the entity has demonstrated the ability to ensure the delivery of behavioral health services within the district as required by the department by rule.

(3) Whether the entity has demonstrated the ability to fulfill the monitoring, oversight, and provider compliance responsibilities as required by the department by rule.

(4) Whether the entity has demonstrated the capacity to function as a subrecipient for the purposes of the federal community mental health services block grant, 42 U.S.C. §300x et seq., and the federal substance abuse prevention and treatment block grant, 42 U.S.C. §300x-21 et seq., and the ability to comply with all federal requirements applicable to subrecipients under the block grants.

3. a. Upon designation by the department, an administrative services organization shall be considered an instrumentality of the state and shall adhere to all state and federal mandates and prohibitions applicable to an instrumentality of the state.

b. An entity's designation as an administrative services organization shall continue until the designation is removed by the department, the administrative services organization withdraws, or a change in state or federal law necessitates the removal of the designation.

4. Each administrative services organization shall function as a subrecipient for the purposes of the federal community mental health services block grant, 42 U.S.C. §300x et seq., and the federal substance abuse prevention and treatment block grant, 42 U.S.C. §300x-21 et seq., and shall comply with all federal requirements applicable to subrecipients under the block grants.

5. Each administrative services organization shall perform all of the following duties:

a. Develop and administer a district behavioral health plan in accordance with the standards adopted by the department by rule.

b. Coordinate the administration of the district behavioral health plan with federal, state, and local resources in order to develop a comprehensive and coordinated local behavioral health service system.

c. Enter into contracts necessary to provide services under the district behavioral health plan.

d. Oversee, provide technical assistance to, and monitor the compliance of providers contracted by the administrative services organization to provide behavioral health services in accordance with the district behavioral health plan.

e. Establish a district behavioral health advisory council pursuant to section 225A.5.

Sec. 5. NEW SECTION. 225A.5 District behavioral health advisory councils.

1. Each administrative services organization shall establish a district behavioral health advisory council that shall do all of the following:

a. Identify opportunities and address challenges based on updates received from the administrative services organization regarding the

implementation of the district behavioral health plan.

b. Advise the administrative services organization while the administrative services organization is developing behavioral health policies.

c. Advise the administrative services organization on how to best provide access to behavioral health prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling, throughout the district as directed by the department.

2. An advisory council shall consist of ten members. Members shall be appointed by the administrative services organization subject to the following requirements:

a. Three members shall be local elected public officials currently holding office within the behavioral health district, or the public official's designated representative.

b. Three members shall be chosen in accordance with procedures established by the administrative services organization to ensure representation of the populations served within the behavioral health district. At least one member chosen under this paragraph shall represent child and adolescent persons.

c. Three members shall be chosen who have experience or education related to core behavioral health functions, essential behavioral health services, behavioral health prevention, behavioral health treatment, population-based behavioral health services, or community-based behavioral health initiatives.

d. One member shall be a law enforcement representative from within the behavioral health district.

3. An advisory council shall perform the duties required under this section regardless of whether any seat on the advisory council is vacant.

Sec. 6. NEW SECTION. 225A.6 Behavioral health service system — data collection and use.

1. The department shall take all of the following actions for data related to the behavioral health service system:

a. Collect and analyze the data, including but not limited to Medicaid and community services network data, as necessary to issue cost estimates for serving populations, providing treatment, making and receiving payments, conducting operations, and performing prevention and health promotion activities. In doing so, the department shall maintain compliance with applicable federal and state privacy laws to ensure the confidentiality and integrity of individually identifiable data. The department shall periodically assess the status of the department's compliance to ensure that data collected by and stored with the department is protected.

b. Establish and administer a central data repository for collecting and analyzing state, behavioral health district, and contracted behavioral health provider data.

c. Establish a record for each individual receiving publicly funded services from an administrative services organization. Each record shall include a unique client identifier for the purposes of identifying and tracking the individual's record.

d. Consult with administrative services organizations, behavioral health service providers, and other behavioral health service system stakeholders on an ongoing basis to implement and maintain the central data repository.

e. Engage with all entities that maintain information the department is required to collect pursuant to this section in order to integrate all data concerning individuals receiving services within the behavioral health service system.

f. Engage with all entities that maintain general population data relating to behavioral health in order to develop action plans, create projections relating to a population's behavioral health needs, develop policies concerning behavioral health, and otherwise perform acts as necessary to enhance the state's overall behavioral health.

2. Administrative services organizations shall report all data required to be maintained in the central data repository to the department in a manner as established by the department by rule. For the purpose of making such data reports, an administrative services organization shall do one of the following:

a. Utilize a data system that integrates with the data systems used by the department.

b. Utilize a data system that has the capacity to securely exchange information with the department, other behavioral health districts, contractors, and other entities involved with the behavioral health service system who are authorized to access the central data repository.

3. Data and information maintained by and exchanged between an administrative services organization and the department shall be labeled consistently, share the same definitions, utilize the same common coding and nomenclature, and be in a form and format as required by the department by rule.

4. Administrative services organizations shall report to the department, in a manner specified by the department, information including but not limited to demographic information, expenditure data, and data concerning the behavioral health services and other support provided to individuals in the administrative service organization's district.

5. The department shall ensure that public and private agencies, organizations, and individuals that operate within the behavioral health service system, or that make formal requests for the release of data collected by the department, maintain uniform methods for keeping statistical information relating to behavioral health service system outcomes and performance.

6. The department shall develop and implement a communication plan that details how outcome and performance data will be shared with stakeholders including but not limited to the public, persons involved with the behavioral health service system, and the general assembly.

Sec. 7. NEW SECTION. **225A.7 Behavioral health fund.**

1. For purposes of this section:

a. "Population" means, as of July 1 of the fiscal year preceding the fiscal year in which the population figure is applied, the population shown by the latest preceding certified federal census or the latest applicable population estimate issued by the United States census bureau, whichever is

most recent.

b. "State growth factor" for a fiscal year means an amount equal to the dollar amount used to calculate the appropriation under this section for the immediately preceding fiscal year multiplied by the percent increase, if any, in the amount of sales tax revenue deposited into the general fund of the state under section 423.2A, subsection 1, paragraph "a", less the transfers required under section 423.2A, subsection 2, between the fiscal year beginning three years prior to the applicable fiscal year and the fiscal year beginning two years prior to the applicable year, but not to exceed one and one-half percent.

2. A behavioral health fund is established in the state treasury under the control of the department. The fund shall consist of moneys deposited into the fund pursuant to this section and section 426B.1, gifts of money or property accepted by the state or the department to support any services under this chapter or chapter 231, and moneys otherwise appropriated by the general assembly. Moneys in the fund are appropriated to the department to implement and administer the behavioral health service system and related programs including but not limited to all of the following:

a. Distributions to administrative services organizations to provide services as outlined in the organizations' district behavioral health plan.

b. Distributions to providers of mental health services and addictive disorder services, including but not limited to tobacco use services, substance use disorder services, and problem gambling services.

c. Funding of disability services pursuant to chapter 231. This paragraph is repealed July 1, 2028.

3. For the fiscal year beginning July 1, 2025, there is transferred from the general fund of the state to the behavioral health fund an amount equal to forty-two dollars multiplied by the state's population for the fiscal year.

4. For the fiscal year beginning July 1, 2026, and each succeeding fiscal year, there is transferred from the general fund of the state to the behavioral health fund an amount equal to the state's population for the fiscal year multiplied by the sum of the dollar amount used to calculate the transfer from the general fund to the behavioral health fund for the immediately preceding fiscal year, plus the state growth factor for the fiscal year for which the transfer is being made.

5. For each fiscal year, an administrative services organization shall not spend on administrative costs an amount more than seven percent of the total amount distributed to the administrative services organization through this section and all other appropriations for the same fiscal year.

6. Moneys in the behavioral health fund may be used by the department for cash flow purposes, provided that any moneys so allocated are returned to the behavioral health fund by the end of each fiscal year.

7. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the behavioral health fund shall be credited to the behavioral health fund.

8. 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.

Sec. 8. NEW SECTION. **225A.8 Addictive disorders prevention — prohibitions.**

1. For purposes of this section, "entity" means a manufacturer, distributor, wholesaler, retailer, or distributing agent, or an agent of a manufacturer, distributor, wholesaler, retailer, or distributing agent as those terms are defined in section 453A.1.

2. To promote comprehensive tobacco use prevention and control initiatives outlined in the state behavioral health service system plan, an entity shall not perform any of the following acts:

a. Give away cigarettes or tobacco products.

b. Provide free articles, products, commodities, gifts, or concessions in any exchange for the purchase of cigarettes or tobacco products.

3. The prohibitions in this section shall not apply to transactions between manufacturers, distributors, wholesalers, or retailers as those terms are defined in section 453A.1.

Sec. 9. NEW SECTION. **225A.9 Application for services — minors.**

A minor who is twelve years of age or older shall have the legal capacity to act and give consent to the provision of tobacco cessation coaching services pursuant to a tobacco cessation telephone and internet-based program approved by the department through the behavioral health service system established in section 225A.3. Consent shall not be subject to later disaffirmance by reason of such minority. The consent of another person, including but not limited to the consent of a spouse, parent, custodian, or guardian, shall not be necessary.

Sec. 10. CODE EDITOR DIRECTIVE. The Code editor is directed to do all of the following:

1. Designate sections 225A.1 through 225A.9, as enacted in this division of this Act, as Code chapter 225A entitled "Department of Health and Human Services — Behavioral Health Service System".

2. Correct internal references in the Code and in any enacted legislation as necessary due to the enactment of this division of this Act.

Sec. 11. EFFECTIVE DATE. This division of this Act takes effect July 1, 2025.

DIVISION II

BEHAVIORAL HEALTH SERVICE SYSTEM — CONFORMING CHANGES

Sec. 12. Section 11.6, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. The financial condition and transactions of ~~community mental health centers organized under chapter 230A,~~ substance use disorder programs ~~organized~~ licensed under chapter 125~~7~~, and community action agencies organized under chapter 216A~~7~~ shall be audited at least once each year.

Sec. 13. Section 97B.1A, subsection 8, paragraph a, subparagraph (13), Code 2024, is amended by striking the subparagraph.

Sec. 14. Section 123.17, subsection 5, Code 2024, is amended to read as follows:

5. After any transfer provided for in subsection 3 is made, the department shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of sales made by the department from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually. Of the amounts transferred, ~~two~~ three million dollars, ~~plus an additional amount determined by the general assembly, shall be appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 for substance use disorder treatment and prevention programs~~ shall be transferred to the behavioral health fund established under section 225A.7. Any amounts received in excess of the amounts ~~appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125~~ transferred to the behavioral health fund shall be considered part of the general fund balance.

Sec. 15. Section 123.17, subsection 8, Code 2024, is amended by striking the subsection.

Sec. 16. Section 123.17, subsection 9, Code 2024, is amended to read as follows:

9. After any transfers provided for in subsections 3, 5, 6, and ~~7, and 8~~ are made, and before any other transfer to the general fund, the department shall transfer to the economic development authority from the beer and liquor control fund the lesser of two hundred fifty thousand dollars or one percent of the gross sales of native distilled spirits by all class "A" native distilled spirits license holders made by the department for the purposes of promoting Iowa wine, beer, and spirits.

Sec. 17. Section 124.409, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 18. Section 125.2, subsections 4, 5, and 10, Code 2024, are amended by striking the subsections.

Sec. 19. Section 125.91, subsection 1, Code 2024, is amended to read as follows:

1. The procedure prescribed by this section shall only be used for a person with a substance use disorder due to intoxication or substance-induced incapacitation who has threatened, attempted, or inflicted physical self-harm or harm on another, and is likely to inflict physical self-harm or harm on another unless immediately detained, or who is incapacitated by a chemical substance, if an application has not been filed naming the person as the respondent pursuant to section 125.75 and the person cannot be ordered into immediate custody and detained pursuant to section 125.81.

Sec. 20. Section 125.93, Code 2024, is amended to read as follows:

125.93 Commitment records — confidentiality.

Records of the identity, diagnosis, prognosis, or treatment of a person which are maintained in connection with the provision of substance use disorder treatment services are confidential, consistent with ~~the requirements of section 125.37, and with the federal confidentiality regulations authorized by the federal Drug Abuse Office and Treatment Act, 42 U.S.C. §290cc and the federal Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act, 42 U.S.C. §290dd-2.~~ However, such records may be disclosed to an employee of the department of corrections, if authorized by the director of the department of corrections, or to an employee of a judicial district department of correctional services, if authorized by the director of the judicial district department of correctional services.

Sec. 21. Section 135.11, subsection 11, Code 2024, is amended to read as follows:

11. Administer chapters 125, 136A, 136C, 139A, 142, ~~142A~~, 144, and 147A.

Sec. 22. Section 135C.2, subsection 5, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The department shall establish a special classification within the residential care facility category in order to foster the development of residential care facilities which serve persons with an intellectual disability, chronic mental illness, a developmental disability, or brain injury, ~~as described under section 225C.26,~~ and which contain five or fewer residents. A facility within the special classification established pursuant to this subsection is exempt from the requirements of section 10A.713. The department shall adopt rules which are consistent with rules previously developed for the ~~waiver~~ demonstration waiver project pursuant to 1986 Iowa Acts, ch. 1246, §206, and which include all of the following provisions:

Sec. 23. Section 135C.6, subsection 1, Code 2024, is amended to read as follows:

1. A person or governmental unit acting severally or jointly with any other person or governmental unit shall not establish or operate a health care facility in this state without a license for the facility. A supported community living service, as defined in section ~~225C.21~~ 249A.38A, is not required to be licensed under this chapter, but is subject to approval under section ~~225C.21~~ 249A.38A in order to receive public funding.

Sec. 24. Section 135C.23, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Each resident shall be covered by a contract executed by the resident, or the resident's legal representative, and the health care facility at or prior to the time of the resident's admission or prior thereto by the resident, or the legal representative, and the health care facility, except as otherwise provided by subsection 5 with respect to residents admitted at public expense to a county care facility operated under chapter 347B. Each party to the contract shall be entitled to a duplicate of the original thereof contract,

and the health care facility shall keep on file all contracts which it has with residents and shall not destroy or otherwise dispose of any such contract for at least one year after its expiration. Each such contract shall expressly set forth:

Sec. 25. Section 135C.23, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. This section does not prohibit the admission of a patient with a history of dangerous or disturbing behavior to an intermediate care facility for persons with mental illness, intermediate care facility for persons with an intellectual disability, or nursing facility, ~~or county care facility~~ when the intermediate care facility for persons with mental illness, intermediate care facility for persons with an intellectual disability, or nursing facility, ~~or county care facility~~ has a program which has received prior approval from the department to properly care for and manage the patient. An intermediate care facility for persons with mental illness, intermediate care facility for persons with an intellectual disability, or nursing facility, ~~or county care facility~~ is required to transfer or discharge a resident with dangerous or disturbing behavior when the intermediate care facility for persons with mental illness, intermediate care facility for persons with an intellectual disability, or nursing facility, ~~or county care facility~~ cannot control the resident's dangerous or disturbing behavior. The department, ~~in coordination with the state mental health and disability services commission created in section 225C.5,~~ shall adopt rules pursuant to chapter 17A for programs to be required in intermediate care facilities for persons with mental illness, intermediate care facilities for persons with an intellectual disability, and nursing facilities, ~~and county care facilities~~ that admit patients or have residents with histories of dangerous or disturbing behavior.

Sec. 26. Section 135C.23, subsection 5, Code 2024, is amended by striking the subsection.

Sec. 27. Section 135C.24, subsection 5, Code 2024, is amended by striking the subsection.

Sec. 28. Section 135G.1, subsection 12, Code 2024, is amended to read as follows:

12. a. "Subacute mental health services" means the same as defined in section 225C.6 services that provide all of the following:

(1) A comprehensive set of wraparound services for a person who has had, or is at imminent risk of having, acute or crisis mental health symptoms that do not permit the person to remain in or threatens removal of the person from the person's home and community, but who has been determined by a mental health professional and a licensed health care professional, subject to the professional's scope of practice, not to need inpatient acute hospital services. For the purposes of this subparagraph, "licensed health care professional" means a person licensed under chapter 148, an advanced registered nurse practitioner, or a physician assistant.

(2) Intensive, recovery-oriented treatment and monitoring of a person.

Treatment may be provided directly or remotely by a licensed psychiatrist or an advanced registered nurse practitioner.

(3) An outcome-focused, interdisciplinary approach designed to return a person to living successfully in the community.

b. Subacute mental health services may include services provided in a wide array of settings ranging from a person's home to a specialized facility with restricted means of egress.

c. Subacute mental health services shall be limited to a period not to exceed ten calendar days or another time period determined in accordance with rules adopted by the department for this purpose, whichever is longer.

Sec. 29. Section 142.1, Code 2024, is amended to read as follows:

142.1 Delivery of bodies.

The body of every person ~~dying~~ who died in a public asylum, hospital, ~~county care facility,~~ penitentiary, or reformatory in this state, or found dead within the state, or ~~which~~ who is to be buried at public expense in this state, except those buried under the provisions of chapter 144C or 249, and which is suitable for scientific purposes, shall be delivered to the medical college of the state university, or some osteopathic or chiropractic college or school located in this state, which has been approved under the law regulating the practice of osteopathic medicine or chiropractic; but no such body shall be delivered to any such college or school if the deceased person expressed a desire during the person's last illness that the person's body should be buried or cremated, nor if such is the desire of the person's relatives. Such bodies shall be equitably distributed among said colleges and schools according to their needs for teaching anatomy in accordance with such rules as may be adopted by the department of health and human services. The expense of transporting said bodies to such college or school shall be paid by the college or school receiving the same. If the deceased person has not expressed a desire during the person's last illness that the person's body should be buried or cremated and no person authorized to control the deceased person's remains under section 144C.5 requests the person's body for burial or cremation, and if a friend objects to the use of the deceased person's body for scientific purposes, said deceased person's body shall be ~~forthwith~~ delivered to such friend for burial or cremation at no expense to the state or county. Unless such friend provides for burial and burial expenses within five days, the body shall be used for scientific purposes under this chapter.

Sec. 30. Section 142.3, Code 2024, is amended to read as follows:

142.3 Notification of department.

Every county medical examiner, funeral director or embalmer, and the managing officer of every public asylum, hospital, ~~county care facility,~~ penitentiary, or reformatory, as soon as any dead body shall come into the person's custody which may be used for scientific purposes as provided in sections 142.1 and 142.2, shall at once notify the nearest relative or friend of the deceased, if known, and the department of health and human services, and hold such body unburied for forty-eight hours. Upon receipt of notification, the department shall issue verbal or written instructions relative to the disposition to be made of said body. Complete jurisdiction over said bodies is vested exclusively in the department of health and human

services. No autopsy or post mortem, except as are legally ordered by county medical examiners, shall be performed on any of said bodies prior to their delivery to the medical schools.

Sec. 31. NEW SECTION. **217.17 State health improvement plan.**

1. The department shall develop, implement, and administer a state health improvement plan to identify health priorities, goals, and measurable objectives, and outline strategies to improve health statewide.

2. The state health improvement plan shall be developed and updated in collaboration and in coordination with other state departments, stakeholders, and statewide organizations the department determines to be relevant.

3. The state health improvement plan may be updated by the department at the department's discretion.

Sec. 32. NEW SECTION. **217.37 Recovery of payment — assignment of liens — county attorney to enforce.**

1. For purposes of this section, "assistance" means all of the following:
a. A payment by the state for services rendered through the behavioral health service system established under section 225A.3.

b. A payment by the state for aging and disability services rendered in accordance with chapter 231.

2. The department shall have the authority to investigate if a person is eligible to have assistance paid on the person's behalf and whether payment of assistance was proper.

3. Notwithstanding any provision of law to the contrary, assistance shall not be recoverable unless the department finds that the assistance was paid for the benefit of a person who was not entitled to have assistance paid on the person's behalf.

4. Assistance paid for the benefit of a person who was not entitled to have assistance paid on the person's behalf shall be recoverable from the entity to which the assistance was paid, from the person on whose behalf assistance was paid, or from a third party who is liable for the person's debts or support.

5. Upon the death of a person who was not entitled to have assistance paid on the person's behalf, the department shall have a lien equivalent in priority to liens described in section 633.425, subsection 6, against the person's estate for the portion of the assistance improperly paid which the department had not recovered at the time of the person's death.

6. The department may waive all or a portion of improperly paid assistance, or a lien created under subsection 5, if the department finds that collection would result in undue hardship.

7. The department shall adopt rules pursuant to chapter 17A to implement and administer this section.

Sec. 33. Section 218.30, Code 2024, is amended to read as follows:

218.30 Investigation of other facilities.

The director may investigate or cause the investigation of charges of abuse, neglect, or mismanagement on the part of an officer or employee of a private facility which is subject to the director's supervision or control. ~~The director shall also investigate or cause the investigation of charges~~

~~concerning county care facilities in which persons with mental illness are served.~~

Sec. 34. Section 218.78, subsection 1, Code 2024, is amended to read as follows:

1. All institutional receipts of the department, including funds received from client participation at the state resource centers under section 222.78 and at the state mental health institutes under section 230.20, shall be deposited in the general fund except for reimbursements for services provided to another institution or state agency, for receipts deposited in the revolving fund under section 904.706, for deposits into the medical assistance fund under section 249A.11, and for rentals charged to employees or others for room, apartment, or house and meals, which shall be available to the institutions.

Sec. 35. Section 222.1, subsection 1, Code 2024, is amended to read as follows:

1. This chapter addresses the public and private services available in this state to meet the needs of persons with an intellectual disability. ~~The responsibility of the mental health and disability services regions formed by counties and of the state for the costs and administration of publicly funded services shall be as set out in section 222.60 and other pertinent sections of this chapter.~~

Sec. 36. Section 222.2, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 01. "Administrative services organization" means the same as defined in section 225A.1.

Sec. 37. Section 222.2, subsections 6 and 7, Code 2024, are amended by striking the subsections.

Sec. 38. Section 222.12, subsection 2, Code 2024, is amended by striking the subsection.

Sec. 39. Section 222.13, Code 2024, is amended to read as follows:

222.13 Voluntary admissions.

1. If an adult person is believed to be a person with an intellectual disability, the adult person or the adult person's guardian may apply to the department and the superintendent of any state resource center for the voluntary admission of the adult person either as an inpatient or an outpatient of the resource center. ~~If the expenses of the person's admission or placement are payable in whole or in part by the person's county of residence, application for the admission shall be made through the regional administrator. An application for admission to a special unit of any adult person believed to be in need of any of the services provided by the special unit under section 222.88 may be made in the same manner.~~ The superintendent shall accept the application if a preadmission diagnostic evaluation confirms or establishes the need for admission, except that an application shall not be accepted if the institution does not have adequate facilities available or if the acceptance will result in an overcrowded condition.

2. If the resource center does not have an appropriate program for the treatment of an adult or minor person with an intellectual disability applying under this section or section 222.13A, ~~the regional administrator for the person's county of residence or the department, as applicable,~~ shall arrange for the placement of the person in any public or private facility within or ~~without~~ outside of the state, approved by the director, which offers appropriate services for the person. ~~If the expenses of the placement are payable in whole or in part by a county, the placement shall be made by the regional administrator for the county.~~

3. ~~If the expenses of an admission of an adult to a resource center or a special unit, or of the placement of the person in a public or private facility are payable in whole or in part by a mental health and disability services region, the regional administrator shall make a full investigation into the financial circumstances of the person and those liable for the person's support under section 222.78 to determine whether or not any of them are able to pay the expenses arising out of the admission of the person to a resource center, special unit, or public or private facility. If the regional administrator finds that the person or those legally responsible for the person are presently unable to pay the expenses, the regional administrator shall pay the expenses. The regional administrator may review such a finding at any subsequent time while the person remains at the resource center, or is otherwise receiving care or treatment for which this chapter obligates the region to pay. If the regional administrator finds upon review that the person or those legally responsible for the person are presently able to pay the expenses, the finding shall apply only to the charges incurred during the period beginning on the date of the review and continuing thereafter, unless and until the regional administrator again changes such a finding. If the regional administrator finds that the person or those legally responsible for the person are able to pay the expenses, the regional administrator shall collect the charges to the extent required by section 222.78, and the regional administrator shall be responsible for the payment of the remaining charges.~~

Sec. 40. Section 222.13A, subsections 3 and 4, Code 2024, are amended to read as follows:

3. During the preadmission diagnostic evaluation, the minor shall be informed both orally and in writing that the minor has the right to object to the voluntary admission. ~~If~~ Notwithstanding section 222.33, if the preadmission diagnostic evaluation determines that the voluntary admission is appropriate but the minor objects to the admission, the minor shall not be admitted to the state resource center unless the court approves of the admission. A petition for approval of the minor's admission may be submitted to the juvenile court by the minor's parent, guardian, or custodian.

4. As soon as practicable after the filing of a petition for approval of the voluntary admission, the court shall determine whether the minor has an attorney to represent the minor in the proceeding. If the minor does not have an attorney, the court shall assign an attorney to the minor ~~an attorney~~. If the minor is unable to pay for an attorney, the attorney shall be compensated by ~~the mental health and disability services region~~ an administrative services organization at an hourly rate to be established ~~by the regional~~

~~administrator~~ in substantially the same manner as provided in section 815.7.

Sec. 41. Section 222.14, Code 2024, is amended to read as follows:

222.14 Care ~~by region~~ pending admission.

If the institution is unable to receive a patient, the superintendent shall notify ~~the regional administrator for the county of residence of the prospective patient~~ an administrative services organization. Until such time as the patient is able to be received by the institution, or when application has been made for admission to a public or private facility as provided in section 222.13 and the application is pending, the care of the patient shall be provided as arranged by the ~~regional administrator~~ administrative services organization.

Sec. 42. NEW SECTION. **222.33 State resource center — admissions and discharge.**

1. The department shall make all final determinations concerning whether a person may be admitted to a state resource center.

2. If a patient is admitted to a state resource center pursuant to section 222.13 or 222.13A, and the patient wishes to be placed outside of the state resource center, the discharge of the patient shall be made in accordance with section 222.15.

Sec. 43. NEW SECTION. **222.35 State — payor of last resort.**

The department shall implement services and adopt rules pursuant to chapter 17A in a manner that ensures that the state is the payor of last resort, and that the department shall not make any payments for services that have been provided until the department has determined that the services provided are not payable by a third-party source.

Sec. 44. Section 222.73, subsections 2 and 4, Code 2024, are amended by striking the subsections.

Sec. 45. Section 222.77, Code 2024, is amended to read as follows:

222.77 Patients on leave.

The cost of support of patients placed on convalescent leave or removed as a habilitation measure from a resource center, ~~or a special unit~~, except when living in the home of a person legally bound for the support of the patient, shall be paid by ~~the county of residence or the state as provided in section 222.60~~.

Sec. 46. Section 222.78, subsection 1, Code 2024, is amended to read as follows:

1. The father and mother of any patient admitted to a resource center ~~or to a special unit~~, as either an inpatient or an outpatient, and any person, firm, or corporation bound by contract made for support of the patient, are liable for the support of the patient. The patient and those legally bound for the support of the patient shall be liable to the ~~county or state, as applicable~~, for all sums advanced ~~in accordance with the provisions of sections 222.60 and 222.77~~ relating to reasonable attorney fees and court costs for the patient's admission to the resource center, and for the treatment, training, instruction, care, habilitation, support,

transportation, or other expenditures made on behalf of the patient pursuant to this chapter.

Sec. 47. Section 222.79, Code 2024, is amended to read as follows:

222.79 Certification statement presumed correct.

In actions to enforce the liability imposed by section 222.78, the superintendent ~~or the county of residence, as applicable,~~ shall submit a certification statement stating the sums charged, and the certification statement shall be considered presumptively correct.

Sec. 48. Section 222.80, Code 2024, is amended to read as follows:

222.80 Liability to ~~county or~~ state.

A person admitted to a county institution ~~or home~~ or admitted at ~~county or~~ state expense to a private hospital, sanitarium, or other facility for treatment, training, instruction, care, habilitation, and support as a patient with an intellectual disability shall be liable to the ~~county or~~ state, ~~as applicable,~~ for the reasonable cost of the support as provided in section 222.78.

Sec. 49. Section 222.82, Code 2024, is amended to read as follows:

222.82 Collection of liabilities and claims.

If liabilities and claims exist as provided in section 222.78 or any other provision of this chapter, ~~the county of residence or the state, as applicable,~~ may proceed as provided in this section. ~~If the liabilities and claims are owed to a county of residence, the county's board of supervisors may direct the county attorney to proceed with the collection of the liabilities and claims as a part of the duties of the county attorney's office when the board of supervisors deems such action advisable. If the liabilities and claims are owed to the state, the state shall proceed with the collection. The board of supervisors or the state, as applicable,~~ may compromise any and all liabilities to the ~~county or~~ state arising under this chapter when such compromise is deemed to be in the best interests of the ~~county or~~ state. Any collections and liens shall be limited in conformance to section 614.1, subsection 4.

Sec. 50. Section 222.85, subsection 2, Code 2024, is amended to read as follows:

2. Moneys paid to a resource center from any source other than state appropriated funds and intended to pay all or a portion of the cost of care of a patient, which cost would otherwise be paid from state ~~or county~~ funds or from the patient's own funds, shall not be deemed "funds belonging to a patient" for the purposes of this section.

Sec. 51. Section 222.86, Code 2024, is amended to read as follows:

222.86 Payment for care from fund.

If a patient is not receiving medical assistance under chapter 249A and the amount in the account of any patient in the patients' personal deposit fund exceeds two hundred dollars, the department may apply any amount of the excess to reimburse the ~~county of residence or the state~~ for liability incurred by ~~the county or~~ the state for the payment of care, support, and maintenance of the patient, ~~when billed by the county or state, as~~

applicable.

Sec. 52. Section 222.92, subsection 1, Code 2024, is amended to read as follows:

1. The department shall operate the state resource centers on the basis of net appropriations from the general fund of the state. The appropriation amounts shall be the net amounts of state moneys projected to be needed for the state resource centers for the fiscal year of the appropriations. The purpose of utilizing net appropriations is to encourage the state resource centers to operate with increased self-sufficiency, to improve quality and efficiency, and to support collaborative efforts between the state resource centers and ~~counties and other~~ providers of funding for the services available from the state resource centers. The state resource centers shall not be operated under the net appropriations in a manner that results in a cost increase to the state or in cost shifting between the state, the medical assistance program, ~~counties,~~ or other sources of funding for the state resource centers.

Sec. 53. Section 222.92, subsection 3, paragraph a, Code 2024, is amended by striking the paragraph.

Sec. 54. Section 225.1, subsection 2, Code 2024, is amended to read as follows:

2. For the purposes of this chapter, unless the context otherwise requires:

a. ~~"Mental health and disability services region" means a mental health and disability services region approved in accordance with section 225C.56.~~ "Administrative services organization" means the same as defined in section 225A.1.

b. ~~"Regional administrator" means the administrator of a mental health and disability services region, as defined in section 225C.55.~~ "Department" means the department of health and human services.

c. "Respondent" means the same as defined in section 229.1.

Sec. 55. NEW SECTION. 225.4 State psychiatric hospital — admissions.

The department shall make all final determinations concerning whether a person may be admitted to the state psychiatric hospital.

Sec. 56. Section 225.11, Code 2024, is amended to read as follows:

225.11 Initiating commitment procedures.

When a court finds upon completion of a hearing held pursuant to section 229.12 that the contention that a respondent is seriously mentally impaired has been sustained by clear and convincing evidence, and the application filed under section 229.6 also contends or the court otherwise concludes that it would be appropriate to refer the respondent to the state psychiatric hospital for a complete psychiatric evaluation and appropriate treatment pursuant to section 229.13, the judge may order that a financial investigation be made in the manner prescribed by section 225.13. If the costs of a respondent's evaluation or treatment are payable in whole or in part by ~~a county~~ an administrative services organization, an order under this section shall be for referral of the respondent ~~through the regional~~

~~administrator for the respondent's county of residence by an administrative services organization for an evaluation and referral of the respondent to an appropriate placement or service, which may include the state psychiatric hospital for additional evaluation or treatment.~~

Sec. 57. Section 225.12, Code 2024, is amended to read as follows:

225.12 Voluntary public patient — physician's or physician assistant's report.

A physician or a physician assistant who meets the qualifications set forth in the definition of a mental health professional in section 228.1 ~~filing information under section 225.10 shall include a written report to the regional administrator for the county of residence of the person named in the information, giving~~ shall submit a detailed history of the case to an administrative services organization as will be likely to aid in the observation, treatment, and hospital care of the person ~~and describing the history in detail.~~

Sec. 58. Section 225.13, Code 2024, is amended to read as follows:

225.13 Financial condition.

~~The regional administrator for the county of residence of a person being admitted to the state psychiatric hospital is~~ Administrative services organizations shall be responsible for investigating the financial condition of ~~the~~ a person and of those legally responsible for the person's support.

Sec. 59. Section 225.15, Code 2024, is amended to read as follows:

225.15 Examination and treatment.

~~1.~~ When a respondent arrives at the state psychiatric hospital, the admitting physician, or a physician assistant who meets the qualifications set forth in the definition of a mental health professional in section 228.1, shall examine the respondent and determine whether or not, in the physician's or physician assistant's judgment, the respondent is a fit subject for observation, treatment, and hospital care. If, upon examination, the physician or physician assistant who meets the qualifications set forth in the definition of a mental health professional in section 228.1 decides that the respondent should be admitted to the hospital, the respondent shall be provided a proper bed in the hospital. The physician or physician assistant who meets the qualifications set forth in the definition of a mental health professional in section 228.1 who has charge of the respondent shall proceed with observation, medical treatment, and hospital care as in the physician's or physician assistant's judgment are proper and necessary, in compliance with sections 229.13, 229.14, this section, and section 229.16. After the respondent's admission, the observation, medical treatment, and hospital care of the respondent may be provided by a mental health professional, as defined in section 228.1, who is licensed as a physician, advanced registered nurse practitioner, or physician assistant.

~~2. A proper and competent nurse shall also be assigned to look after and care for the respondent during observation, treatment, and care. Observation, treatment, and hospital care under this section which are payable in whole or in part by a county shall only be provided as determined through the regional administrator for the respondent's county of residence.~~

Sec. 60. Section 225.16, subsection 1, Code 2024, is amended to read as follows:

1. If the ~~regional administrator for a person's county of residence department~~ finds from the physician's information or from the information of a physician assistant who meets the qualifications set forth in the definition of a mental health professional in section 228.1 which was filed under the provisions of section ~~225.10~~ 225.12 that it would be appropriate for the person to be admitted to the state psychiatric hospital, and ~~the report of the regional administrator made pursuant to section 225.13 shows the department finds~~ that the person and those who are legally responsible for the person are not able to pay the expenses incurred at the hospital, or are able to pay only a part of the expenses, the person shall be considered to be a voluntary public patient and ~~the regional administrator shall direct that the person shall be sent to the state psychiatric hospital at the state university of Iowa~~ for observation, treatment, and hospital care.

Sec. 61. Section 225.17, subsection 2, Code 2024, is amended to read as follows:

2. When the respondent arrives at the hospital, the respondent shall receive the same treatment as is provided for committed public patients in section 225.15, in compliance with sections 229.13 through 229.16. ~~However, observation, treatment, and hospital care under this section of a respondent whose expenses are payable in whole or in part by a county shall only be provided as determined through the regional administrator for the respondent's county of residence.~~

Sec. 62. Section 225.18, Code 2024, is amended to read as follows:

225.18 Attendants.

~~The regional administrator~~ An administrative services organization may appoint an attendant to accompany the committed public patient or the voluntary public patient or the committed private patient from the place where the patient may be to the state psychiatric hospital, or to accompany the patient from the hospital to a place as may be designated by the ~~regional administrator~~ administrative services organization. If a patient is moved pursuant to this section, at least one attendant shall be of the same gender as the patient.

Sec. 63. Section 225.22, Code 2024, is amended to read as follows:

225.22 Liability of private patients — payment.

Every committed private patient, if the patient has an estate sufficient for that purpose, or if those legally responsible for the patient's support are financially able, shall be liable to the ~~county and~~ state for all expenses paid by ~~them in~~ the state on behalf of such patient. All bills for the care, nursing, observation, treatment, medicine, and maintenance of such patients shall be paid by the director of the department of administrative services in the same manner as those of committed and voluntary public patients as provided in this chapter, unless the patient or those legally responsible for the patient make such settlement with the state psychiatric hospital.

Sec. 64. Section 225.24, Code 2024, is amended to read as follows:

225.24 Collection of preliminary expense.

Unless a committed private patient or those legally responsible for the patient's support offer to settle the amount of the claims, the ~~regional administrator for the person's county of residence department~~ shall collect, by action if necessary, the amount of all claims for per diem and expenses that have been approved by ~~the regional administrator for the county an administrative services organization~~ and paid by the ~~regional administrator as provided under section 225.21 administrative services organization~~. Any amount collected shall be credited to the ~~mental health and disability services region combined account created~~ behavioral health fund established in accordance with section 225C.58 225A.7.

Sec. 65. Section 225.27, Code 2024, is amended to read as follows:

225.27 Discharge — transfer.

The state psychiatric hospital may, at any time, discharge any patient as recovered, as improved, or as not likely to be benefited by further treatment. If the patient being so discharged was involuntarily hospitalized, the hospital shall notify the committing judge or court of the discharge as required by section 229.14 or section 229.16, ~~whichever is as applicable, and the applicable regional administrator~~. Upon receiving the notification, the court shall issue an order confirming the patient's discharge from the hospital or from care and custody, as the case may be, and shall terminate the proceedings pursuant to which the order was issued. The court or judge shall, if necessary, appoint a person to accompany the discharged patient from the state psychiatric hospital to such place as the hospital or the court may designate, or authorize the hospital to appoint such attendant.

Sec. 66. Section 226.1, subsection 4, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. 0a. "Administrative services organization" means the same as defined in section 225A.1.

Sec. 67. Section 226.1, subsection 4, paragraphs d and f, Code 2024, are amended by striking the paragraphs.

Sec. 68. Section 226.8, subsection 2, Code 2024, is amended to read as follows:

2. Charges for the care of any person with a diagnosis of an intellectual disability admitted to a state mental health institute shall be made by the institute in the manner provided by chapter 230, but the liability of any other person to ~~any mental health and disability services region the state~~ for the cost of care of such person with a diagnosis of an intellectual disability shall be as prescribed by section 222.78.

Sec. 69. Section 226.32, Code 2024, is amended to read as follows:

226.32 Overcrowded conditions.

The director shall order the discharge or removal from the mental health institute of incurable and harmless patients whenever it is necessary to make room for recent cases. ~~If a patient who is to be discharged entered the mental health institute voluntarily, the director shall notify the regional~~

~~administrator for the county interested at least ten days in advance of the day of actual discharge.~~

Sec. 70. Section 226.34, subsection 2, paragraph d, Code 2024, is amended by striking the paragraph.

Sec. 71. Section 228.6, subsection 1, Code 2024, is amended to read as follows:

1. A mental health professional or an employee of or agent for a mental health facility may disclose mental health information if and to the extent necessary, to meet the requirements of section 229.24, 229.25, ~~230.20, 230.21, 230.25, 230.26,~~ 230A.108, 232.74, or 232.147, or to meet the compulsory reporting or disclosure requirements of other state or federal law relating to the protection of human health and safety.

Sec. 72. Section 229.1, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 01. "Administrative services organization" means the same as defined in section 225A.1.

Sec. 73. Section 229.1, subsections 11, 18, and 19, Code 2024, are amended by striking the subsections.

Sec. 74. Section 229.1B, Code 2024, is amended to read as follows:

229.1B Regional administrator Administrative services organization.

Notwithstanding any provision of this chapter to the contrary, any person whose hospitalization expenses are payable in whole or in part by ~~a mental health and disability services region~~ an administrative services organization shall be subject to all administrative requirements of the ~~regional administrator for the county~~ administrative services organization.

Sec. 75. Section 229.2, subsection 1, paragraph b, subparagraph (3), Code 2024, is amended to read as follows:

(3) As soon as is practicable after the filing of a petition for juvenile court approval of the admission of the minor, the juvenile court shall determine whether the minor has an attorney to represent the minor in the hospitalization proceeding, and if not, the court shall assign to the minor an attorney. If the minor is financially unable to pay for an attorney, the attorney shall be compensated by ~~the mental health and disability services region~~ an administrative services organization at an hourly rate to be established by the ~~regional administrator for the county in which the proceeding is held~~ administrative services organization in substantially the same manner as provided in section 815.7.

Sec. 76. Section 229.2, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. The chief medical officer of a public hospital shall receive and may admit the person whose admission is sought, subject in cases other than medical emergencies to availability of suitable accommodations and to the provisions of ~~sections~~ section 229.41 ~~and 229.42.~~

Sec. 77. Section 229.8, subsection 1, Code 2024, is amended to read as follows:

1. Determine whether the respondent has an attorney who is able and willing to represent the respondent in the hospitalization proceeding, and if not, whether the respondent is financially able to employ an attorney and capable of meaningfully assisting in selecting one. In accordance with those determinations, the court shall if necessary allow the respondent to select, or shall assign to the respondent, an attorney. If the respondent is financially unable to pay an attorney, the attorney shall be compensated by ~~the mental health and disability services region~~ an administrative services organization at an hourly rate to be established by the ~~regional administrator for the county in which the proceeding is held~~ administrative services organization in substantially the same manner as provided in section 815.7.

Sec. 78. Section 229.10, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. An examination of the respondent shall be conducted by one or more licensed physicians or mental health professionals, as required by the court's order, within a reasonable time. If the respondent is detained pursuant to section 229.11, subsection 1, paragraph "b", the examination shall be conducted within twenty-four hours. If the respondent is detained pursuant to section 229.11, subsection 1, paragraph "a" or "c", the examination shall be conducted within forty-eight hours. If the respondent so desires, the respondent shall be entitled to a separate examination by a licensed physician or mental health professional of the respondent's own choice. The reasonable cost of the examinations shall, if the respondent lacks sufficient funds to pay the cost, be paid by ~~the regional administrator from mental health and disability services region funds~~ an administrative services organization upon order of the court.

Sec. 79. Section 229.11, subsection 1, unnumbered paragraph 1, Code 2024, is amended to read as follows:

If the applicant requests that the respondent be taken into immediate custody and the judge, upon reviewing the application and accompanying documentation, finds probable cause to believe that the respondent has a serious mental impairment and is likely to injure the respondent or other persons if allowed to remain at liberty, the judge may enter a written order directing that the respondent be taken into immediate custody by the sheriff or the sheriff's deputy and be detained until the hospitalization hearing. The hospitalization hearing shall be held no more than five days after the date of the order, except that if the fifth day after the date of the order is a Saturday, Sunday, or a holiday, the hearing may be held on the next succeeding business day. If the expenses of a respondent are payable in whole or in part by ~~a mental health and disability services region~~ an administrative services organization, for a placement in accordance with paragraph "a", the judge shall give notice of the placement to ~~the regional administrator for the county in which the court is located~~ an administrative services organization, and for a placement in accordance with paragraph "b" or "c", the judge shall order the placement in a hospital or facility

designated ~~through the regional administrator~~ by an administrative services organization. The judge may order the respondent detained for the period of time until the hearing is held, and no longer, in accordance with paragraph "a", if possible, and if not then in accordance with paragraph "b", or, only if neither of these alternatives is available, in accordance with paragraph "c". Detention may be in any of the following:

Sec. 80. Section 229.13, subsection 1, paragraph a, Code 2024, is amended to read as follows:

a. The court shall order a respondent whose expenses are payable in whole or in part by ~~a mental health and disability services region~~ an administrative services organization placed under the care of an appropriate hospital or facility designated ~~through the regional administrator for the county~~ by an administrative services organization on an inpatient or outpatient basis.

Sec. 81. Section 229.13, subsection 7, paragraph b, Code 2024, is amended to read as follows:

b. ~~A region~~ An administrative services organization shall contract with mental health professionals to provide the appropriate treatment including treatment by the use of oral medicine or injectable antipsychotic medicine pursuant to this section.

Sec. 82. Section 229.14, subsection 2, paragraph a, Code 2024, is amended to read as follows:

a. For a respondent whose expenses are payable in whole or in part by ~~a mental health and disability services region~~ an administrative services organization, placement as designated ~~through the regional administrator for the county~~ by an administrative services organization in the care of an appropriate hospital or facility on an inpatient or outpatient basis, or other appropriate treatment, or in an appropriate alternative placement.

Sec. 83. Section 229.14A, subsections 7 and 9, Code 2024, are amended to read as follows:

7. If a respondent's expenses are payable in whole or in part by ~~a mental health and disability services region through the regional administrator for the county~~ an administrative services organization, notice of a placement hearing shall be provided to the county attorney and ~~the regional administrator~~ an administrative services organization. At the hearing, the county may present evidence regarding appropriate placement.

9. A placement made pursuant to an order entered under section 229.13 or 229.14 or this section shall be considered to be authorized ~~through the regional administrator for the county~~ by an administrative services organization.

Sec. 84. Section 229.15, subsection 4, Code 2024, is amended to read as follows:

4. When a patient has been placed in an alternative facility other than a hospital pursuant to a report issued under section 229.14, subsection 1, paragraph "d", a report on the patient's condition and prognosis shall be made to the court which placed the patient, at least once every six months,

~~unless the court authorizes annual reports. If an evaluation of the patient is performed pursuant to section 227.2, subsection 4, a copy of the evaluation report shall be submitted to the court within fifteen days of the evaluation's completion. The court may in its discretion waive the requirement of an additional report between the annual evaluations. If the department exercises the authority to remove residents or patients from a county care facility or other county or private facility under section 227.6, the department shall promptly notify each court which placed in that facility any resident or patient removed.~~

Sec. 85. Section 229.19, subsection 1, paragraphs a and b, Code 2024, are amended to read as follows:

a. In each county the board of supervisors shall appoint an individual who has demonstrated by prior activities an informed concern for the welfare and rehabilitation of persons with mental illness, and who is not an officer or employee of the department, ~~an officer or employee of a region, an officer or employee of a county performing duties for a region,~~ or an officer or employee of any agency or facility providing care or treatment to persons with mental illness, to act as an advocate representing the interests of patients involuntarily hospitalized by the court, in any matter relating to the patients' hospitalization or treatment under section 229.14 or 229.15.

b. The committing court shall assign the advocate for the county where the patient is located. A county ~~or region~~ may seek reimbursement from ~~the patient's county of residence or from the region in which the patient's county of residence is located~~ an administrative services organization.

Sec. 86. Section 229.19, subsection 4, unnumbered paragraph 1, Code 2024, is amended to read as follows:

~~The state mental health and disability services commission created in section 225C.5~~ department, in consultation with advocates and county and judicial branch representatives, shall adopt rules pursuant to chapter 17A relating to advocates that include but are not limited to all of the following topics:

Sec. 87. Section 229.22, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. If the magistrate orders that the person be detained, the magistrate shall, by the close of business on the next working day, file a written order with the clerk in the county where it is anticipated that an application may be filed under section 229.6. The order may be filed by facsimile if necessary. A peace officer from the law enforcement agency that took the person into custody, if no request was made under paragraph "a", may inform the magistrate that an arrest warrant has been issued for or charges are pending against the person and request that any written order issued under this paragraph require the facility or hospital to notify the law enforcement agency about the discharge of the person prior to discharge. The order shall state the circumstances under which the person was taken into custody or otherwise brought to a facility or hospital, and the grounds supporting the finding of probable cause to believe that the person is seriously mentally impaired and likely to injure the person's self or others if not immediately

detained. The order shall also include any law enforcement agency notification requirements if applicable. The order shall confirm the oral order authorizing the person's detention including any order given to transport the person to an appropriate facility or hospital. A peace officer from the law enforcement agency that took the person into custody may also request an order, separate from the written order, requiring the facility or hospital to notify the law enforcement agency about the discharge of the person prior to discharge. The clerk shall provide a copy of the written order or any separate order to the chief medical officer of the facility or hospital to which the person was originally taken, to any subsequent facility to which the person was transported, and to any law enforcement department, ambulance service, or transportation service under contract with ~~a mental health and disability services region~~ an administrative services organization that transported the person pursuant to the magistrate's order. A transportation service that contracts with ~~a mental health and disability services region~~ an administrative services organization for purposes of this paragraph shall provide a secure transportation vehicle and shall employ staff that has received or is receiving mental health training.

Sec. 88. Section 229.24, subsection 3, unnumbered paragraph 1, Code 2024, is amended to read as follows:

If all or part of the costs associated with hospitalization of an individual under this chapter are chargeable to ~~a county of residence~~ an administrative services organization, the clerk of the district court shall provide to ~~the regional administrator for the county of residence and to the regional administrator for the county in which the hospitalization order is entered~~ an administrative services organization the following information pertaining to the individual which would be confidential under subsection 1:

Sec. 89. Section 229.38, Code 2024, is amended to read as follows:

229.38 Cruelty or official misconduct.

If any person having the care of a person with mental illness who has voluntarily entered a hospital or other facility for treatment or care, or who is responsible for psychiatric examination care, treatment, and maintenance of any person involuntarily hospitalized under sections 229.6 through 229.15, whether in a hospital or elsewhere, with or without proper authority, shall treat such patient with unnecessary severity, harshness, or cruelty, or in any way abuse the patient or if any person unlawfully detains or deprives of liberty any person with mental illness or any person who is alleged to have mental illness, or if any officer required by the provisions of this chapter and ~~chapters~~ chapter 226 ~~and 227~~, to perform any act shall willfully refuse or neglect to perform the same, the offending person shall, unless otherwise provided, be guilty of a serious misdemeanor.

Sec. 90. Section 230.1, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 01. "Administrative service organization" means the same as defined in section 225A.1.

Sec. 91. Section 230.1, subsections 4 and 5, Code 2024, are amended by

striking the subsections.

Sec. 92. Section 230.10, Code 2024, is amended to read as follows:

230.10 Payment of costs.

All legal costs and expenses for the taking into custody, care, investigation, and admission or commitment of a person to a state mental health institute ~~under a finding that the person has residency in another county of this state~~ shall be charged ~~against the regional administrator of the person's county of residence~~ to an administrative services organization.

Sec. 93. Section 230.11, Code 2024, is amended to read as follows:

230.11 Recovery of costs from state.

Costs and expenses for the taking into custody, care, and investigation of a person who has been admitted or committed to a state mental health institute, United States department of veterans affairs hospital, or other agency of the United States government, for persons with mental illness and who has no residence in this state or whose residence is unknown, including cost of commitment, if any, shall be paid as approved by the department. The amount of the costs and expenses approved by the department is appropriated to the department from any moneys in the state treasury not otherwise appropriated. ~~Payment shall be made by the department on itemized vouchers executed by the regional administrator of the person's county which has paid them, and approved by the department.~~

Sec. 94. Section 230.15, subsections 1 and 2, Code 2024, are amended to read as follows:

1. A person with mental illness and a person legally liable for the person's support remain liable for the support of the person with mental illness as provided in this section. Persons legally liable for the support of a person with mental illness include the spouse of the person, and any person bound by contract for support of the person. ~~The regional administrator of the person's county of residence, subject to the direction of the region's governing board, shall enforce the obligation created in this section as to all sums advanced by the regional administrator.~~ The liability ~~to the regional administrator~~ incurred by a person with mental illness or a person legally liable for the person's support under this section is limited to an amount equal to one hundred percent of the cost of care and treatment of the person with mental illness at a state mental health institute for one hundred twenty days of hospitalization. This limit of liability may be reached by payment of the cost of care and treatment of the person with mental illness subsequent to a single admission or multiple admissions to a state mental health institute ~~or, if the person is not discharged as cured, subsequent to a single transfer or multiple transfers to a county care facility pursuant to section 227.11.~~ After reaching this limit of liability, a person with mental illness or a person legally liable for the person's support is liable to the ~~regional administrator~~ state for the care and treatment of the person with mental illness at a state mental health institute ~~or, if transferred but not discharged as cured, at a county care facility~~ in an amount ~~not in excess of~~ to exceed the average minimum cost of the maintenance of an individual who is physically and mentally healthy

residing in the individual's own home, ~~which standard shall be as established and may be revised by the department by rule. A lien imposed by section 230.25 shall not exceed the amount of the liability which may be incurred under this section on account of a person with mental illness.~~

2. A person with a substance use disorder is legally liable for the total amount of the cost of providing care, maintenance, and treatment for the person with a substance use disorder while a voluntary or committed patient. When a portion of the cost is paid by ~~a county~~ an administrative services organization, the person with a substance use disorder is legally liable to the ~~county~~ administrative services organization for the amount paid. The person with a substance use disorder shall assign any claim for reimbursement under any contract of indemnity, by insurance or otherwise, providing for the person's care, maintenance, and treatment in a state mental health institute to the state. ~~Any payments received by the state from or on behalf of a person with a substance use disorder shall be in part credited to the county in proportion to the share of the costs paid by the county.~~

Sec. 95. NEW SECTION. 230.23 State — payor of last resort.

The department shall implement services and adopt rules pursuant to chapter 17A in a manner that ensures that the state is the payor of last resort, and that the department does not make any payments for services that have been provided until the department has determined that the services provided are not payable by a third-party source.

Sec. 96. Section 230.30, Code 2024, is amended to read as follows:

230.30 Claim against estate.

On the death of a person receiving or who has received assistance under the provisions of this chapter, and whom the ~~board~~ department has previously found, ~~under section 230.25~~, is able to pay, there shall be allowed against the estate of such decedent a claim of the sixth class for that portion of the total amount paid for that person's care which exceeds the total amount of all claims of the first through the fifth classes, inclusive, as defined in section 633.425, which are allowed against that estate.

Sec. 97. Section 232.78, subsection 5, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The juvenile court, before or after the filing of a petition under this chapter, may enter an ex parte order authorizing a physician or physician assistant or hospital to conduct an outpatient physical examination or authorizing a physician or physician assistant, a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to ~~chapter 230A~~ section 225A.3 to conduct an outpatient mental examination of a child if necessary to identify the nature, extent, and cause of injuries to the child as required by section 232.71B, provided all of the following apply:

Sec. 98. Section 232.83, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

Anyone authorized to conduct a preliminary investigation in response to a complaint may apply for, or the court on its own motion may enter, an ex

parte order authorizing a physician or physician assistant or hospital to conduct an outpatient physical examination or authorizing a physician or physician assistant, a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to ~~chapter 230A~~ section 225A.3 to conduct an outpatient mental examination of a child if necessary to identify the nature, extent, and causes of any injuries, emotional damage, or other such needs of a child as specified in section 232.96A, subsection 3, 5, or 6, provided that all of the following apply:

Sec. 99. Section 235.7, subsection 2, Code 2024, is amended to read as follows:

2. *Membership.* The department may authorize the governance boards of decategorization of child welfare and juvenile justice funding projects established under section 232.188 to appoint the transition committee membership and may utilize the boundaries of decategorization projects to establish the service areas for transition committees. The committee membership may include but is not limited to department staff involved with foster care, child welfare, and adult services, juvenile court services staff, staff involved with county general assistance or emergency relief under chapter 251 or 252, ~~or a regional administrator of the county mental health and disability services region, as defined in section 225C.55, in the area,~~ school district and area education agency staff involved with special education, and a child's court appointed special advocate, guardian ad litem, service providers, and other persons knowledgeable about the child.

Sec. 100. Section 235A.15, subsection 2, paragraph c, subparagraphs (5) and (8), Code 2024, are amended by striking the subparagraphs.

Sec. 101. Section 249A.4, subsection 15, Code 2024, is amended by striking the subsection.

Sec. 102. Section 249A.12, subsection 4, Code 2024, is amended by striking the subsection.

Sec. 103. NEW SECTION. **249A.38A Supported community living services.**

1. As used in this section, "*supported community living service*" means a service provided in a noninstitutional setting to persons sixteen years of age and older with mental illness, an intellectual disability, brain injury, or developmental disabilities to meet the persons' daily living needs.

2. The department shall adopt rules pursuant to chapter 17A establishing minimum standards for supported community living services.

3. The department shall determine whether to grant, deny, or revoke approval for any supported community living service.

4. Approved supported community living services may receive funding from the state, federal and state social services block grant funds, and other appropriate funding sources, consistent with state legislation and federal regulations. The funding may be provided on a per diem, per hour, or grant basis, as appropriate.

Sec. 104. Section 249N.8, Code 2024, is amended by striking the section and inserting in lieu thereof the following:

249N.8 Behavioral health services reports.

The department shall annually submit a report to the governor and the general assembly with details related to the department's review of the funds administered by, and the outcomes and effectiveness of, the behavioral health services provided by, the behavioral health service system established in section 225A.3.

Sec. 105. Section 252.24, subsections 1 and 3, Code 2024, are amended to read as follows:

1. The county of residence, as defined in section ~~225C.61~~ 331.190, shall be liable to the county granting assistance for all reasonable charges and expenses incurred in the assistance and care of a poor person.

3. This section shall apply to assistance or maintenance provided ~~by a county~~ through the ~~county's mental health and disability services~~ behavioral health service system ~~implemented under chapter 225C~~ established in section 225A.3.

Sec. 106. Section 256.25, subsections 2 and 3, Code 2024, are amended to read as follows:

2. A school district, which may collaborate and partner with one or more school districts, area education agencies, accredited nonpublic schools, nonprofit agencies, and institutions that provide children's mental health services, ~~located in mental health and disability services regions providing children's behavioral health services in accordance with chapter 225C, subchapter VII~~ operating within the state's behavioral health service system under chapter 225A, may apply for a grant under this program to establish a therapeutic classroom in the school district in accordance with this section.

3. The department shall develop a grant application and selection and evaluation criteria. Selection criteria shall include a method for prioritizing grant applications submitted by school districts. First priority shall be given to applications submitted by school districts that submitted an application pursuant to this section for the ~~previous~~ immediately preceding fiscal year. Second priority shall be given to applications submitted by school districts that, pursuant to subsection 2, are collaborating and partnering with one or more school districts, area education agencies, accredited nonpublic schools, nonprofit agencies, or institutions that provide mental health services for children. Third priority shall be given to applications submitted by school districts located in ~~mental health and disability services regions~~ behavioral health districts as defined in section 225A.1, and that are providing behavioral health services for children in accordance with chapter 225C, subchapter VII 225A. Grant awards shall be distributed as equitably as possible among small, medium, and large school districts. For purposes of this subsection, a small school district is a district with an actual enrollment of fewer than six hundred pupils; a medium school district is a district with an actual enrollment that is at least six hundred pupils, but less than two thousand five hundred pupils; and a large school district is a district with an actual enrollment of two thousand five hundred or more pupils.

Sec. 107. Section 321.189, subsection 10, Code 2024, is amended to read

as follows:

10. *Autism spectrum disorder status.* A licensee who has autism spectrum disorder, as defined in section 514C.28, may request that the license be marked to reflect the licensee's autism spectrum disorder status on the face of the license when the licensee applies for the issuance or renewal of a license. The department may adopt rules pursuant to chapter 17A establishing criteria under which a license may be marked, including requiring the licensee to submit medical proof of the licensee's autism spectrum disorder status. When a driver's license is so marked, the licensee's autism spectrum disorder status shall be noted in the electronic database used by the department and law enforcement to access registration, titling, and driver's license information. The department, in consultation with the ~~mental health and disability services commission~~ department of health and human services, shall develop educational media to raise awareness of a licensee's ability to request the license be marked to reflect the licensee's autism spectrum disorder status.

Sec. 108. Section 321.190, subsection 1, paragraph b, subparagraph (6), Code 2024, is amended to read as follows:

(6) An applicant for a nonoperator's identification card who has autism spectrum disorder, as defined in section 514C.28, may request that the card be marked to reflect the applicant's autism spectrum disorder status on the face of the card when the applicant applies for the issuance or renewal of a card. The department may adopt rules pursuant to chapter 17A establishing criteria under which a card may be marked, including requiring the applicant to submit medical proof of the applicant's autism spectrum disorder status. The department, in consultation with the ~~mental health and disability services commission~~ department of health and human services, shall develop educational media to raise awareness of an applicant's ability to request the card be marked to reflect the applicant's autism spectrum disorder status.

Sec. 109. Section 321J.25, subsection 1, paragraph b, Code 2024, is amended to read as follows:

b. "Program" means a substance use disorder awareness program, licensed under chapter 125, and provided under a contract entered into between the provider and the department of health and human services under chapter 125 or an administrative services organization as defined in section 225A.1.

Sec. 110. Section 321J.25, subsection 2, unnumbered paragraph 1, Code 2024, is amended to read as follows:

A substance use disorder awareness program is established in each ~~of the regions established by the director of health and human services pursuant to section 125.12~~ behavioral health district designated pursuant to section 225A.4. The program shall consist of an insight class and a substance use disorder evaluation, which shall be attended by the participant, to discuss issues related to the potential consequences of substance use disorder. The parent or parents of the participant shall also be encouraged to participate in the program. The program provider shall consult with the participant or the parents of the participant in the program to determine the timing and appropriate level of participation for the participant and any participation

by the participant's parents. The program may also include a supervised educational tour by the participant to any or all of the following:

Sec. 111. Section 331.321, subsection 1, paragraph e, Code 2024, is amended by striking the paragraph.

Sec. 112. Section 331.323, subsection 1, paragraph a, subparagraph (7), Code 2024, is amended by striking the subparagraph.

Sec. 113. Section 331.381, subsections 4 and 5, Code 2024, are amended to read as follows:

4. Comply with chapter 222, ~~including but not limited to sections 222.13, 222.14, 222.59 through 222.70, 222.73 through 222.75, and 222.77 through 222.82,~~ in regard to the care of persons with an intellectual disability.

5. Comply with chapters 227, 229 and 230, ~~including but not limited to sections 227.11, 227.14, 229.42, 230.25, 230.27, and 230.35,~~ in regard to the care of persons with mental illness.

Sec. 114. Section 331.382, subsection 1, paragraphs e, f, and g, Code 2024, are amended by striking the paragraphs.

Sec. 115. Section 331.382, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 116. Section 331.432, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 117. Section 331.502, subsection 10, Code 2024, is amended by striking the subsection.

Sec. 118. Section 331.502, subsection 12, Code 2024, is amended to read as follows:

12. Carry out duties relating to the hospitalization and support of persons with mental illness as provided in sections ~~229.42, 230.3, 230.11, and 230.15, 230.21, 230.22, 230.25, and 230.26.~~

Sec. 119. Section 331.552, subsection 13, Code 2024, is amended by striking the subsection.

Sec. 120. Section 331.756, subsections 25, 38, and 41, Code 2024, are amended by striking the subsections.

Sec. 121. Section 331.910, subsection 2, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. 0a. "Administrative services organization" means the same as defined in section 225A.1.

Sec. 122. Section 331.910, subsection 2, paragraph d, Code 2024, is amended by striking the paragraph.

Sec. 123. Section 331.910, subsection 3, paragraphs a and c, Code 2024, are amended to read as follows:

a. ~~A region~~ An administrative services organization may contract with a receiving agency in a bordering state to secure substance use disorder or mental health care and treatment under this subsection for persons who receive substance use disorder or mental health care and treatment pursuant to section 125.33, 125.91, 229.2, or 229.22 ~~through a region~~.

c. ~~A region~~ An administrative services organization may contract with a sending agency in a bordering state to provide care and treatment under this subsection for residents of the bordering state in approved substance use disorder and mental health care and treatment hospitals, centers, and facilities in this state, except that care and treatment shall not be provided for residents of the bordering state who are involved in criminal proceedings substantially similar to the involvement described in paragraph "b".

Sec. 124. Section 347.16, subsection 3, Code 2024, is amended to read as follows:

3. Care and treatment may be furnished in a county public hospital to any sick or injured person who has residence outside the county which maintains the hospital, subject to such policies and rules as the board of hospital trustees may adopt. If care and treatment is provided under this subsection to a person who is indigent, the person's county of residence, as defined in section ~~225C.61~~ 331.190, shall pay to the board of hospital trustees the fair and reasonable cost of the care and treatment provided by the county public hospital unless the cost of the indigent person's care and treatment is otherwise provided for. If care and treatment is provided to an indigent person under this subsection, the county public hospital furnishing the care and treatment shall immediately notify, by regular mail, the auditor of the county of residence of the indigent person of the provision of care and treatment to the indigent person including care and treatment provided ~~by a county through the county's mental health and disability services system implemented under chapter 225C~~ behavioral health service system established in section 225A.3.

Sec. 125. Section 423.3, subsection 18, paragraph d, Code 2024, is amended to read as follows:

d. Community mental health centers accredited by the department of health and human services pursuant to ~~chapter 225C~~ section 225A.3.

Sec. 126. Section 426B.1, subsection 2, Code 2024, is amended to read as follows:

2. Moneys shall be distributed from the property tax relief fund to the ~~mental health and disability services regional service system for mental health and disability services,~~ behavioral health fund established in section 225A.7 in accordance with the appropriations made to the fund and other statutory requirements.

Sec. 127. Section 437A.8, subsection 4, paragraph d, Code 2024, is amended to read as follows:

d. (1) Notwithstanding paragraph "a", a taxpayer who owns or leases a new electric power generating plant and who has no other operating property

in the state of Iowa except for operating property directly serving the new electric power generating plant as described in section 437A.16 shall pay the replacement generation tax associated with the allocation of the local amount to the county treasurer of the county in which the local amount is located and shall remit the remaining replacement generation tax, if any, to the director according to paragraph "a" for remittance of the tax to county treasurers. The director shall notify each taxpayer on or before August 31 following a tax year of its remaining replacement generation tax to be remitted to the director. All remaining replacement generation tax revenues received by the director shall be deposited in the property tax relief fund created in section 426B.1, ~~and shall be distributed as provided in section 426B.2.~~

(2) If a taxpayer has paid an amount of replacement tax, penalty, or interest which was deposited into the property tax relief fund and which was not due, all of the provisions of section 437A.14, subsection 1, paragraph "b", shall apply with regard to any claim for refund or credit filed by the taxpayer. The director shall have sole discretion as to whether the erroneous payment will be refunded to the taxpayer or credited against any replacement tax due, or to become due, from the taxpayer that would be subject to deposit in the property tax relief fund.

Sec. 128. Section 437A.15, subsection 3, paragraph f, Code 2024, is amended to read as follows:

f. Notwithstanding the provisions of this section, if a taxpayer is a municipal utility or a municipal owner of an electric power facility financed under the provisions of chapter 28F or 476A, the assessed value, other than the local amount, of a new electric power generating plant shall be allocated to each taxing district in which the municipal utility or municipal owner is serving customers and has electric meters in operation in the ratio that the number of operating electric meters of the municipal utility or municipal owner located in the taxing district bears to the total number of operating electric meters of the municipal utility or municipal owner in the state as of January 1 of the tax year. If the municipal utility or municipal owner of an electric power facility financed under the provisions of chapter 28F or 476A has a new electric power generating plant but the municipal utility or municipal owner has no operating electric meters in this state, the municipal utility or municipal owner shall pay the replacement generation tax associated with the new electric power generating plant allocation of the local amount to the county treasurer of the county in which the local amount is located and shall remit the remaining replacement generation tax, if any, to the director at the times contained in section 437A.8, subsection 4, for remittance of the tax to the county treasurers. All remaining replacement generation tax revenues received by the director shall be deposited in the ~~property tax relief~~ behavioral health fund ~~created~~ established in section ~~426B.1, and shall be distributed as provided in section 426B.2~~ 225A.7.

Sec. 129. Section 483A.24, subsection 7, Code 2024, is amended to read as follows:

7. A license shall not be required of minor pupils of the Iowa school for the deaf or of minor residents of other state institutions under the control

of the department of health and human services. In addition, a person who is on active duty with the armed forces of the United States, on authorized leave from a duty station located outside of this state, and a resident of the state of Iowa shall not be required to have a license to hunt or fish in this state. The military person shall carry the person's leave papers and a copy of the person's current earnings statement showing a deduction for Iowa income taxes while hunting or fishing. In lieu of carrying the person's earnings statement, the military person may also claim residency if the person is registered to vote in this state. If a deer or wild turkey is taken, the military person shall immediately contact a state conservation officer to obtain an appropriate tag to transport the animal. A license shall not be required of ~~residents of county care facilities or~~ any person who is receiving supplementary assistance under chapter 249.

Sec. 130. Section 602.8102, subsection 39, Code 2024, is amended to read as follows:

39. Refer persons applying for voluntary admission to a community mental health center accredited by the department of health and human services under section 225A.3, for a preliminary diagnostic evaluation ~~as provided in section 225C.16, subsection 2.~~

Sec. 131. Section 714.8, subsection 12, Code 2024, is amended to read as follows:

12. Knowingly transfers or assigns a legal or equitable interest in property, as defined in section 702.14, for less than fair consideration, with the intent to obtain public assistance under chapters 16, 35B, and 35D, ~~and 347B,~~ or Title VI, subtitles 2 through 6, or accepts a transfer of or an assignment of a legal or equitable interest in property, as defined in section 702.14, for less than fair consideration, with the intent of enabling the party transferring the property to obtain public assistance under chapters 16, 35B, and 35D, ~~and 347B,~~ or Title VI, subtitles 2 through 6. A transfer or assignment of property for less than fair consideration within one year prior to an application for public assistance benefits shall be evidence of intent to transfer or assign the property in order to obtain public assistance for which a person is not eligible by reason of the amount of the person's assets. If a person is found guilty of a fraudulent practice in the transfer or assignment of property under this subsection the maximum sentence shall be the penalty established for a serious misdemeanor and sections 714.9, 714.10, and 714.11 shall not apply.

Sec. 132. Section 812.6, subsection 1, Code 2024, is amended to read as follows:

1. If the court finds the defendant does not pose a danger to the public peace and safety, is otherwise qualified for pretrial release, and is willing to cooperate with treatment, the court shall order, as a condition of pretrial release, that the defendant obtain mental health treatment designed to restore the defendant to competency. The costs of treatment pursuant to this subsection shall be paid by ~~the mental health and disability services region for the county of the defendant's residency pursuant to chapter 225C regardless of whether the defendant meets financial eligibility requirements~~

~~under section 225C.62 or 225C.66 an administrative services organization designated pursuant to section 225A.4.~~

Sec. 133. Section 904.201, subsection 8, Code 2024, is amended to read as follows:

8. Chapter 230 governs the determination of costs and charges for the care and treatment of persons with mental illness admitted to the forensic psychiatric hospital, ~~except that charges for the care and treatment of any person transferred to the forensic psychiatric hospital from an adult correctional institution or from a state training school shall be paid entirely from state funds. Charges for all other persons at the forensic psychiatric hospital shall be billed to the respective counties at the same ratio as for patients at state mental health institutes under section 230.20.~~

Sec. 134. REPEAL. Chapters 142A, 225C, 227, 230A, and 347B, Code 2024, are repealed.

Sec. 135. REPEAL. Sections 125.1, 125.3, 125.7, 125.9, 125.10, 125.12, 125.25, 125.32A, 125.34, 125.37, 125.38, 125.39, 125.40, 125.41, 125.42, 125.43, 125.43A, 125.46, 125.48, 125.54, 125.55, 125.58, 125.59, 125.60, 135B.18, 218.99, 222.59, 222.60, 222.61, 222.62, 222.63, 222.64, 222.65, 222.66, 222.67, 222.68, 222.69, 222.70, 222.74, 222.75, 225.10, 225.19, 225.21, 226.45, 229.42, 230.1A, 230.2, 230.3, 230.4, 230.5, 230.6, 230.9, 230.12, 230.16, 230.17, 230.18, 230.19, 230.20, 230.21, 230.22, 230.25, 230.26, 230.27, 426B.2, 426B.4, and 426B.5, Code 2024, are repealed.

Sec. 136. CODE EDITOR DIRECTIVE. The Code editor is directed to correct internal references in the Code and in any enacted legislation as necessary due to the enactment of this division of this Act.

Sec. 137. EFFECTIVE DATE. This division of this Act takes effect July 1, 2025.

DIVISION III

AGING AND DISABILITY

Sec. 138. Section 231.3, Code 2024, is amended to read as follows:

231.3 State policy and objectives.

1. The general assembly declares that it is the policy of the state to work toward attainment of the following objectives for Iowa's older individuals and individuals with disabilities:

- ~~1.~~ a. An adequate income.
- ~~2.~~ b. Access to physical and mental health care and long-term living and community support services without regard to economic status.
- ~~3.~~ c. Suitable and affordable housing that reflects the needs of ~~older~~ individuals.
- ~~4.~~ d. Access to comprehensive information and a community navigation system providing all available options related to long-term living and

community support services that assist ~~elder~~ individuals in the preservation of personal assets and the ability to entirely avoid or significantly delay reliance on entitlement programs.

~~5. e.~~ Full restorative services for those who require institutional care, and a comprehensive array of long-term living and community support services adequate to sustain ~~elder~~ people in their communities and, whenever possible, in their homes, including support for caregivers.

~~6. f.~~ Pursuit of meaningful activity within the widest range of civic, cultural, educational, recreational, and employment opportunities.

~~7. g.~~ Suitable community transportation systems to assist in the attainment of independent movement.

~~8. h.~~ Freedom, independence, and the free exercise of individual initiative in planning and managing their own lives.

~~9. i.~~ Freedom from abuse, neglect, and exploitation.

2. The general assembly declares that the state of Iowa recognizes a brain injury as a disability, and each agency and subdivision of this state shall recognize a brain injury as a distinct disability.

3. It is the policy of this state that each state agency shall make reasonable efforts to identify those persons with brain injuries among the persons served by the state agency.

Sec. 139. Section 231.4, subsection 1, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. 0c. "Brain injury" means the same as defined in section 135.22.

Sec. 140. Section 231.4, subsection 1, paragraph d, Code 2024, is amended to read as follows:

d. "Commission" means the commission on aging. "Council" means the council on health and human services created in section 217.2.

Sec. 141. Section 231.14, Code 2024, is amended to read as follows:

231.14 Commission Council duties and authority.

~~1. The commission is the policymaking body of the sole state agency responsible for administration of the federal Act. The commission council shall do all of the following:~~

~~a. 1. Approve~~ Make recommendations to the department regarding approval of the state plan on aging developed under section 231.31 and area plans on aging, developed under section 231.33.

~~b. 2. Adopt~~ Recommend policies to coordinate state activities related to the purposes of this chapter.

~~c. 3. Serve as an effective and visible advocate for older individuals and individuals with disabilities by establishing recommending policies for reviewing and commenting upon all state plans, budgets, and policies which affect older individuals and for providing technical assistance to any agency, organization, association, or individual representing the needs of elder individuals with disabilities.~~

~~d. Divide the state into distinct planning and service areas after considering the geographical distribution of older individuals in the state, the incidence of the need for supportive services, nutrition services,~~

~~multipurpose senior centers, and legal services, the distribution of older individuals who have low incomes residing in such areas, the distribution of resources available to provide such services or centers, the boundaries of existing areas within the state which are drawn for the planning or administration of supportive services programs, the location of units of general purpose, local government within the state, and any other relevant factors.~~

~~e. Designate for each planning and service area a public or private nonprofit agency or organization as the area agency on aging for that area. The commission may revoke the designation of an area agency on aging pursuant to section 231.32.~~

~~f. 4. Adopt policies to assure~~ Make recommendations to ensure that the department will take into account the views of older individuals and individuals with disabilities in the development of policy.

~~g. Adopt a method for the distribution of federal Act and state funds taking into account, to the maximum extent feasible, the best available data on the geographic distribution of older individuals in the state, and publish the method for review and comment.~~

~~h. 5. Adopt~~ Recommend policies and measures to ~~assure~~ ensure that preference will be given to providing services to older individuals and individuals with disabilities with the greatest economic or social needs, with particular attention to low-income minority ~~elder~~ individuals, ~~elder~~ individuals with limited English proficiency, and ~~elder~~ individuals residing in rural areas.

~~i. 6. Adopt~~ Recommend policies to administer state programs authorized by this chapter.

~~j. 7. Adopt~~ Recommend policies ~~and administrative rules pursuant to chapter 17A~~ that support the capabilities of the area agencies on aging and the aging and disabilities resource centers to serve older individuals and ~~persons~~ individuals with disabilities experiencing Alzheimer's disease or related dementias.

~~2. The commission shall adopt administrative rules pursuant to chapter 17A to administer the duties specified in this chapter and in all other chapters under the department's jurisdiction.~~

Sec. 142. Section 231.21, Code 2024, is amended to read as follows:

231.21 Administration of chapter — department of health and human services.

The department of health and human services shall ~~administer this chapter under the policy direction of the commission on aging~~ consider the recommendations of the council when administering this chapter.

Sec. 143. Section 231.23, Code 2024, is amended to read as follows:

231.23 Department — duties and authority.

The department shall:

1. ~~Develop and administer a~~ Administer the state plan on aging developed pursuant to section 231.31.

2. ~~Assist the commission in the review and approval of~~ Review and approve area plans developed under section 231.33.

3. ~~Pursuant to commission policy, coordinate~~ Coordinate state activities

related to the purposes of this chapter ~~and all other chapters under the department's jurisdiction.~~ State activities shall include, at a minimum, home and community-based services such as employment support, community living, and service coordination.

4. ~~Advocate for older individuals and individuals with disabilities by reviewing and commenting upon all state plans, budgets, laws, rules, regulations, and policies which affect older individuals or individuals with disabilities and by providing technical assistance to any agency, organization, association, or individual representing the needs of older individuals or individuals with disabilities.~~

5. ~~Assist the commission in dividing~~ Divide the state into distinct planning and service areas after considering the geographical distribution of older individuals and individuals with disabilities in the state, the incidence of the need for supportive services, nutrition services, multipurpose senior centers, and legal services, the distribution of older individuals and individuals with disabilities with low income residing in such areas, the distribution of resources available to provide such services or centers, the boundaries of existing areas within the state which are drawn for the planning or administration of supportive services programs, the location of units of general purpose, local government within the state, and any other relevant factors.

6. ~~Assist the commission in designating~~ Designate for each area a public or private nonprofit agency or organization as the area agency on aging for that area. The department may revoke the designation of an area agency on aging pursuant to section 231.32.

7. ~~Pursuant to commission policy, take~~ Take into account the views of older Iowans and Iowans with disabilities.

8. ~~Assist the commission in adopting~~ Adopt a method for the distribution of funds available from the federal Act and state appropriations and allocations that takes into account, to the extent feasible, the best available data on the geographic distribution of older individuals and individuals with disabilities in the state.

9. ~~Assist the commission in assuring~~ Adopt policies and measures to ensure that preference will be given to providing services to older individuals and individuals with disabilities with the greatest economic or social needs, with particular attention to low-income minority ~~older~~ individuals, ~~older~~ individuals with limited English proficiency, and ~~older~~ individuals residing in rural areas.

10. ~~Assist the commission in developing, adopting, and enforcing~~ Develop, adopt, and enforce administrative rules, including by issuing necessary forms and procedures, to administer the duties specified in this chapter.

11. Apply for, receive, and administer grants, devises, donations, and gifts, ~~or bequests of real or personal property~~ from any source to conduct projects consistent with the purposes of the department. Notwithstanding section 8.33, moneys received by the department pursuant to this section are not subject to reversion to the general fund of the state.

12. Administer state authorized programs.

13. Establish a procedure for an area agency on aging to use in selection of members of the agency's board of directors. The selection procedure shall

be incorporated into the bylaws of the board of directors.

14. Adopt rules pursuant to chapter 17A that support the capabilities of the area agencies on aging, and aging and disabilities resource centers, to serve older individuals and individuals with disabilities.

Sec. 144. Section 231.23A, subsections 1 and 3, Code 2024, are amended to read as follows:

1. Services for older individuals, ~~persons with disabilities eighteen years of age and older~~, family caregivers, and veterans as defined by the department in the most current version of the department's reporting manual and pursuant to the federal Act and regulations.

3. ~~The aging~~ Aging and disability resource ~~center~~ centers.

Sec. 145. Section 231.23A, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. Services and supports available to individuals with disabilities including but not limited to individuals with mental illness, an intellectual disability or other developmental disability, or a brain injury.

Sec. 146. Section 231.31, Code 2024, is amended to read as follows:

231.31 State plan on aging.

The department shall develop, ~~and submit to the commission on aging for approval~~, a multiyear state plan on aging. The state plan on aging shall meet all applicable federal requirements.

Sec. 147. Section 231.32, Code 2024, is amended to read as follows:

231.32 Criteria for designation of area agencies on aging.

1. The ~~commission~~ department shall designate an area agency on aging for each planning and service area. The ~~commission shall continue the~~ designation shall continue until an area agency on aging's designation is removed for cause as determined by the ~~commission~~ department, until the time of renewal or the annual update of an area plan, until the agency voluntarily withdraws as an area agency on aging, or until a change in the designation of planning and service areas or area agencies on aging is required by state or federal law. In that event, the ~~commission~~ department shall proceed in accordance with subsections 2, 3, and 4. Designated area agencies on aging shall comply with the requirements of the federal Act.

2. The ~~commission~~ department shall designate an area agency on aging to serve each planning and service area, after consideration of the views offered by units of general purpose local government. An area agency on aging may be:

a. An established office of aging which is operating within a planning and service area designated by the ~~commission~~ department.

b. Any office or agency of a unit of general purpose local government, which is designated to function only for the purpose of serving as an area agency on aging by the chief elected official of such unit.

c. Any office or agency designated by the appropriate chief elected officials of any combination of units of general purpose local government to act only on behalf of such combination for such purpose.

d. Any public or nonprofit private agency in a planning and service area

or any separate organizational unit within such agency which is under the supervision or direction for this purpose of the department and which can and will engage only in the planning or provision of a broad range of long-term living and community support services or nutrition services within the planning and service area.

3. When the ~~commission~~ department designates a new area agency on aging, the ~~commission~~ department shall give the right of first refusal to a unit of general purpose local government if:

a. Such unit can meet the requirements of subsection 1.

b. The boundaries of such a unit and the boundaries of the area are reasonably contiguous.

4. Each area agency on aging shall provide assurance, determined adequate by the ~~commission~~ department, that the area agency on aging has the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program in accordance with the plan within the planning and service area. In designating an area agency on aging within the planning and service area, the ~~commission~~ department shall give preference to an established office of aging, unless the ~~commission~~ department finds that no such office within the planning and service area has the capacity to carry out the area plan.

5. Upon designation, an area agency on aging shall be considered an instrumentality of the state and shall adhere to all state and federal mandates applicable to an instrumentality of the state.

Sec. 148. Section 231.33, subsections 1 and 13, Code 2024, are amended to read as follows:

1. Develop and administer an area plan ~~on aging~~ approved by the ~~commission~~ department.

13. Submit all fiscal and performance reports in accordance with the policies of the ~~commission~~ department.

Sec. 149. NEW SECTION. **231.35 Procedures related to expenditure of state and federal funds.**

1. The department shall establish and enforce procedures relating to expenditure of state and federal funds by area agencies on aging that require compliance with both state and federal laws, rules, and regulations, including but not limited to all of the following:

a. Requiring that expenditures are incurred only for goods or services received or performed prior to the end of the fiscal period designated for use of the funds.

b. Prohibiting prepayment for goods or services not received or performed prior to the end of the fiscal period designated for use of the funds.

c. Prohibiting prepayment for goods or services not defined specifically by good or service, time period, or recipient.

d. Prohibiting the establishment of accounts from which future goods or services which are not defined specifically by good or service, time period, or recipient, may be purchased.

2. The procedures shall provide that if any funds are expended in a manner that is not in compliance with the procedures and applicable federal and state laws, rules, and regulations, and are subsequently subject to

repayment, the area agency on aging expending such funds in contravention of such procedures, laws, rules and regulations, not the state, shall be liable for such repayment.

Sec. 150. Section 231.56, Code 2024, is amended to read as follows:

231.56 Services and programs.

The department shall administer long-term living and community support services and programs that allow older individuals and individuals with disabilities to secure and maintain maximum independence and dignity in a home environment that provides for self-care with appropriate supportive services, assist in removing individual and social barriers to economic and personal independence for older individuals and individuals with disabilities, and provide a continuum of care for older individuals and individuals with disabilities. Funds appropriated for this purpose shall be allocated based on ~~administrative~~ rules adopted by the ~~commission~~ department pursuant to chapter 17A. The department shall ~~require such records as needed~~ adopt rules pursuant to chapter 17A that allow the department to collect information as necessary from long-term living and community support services, program providers, and patients to administer this section.

Sec. 151. Section 231.57, Code 2024, is amended to read as follows:

231.57 Coordination of advocacy.

The department shall administer a program for the coordination of information and assistance provided within the state to assist older individuals and individuals with disabilities, and their caregivers, in obtaining and protecting their rights and benefits. State and local agencies providing information and assistance to older individuals and individuals with disabilities, and their caregivers, in seeking their rights and benefits shall cooperate with the department in administering this program.

Sec. 152. Section 231.58, Code 2024, is amended to read as follows:

231.58 Long-term living coordination.

The director may convene meetings, as necessary, of the director and the director of inspections, appeals, and licensing, to assist in the coordination of policy, service delivery, and long-range planning relating to the long-term living system and older Iowans and Iowans with disabilities in the state. The group may consult with individuals, institutions, and entities with expertise in the area of the long-term living system and older Iowans and Iowans with disabilities, as necessary, to facilitate the group's efforts.

Sec. 153. Section 231.64, Code 2024, is amended to read as follows:

231.64 Aging and disability resource ~~center~~ centers.

1. ~~The aging and disability resource center shall be administered by the department consistent with the federal Act.~~ The department shall designate area agencies on aging and disability resource centers to establish, in consultation with other stakeholders including organizations representing the disability community, a coordinated local aging and disability service system ~~for providing~~. In addition to services required by the department by rules adopted pursuant to chapter 17A, aging and disability resource centers shall

provide for all of the following:

a. Comprehensive information, referral, and assistance regarding the full range of available public and private long-term living and community support services, options, service providers, and resources within a community, including information on the availability of integrated long-term care.

b. Options counseling to assist individuals in assessing their existing or anticipated long-term care needs and developing and implementing a plan for long-term living and community support services designed to meet their specific needs and circumstances. The plan for long-term living and community support services may include support with person-centered care transitions to assist consumers and family caregivers with transitions between home and care settings.

c. Consumer access to the range of publicly-supported long-term living and community support services for which consumers may be eligible, by serving as a convenient point of entry for such services. ~~The aging~~ Aging and disability resource ~~center~~ centers shall offer information online and be available via a toll-free telephone number, electronic communications, and in person.

2. The following entities shall be eligible to be designated as an aging and disability resource center by the department:

a. An area agency on aging established on or before June 30, 2024.

b. A public or private nonprofit agency, or any separate organizational unit within the public or private nonprofit agency, that has the capabilities to engage in the planning or provision of aging and disability services only as directed by the department.

~~2.~~ 3. The aging Aging and disability resource ~~center~~ centers shall assist older individuals, ~~persons~~ individuals with disabilities ~~age eighteen or older~~, family caregivers, and people who inquire about or request assistance on behalf of members of these groups, as they seek long-term living and community support services.

4. The department shall adopt rules pursuant to chapter 17A to implement this section.

Sec. 154. NEW SECTION. 231.75 Scope.

The service quality standards and rights in this subchapter VII shall apply to any person with an intellectual disability, a developmental disability, brain injury, or chronic mental illness who receives services which are funded in whole or in part by public funds, or services which are permitted under Iowa law.

Sec. 155. NEW SECTION. 231.76 Service quality standards.

As the state participates more fully in funding services and other support for persons with an intellectual disability, developmental disability, brain injury, or chronic mental illness, it is the intent of the general assembly that the state shall seek to attain the following quality standards in the provision of services and other supports:

1. Provide comprehensive evaluation and diagnosis adapted to the cultural background, primary language, and ethnic origin of a person.

2. Provide an individual treatment, habilitation, and program services plan.

3. Provide treatment, habilitation, and program services that are individualized, flexible, cost-effective, and produce results.
4. Provide periodic review of an individual's treatment, habilitation, and program services plan.
5. Provide for the least restrictive environment, and age-appropriate services.
6. Provide appropriate training and employment opportunities so that a person's ability to contribute to, and participate in, the community is maximized.
7. Provide an ongoing process to determine the degree of access to, and the effectiveness of, the services and other supports in achieving the disability service outcomes and indicators identified by the department.

Sec. 156. NEW SECTION. **231.77 Rights.**

All of the following rights shall apply to a person with an intellectual disability, a developmental disability, a brain injury, or a chronic mental illness:

1. *Wage protection.* A person engaged in a work program shall be paid wages commensurate with the going rate for comparable work and productivity.
2. *Insurance protection.* Pursuant to section 507B.4, subsection 3, paragraph "g", a person or designated group of persons shall not be unfairly discriminated against for purposes of insurance coverage.
3. *Citizenship.* A person retains the right to citizenship in accordance with the laws of the state.
4. *Participation in planning activities.* A person has the right to participate in the formulation of an individual treatment, habilitation, and program plan developed for the person.

Sec. 157. NEW SECTION. **231.78 Compliance.**

1. A person's sole remedy for a violation of a rule adopted by the department to implement sections 231.75 through 231.77 shall be to initiate a proceeding with the department by request pursuant to chapter 17A.
 - a. Any decision of the department shall be in accordance with due process of law. A person or party who is aggrieved or adversely affected by the department's action may seek judicial review pursuant to section 17A.19. A person or party who is aggrieved or adversely affected by a final judgment of the district court may appeal under section 17A.20.
 - b. Either the department or a party in interest may apply to the Iowa district court for an order to enforce a final decision of the department.
2. Any rules adopted by the department to implement sections 231.76 and 231.77 shall not create any right, entitlement, property or liberty right or interest, or private cause of action for damages against the state or a political subdivision of the state, or for which the state or a political subdivision of the state would be responsible.
3. Notwithstanding subsection 1, any violation of section 231.77, subsection 2, shall be subject to enforcement by the commissioner of insurance pursuant to chapter 507B.

Sec. 158. NEW SECTION. **231.79 Appeals process.**

The department shall establish an appeals process by which a person or the

person's representative may appeal a decision of the department concerning the provision or denial of aging or disability services to the person.

Sec. 159. Section 231E.3, Code 2024, is amended to read as follows:

231E.3 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "*Client*" means an individual for whom a representative payee is appointed.
- ~~2.~~ "~~*Commission*~~" ~~means the commission on aging.~~
- ~~3.~~ 2. "*Conservator*" means conservator as defined in section 633.3.
- ~~4.~~ 3. "*Court*" means court as defined in section 633.3.
- ~~5.~~ 4. "*Department*" means the department of health and human services.
- ~~6.~~ 5. "*Director*" means the director of health and human services.
- ~~7.~~ 6. "*Guardian*" means guardian as defined in section 633.3.
- ~~8.~~ 7. "*Incompetent*" means incompetent as defined in section 633.3.
- ~~9.~~ 8. "*Local office*" means a local office of public guardian.
- ~~10.~~ 9. "*Local public guardian*" means an individual under contract with the department to act as a guardian, conservator, or representative payee.
- ~~11.~~ 10. "*Public guardian*" means the state public guardian or a local public guardian.
- ~~12.~~ 11. "*Public guardianship services*" means guardianship, conservatorship, or representative payee services provided by the state public guardian or a local public guardian.
- ~~13.~~ 12. "*Representative payee*" means an individual appointed by a government entity to receive funds on behalf of a client pursuant to federal regulation.
- ~~14.~~ 13. "*State agency*" means any executive department, commission, board, institution, division, bureau, office, agency, or other executive entity of state government.
- ~~15.~~ 14. "*State office*" means the state office of public guardian.
- ~~16.~~ 15. "*State public guardian*" means the administrator of the state office of public guardian.
- ~~17.~~ 16. "*Ward*" means the individual for whom a guardianship or conservatorship is established.

Sec. 160. REPEAL. Sections 231.11, 231.12, and 231.13, Code 2024, are repealed.

Sec. 161. CODE EDITOR DIRECTIVE. The Code editor is directed to do all of the following:

1. Entitle Code chapter 231 "Department of Health and Human Services — Aging and Disability Services".
2. Designate sections 231.75 through 231.79, as enacted in this division of this Act, as subchapter VII entitled "Bill of Rights and Service Quality Standards for Persons with an Intellectual Disability, Developmental Disability, Brain Injury, or Chronic Mental Illness".
3. Correct internal references in the Code and in any enacted legislation as necessary due to the enactment of this division of this Act.

Sec. 162. EFFECTIVE DATE. The following take effect July 1, 2025:

1. The parts of the sections of this division of this Act amending the following:
 - a. Section 231.3.
 - b. Section 231.4, subsection 1.
 - c. Section 231.23, subsections 4 and 7.
 - d. Section 231.23A, subsection 1.
 - e. Sections 231.56, 231.57, and 231.58.
 - f. Section 231.64, subsection 2.
2. The parts of the sections of this division of this Act enacting the following: sections 231.23A, subsection 7A, 231.75, 231.76, 231.77, 231.78, and 231.79.

DIVISION IV

TRANSITION PROVISIONS

Sec. 163. DEPARTMENT OF HEALTH AND HUMAN SERVICES — TRANSITION OF MENTAL HEALTH SERVICES, ADDICTIVE DISORDER SERVICES, AND DISABILITY SERVICES.

1. For purposes of this division:
 - a. "Administrative services organization" means the same as defined in section 225A.1, as enacted in division I of this Act.
 - b. "Behavioral health district" means the same as defined in section 225A.1, as enacted in division I of this Act.
 - c. "Department" means the department of health and human services.
 - d. "District behavioral health service system plan" means the same as defined in section 225A.1, as enacted in division I of this Act.
 - e. "Mental health and disability services region" means the same as defined in section 225C.2, subsection 9.
 - f. "State behavioral health service system" means the state behavioral health service system as established in section 225A.3, as enacted in division I of this Act.
 - g. "State behavioral health service system plan" means the same as defined in section 225A.1, as enacted in division I of this Act.
 - h. "Transition period" means the period beginning on the date of enactment of this division of this Act and concluding on June 30, 2025.
2. There is created a behavioral health service system under the control of the department. For the fiscal year beginning July 1, 2025, and each succeeding fiscal year, the behavioral health service system shall be responsible for implementing and maintaining a statewide system of prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health and addictive disorders, including but not limited to substance use, tobacco use, and problem gambling. For the fiscal year beginning July 1, 2025, and each succeeding fiscal year, the department's division of aging and disability services shall be responsible for disability services.
3. During the transition period, the department may exercise all policymaking functions and regulatory powers established in division I of this Act, as necessary to establish the state behavioral health service

system.

4. To ensure the state behavioral health service system and the division of aging and disability services are able to operate as intended at the conclusion of the transition period, the department shall perform all the following duties:

a. Make contracts as necessary to set up services and administrative functions.

b. Adopt rules as necessary to establish and administer the state's behavioral health service system.

c. Establish policies as necessary to ensure efficient implementation and operation of the behavioral health service system.

d. Prepare forms necessary for the implementation and administration of behavioral health services.

e. Prepare a state behavioral health service system plan for the state behavioral health service system.

f. Designate behavioral health districts on or before August 1, 2024. The behavioral health district designation process shall include an opportunity for the public to review and to comment on proposed behavioral health district boundaries.

g. Designate an administrative services organization for each behavioral health district on or before December 31, 2024.

h. Review and approve district behavioral health service system plans for services related to the behavioral health service system.

i. Issue all necessary licenses and certifications.

j. Establish contractual rights, privileges, and responsibilities as necessary to establish and implement the state behavioral health service system.

k. Develop and implement a plan to ensure that persons currently receiving disability services or early intervention, treatment, recovery support, or crisis services related to mental health or addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling, have an uninterrupted continuum of care.

l. Establish a central data repository as described in section 225A.6, as enacted in division I of this Act.

m. Collaborate with the department of revenue for enforcement of tobacco laws, regulations, and ordinances and engage in tobacco control activities.

n. Submit a report to the general assembly no later than January 13, 2025, that details the administrative and operational costs for the establishment, implementation, and administration of the state behavioral health service system.

5. If the department determines that a federal waiver or authorization is necessary to administer any provision of this division of this Act or to effectuate the state behavioral health service system by the conclusion of the transition period, the department shall timely request the federal waiver or authorization. Notwithstanding any other effective date to the contrary, a provision the department determines requires a federal waiver or authorization shall be effective only upon receipt of federal approval for the waiver or authorization.

6. a. On or before July 1, 2024, the department shall publish on the

department's internet site an initial transition plan for establishing the state behavioral health service system. The transition plan shall describe, at a minimum, all of the following:

(1) All tasks that require completion before July 1, 2025. The description of tasks shall include a description of how the department will solicit comments from stakeholders, including employees of the department, persons served by the department, partners of the department, members of the public, and members of the general assembly, and a detailed timeline for the completion of the tasks described.

(2) The proposed organizational structure of the state behavioral health service system.

(3) The transition of service delivery sites from locations where people currently receive behavioral health services to where the people will receive behavioral health services under the state behavioral health service system.

(4) Procedures for the transfer and reconciliation of budgeting and funding between the mental health and disability services regions and the department.

(5) A description of how responsibilities for disability services programs will be transferred from current program administrators to the department's division of aging and disability services by the end of the transition period.

(6) Any additional known tasks that may require completion after the transition on July 1, 2025.

b. The transition plan published under paragraph "a" shall:

(1) Be updated no less than quarterly during the transition period with the current status of completing the tasks identified in paragraph "a", subparagraph (1).

(2) Describe how information regarding any changes in service delivery will be provided to persons receiving services from the mental health and disability services regions or current behavioral health care providers contracted with the department.

(3) Describe how the transition is being funded, including how expenses associated with the transition will be managed.

7. a. Before the end of the transition period, the governing board of each mental health and disability services region that maintains a combined account pursuant to section 225C.58, subsection 1, shall transfer all unencumbered and unobligated moneys remaining in the combined account to the treasurer of state for deposit into the behavioral health fund as established in section 225A.7 as enacted in division I of this Act.

b. Before the end of the transition period, each county which maintains a county mental health and disability services fund pursuant to section 225C.58, subsection 1, shall transfer all unencumbered and unobligated moneys remaining in the mental health and disability services fund to the treasurer of state for deposit into the behavioral health fund as established in section 225A.7 as enacted in division I of this Act.

c. Moneys in the behavioral health fund as established in section 225A.7 as enacted in division I of this Act are appropriated to the department for the purposes established in section 225A.7 as enacted in division I of this Act, and as otherwise necessary to effectuate this division of this Act.

8. a. All debts, claims, or other liabilities owed to a county, a mental health and disability services region, or the state due to services rendered pursuant to chapter 125, 222, 225, 225C, 226, 227, 229, 230, or 230A, Code 2024, at the conclusion of the transition period shall remain due and owing after the transition period concludes.

b. After the transition period concludes, each county auditor shall collect outstanding debts, claims, or other liabilities owed to the county for services rendered pursuant to chapter 125, 222, 225, 225C, 226, 227, 229, 230, or 230A, Code 2024, before the transition period concluded. The county attorney may bring a judicial action as necessary to collect the outstanding debts, claims, or other liabilities.

9. With input from appropriate stakeholders, the department shall identify each contract that will be impacted by mental health and disability services being transferred to the state behavioral health service system, or by responsibilities being transferred to the department's division of aging and disabilities, pursuant to this Act. On or before June 30, 2025, a party to a contract identified by the department under this subsection shall exercise the option, if available pursuant to the terms of the contract, to terminate the contract in accordance with the terms of the contract which provide for termination. Contracts that do not provide for termination shall not be renewed or extended at the end of the current contract term.

10. A mental health and disability services region, a regional administrator as defined in section 225C.55, and any subdivision of the state shall not enter into, renew, or extend any contract for services related to mental health and disability services or addictive disorder services beyond June 30, 2025.

Sec. 164. DEPARTMENT OF HEALTH AND HUMAN SERVICES — TRANSITION FUNDING.

1. Notwithstanding any provision of law to the contrary, there is appropriated from the region incentive fund of the mental health and disability services regional service fund created in section 225C.7A, subsection 8, to the department of health and human services for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the establishment of a central data repository as described in section 225A.6, subsection 1, as enacted in division I of this Act:

.....
\$ 645,179

2. There is appropriated from the region incentive fund of the mental health and disability services regional service fund created in section 225C.7A, to the department of health and human services for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following amount, or so much thereof as is necessary, to be used to support the statewide 988 suicide and crisis line:

.....
\$ 3,000,000

3. There is appropriated from the region incentive fund of the mental health and disability services regional service fund created in section 225C.7A, to the department of health and human services for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following amount, or so much thereof as is necessary, to be used to implement the provisions of this division of this Act:

.....
\$ 1,000,000

4. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to the credit of the region incentive fund of the mental health and disability services regional service fund, but shall be credited to the behavioral health fund created in section 225A.7, as enacted in division I of this Act, and are appropriated to the department of health and human services for expenditure for the purposes of the behavioral health fund.

Sec. 165. EMERGENCY RULES. The department of health and human services may adopt emergency rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the provisions of this division of this Act and the rules shall be effective immediately upon filing unless a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 166. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION V

ELIMINATION OF SPECIAL INTELLECTUAL DISABILITY UNITS

Sec. 167. Section 222.1, subsection 3, Code 2024, is amended by striking the subsection.

Sec. 168. Section 222.2, subsection 8, Code 2024, is amended by striking the subsection.

Sec. 169. Section 222.5, Code 2024, is amended to read as follows:

222.5 Preadmission diagnostic evaluation.

A person shall not be eligible for admission to a resource center ~~or a special unit~~ until a preadmission diagnostic evaluation has been made by a resource center ~~or a special unit~~ which confirms or establishes the need for admission.

Sec. 170. Section 222.7, unnumbered paragraph 1, Code 2024, is amended to read as follows:

The department may transfer patients from one state resource center to the other and may at any time transfer patients from the resource centers to the hospitals for persons with mental illness, ~~or transfer patients in the resource centers to a special unit or vice versa~~. The department may also transfer patients from a hospital for persons with mental illness to a resource center if consent is given or obtained as follows:

Sec. 171. Section 222.8, Code 2024, is amended to read as follows:

222.8 Communications by patients.

Persons admitted to the resource centers ~~or a special unit~~ shall have all reasonable opportunity and facility for communication with their friends. Such persons shall be permitted to write and send letters, provided the letters contain nothing of an offensive character. Letters written by any patient to the director or to any state or county official shall be forwarded unopened.

Sec. 172. Section 222.9, Code 2024, is amended to read as follows:

222.9 Unauthorized departures.

If any person with an intellectual disability shall depart without proper authorization from a resource center ~~or a special unit~~, it shall be the duty of the superintendent and the superintendent's assistants and all peace officers of any county in which such patient may be found to take and detain the patient without a warrant or order and to immediately report such detention to the superintendent who shall immediately provide for the return of such patient to the resource center ~~or special unit~~.

Sec. 173. Section 222.12, subsection 1, Code 2024, is amended to read as follows:

1. Upon the death of a patient of a resource center ~~or special unit~~, a preliminary investigation of the death shall be conducted as required by section 218.64 by the county medical examiner as provided in section 331.802. Such a preliminary investigation shall also be conducted in the event of a sudden or mysterious death of a patient in a private institution for persons with an intellectual disability. The chief administrative officer of any private institution may request an investigation of the death of any patient by the county medical examiner.

Sec. 174. Section 222.73, subsections 1, 3, and 5, Code 2024, are amended to read as follows:

1. The superintendent of each resource center ~~and special unit~~ shall compute by February 1 the average daily patient charge and outpatient treatment charges for which each county will be billed for services provided to patients chargeable to the county during the fiscal year beginning the following July 1. The department shall certify the amount of the charges and notify the counties of the billing charges.

a. The superintendent shall compute the average daily patient charge for a resource center ~~or special unit~~ for services provided in the following fiscal year, in accordance with generally accepted accounting procedures, by totaling the expenditures of the resource center ~~or special unit~~ for the immediately preceding calendar year, by adjusting the expenditures by a

percentage not to exceed the percentage increase in the consumer price index for all urban consumers for the immediately preceding calendar year, and by dividing the adjusted expenditures by the total inpatient days of service provided during the immediately preceding calendar year.

b. The department shall compute the outpatient treatment charges, in accordance with generally accepted accounting procedures, on the basis of the actual cost of the outpatient treatment provided during the immediately preceding calendar year.

~~3.~~ 2. The superintendent shall compute in January the actual per-patient-per-day cost for each resource center ~~or special unit~~ for the immediately preceding calendar year, in accordance with generally accepted accounting procedures, by totaling the actual expenditures of the resource center ~~or special unit~~ for the calendar year and by dividing the total actual expenditures by the total inpatient days of service provided during the calendar year.

~~5.~~ 3. A superintendent of a resource center ~~or special unit~~ may request that the director enter into a contract with a person for the resource center ~~or special unit~~ to provide consultation or treatment services or for fulfilling other purposes which are consistent with the purposes stated in section 222.1. The contract provisions shall include charges which reflect the actual cost of providing the services. Any income from a contract authorized under this subsection may be retained by the resource center ~~or special unit~~ to defray the costs of providing the services or fulfilling the other purposes. Except for a contract voluntarily entered into by a county under this subsection, the costs or income associated with a contract authorized under this subsection shall not be considered in computing charges and per diem costs in accordance with the provisions of subsections ~~1 through~~ 4 and 2.

Sec. 175. Section 222.83, Code 2024, is amended to read as follows:

222.83 Nonresident patients.

The estates of all nonresident patients who are provided treatment, training, instruction, care, habilitation, and support in or by a resource center ~~or a special unit~~, and all persons legally bound for the support of such persons, shall be liable to the state for the reasonable value of such services. The certificate of the superintendent of the resource center ~~or special unit~~ in which any nonresident is or has been a patient, showing the amounts drawn from the state treasury or due therefrom as provided by law on account of such nonresident patient, shall be presumptive evidence of the reasonable value of such services furnished such patient by the resource center ~~or special unit~~.

Sec. 176. Section 222.84, Code 2024, is amended to read as follows:

222.84 Patients' personal deposit fund.

There is established at each resource center ~~and special unit~~ a patients' personal deposit fund. ~~In the case of a special unit, the director may direct that the patients' personal deposit fund be maintained and administered as a part of the fund established, pursuant to sections 226.43 through 226.46, by the state mental health institute where the special unit is located.~~

Sec. 177. Section 222.85, subsection 1, Code 2024, is amended to read as follows:

1. Any funds coming into the possession of the superintendent or any employee of a resource center ~~or special unit~~ belonging to any patient in that institution shall be deposited in the name of the patient in the patients' personal deposit fund, except that if a guardian of the property has been appointed for the person, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit fund may be used for the purchase of personal incidentals, desires, and comforts for the patient.

Sec. 178. Section 222.87, Code 2024, is amended to read as follows:

222.87 Deposit in bank.

The department shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the department may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid on the account may be used for recreational purposes for the patients at the resource center ~~or special unit~~.

Sec. 179. REPEAL. Sections 222.88, 222.89, 222.90, and 222.91, Code 2024, are repealed.

Sec. 180. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VI

COUNTY OF RESIDENCE DETERMINATIONS

Sec. 181. NEW SECTION. **331.190 County of residence — dispute resolution.**

1. "County of residence" means the county in this state in which, at the time a person applies for or receives services, the person is living and has established an ongoing presence with the declared, good faith intention of living for a permanent or indefinite period of time. The county of residence of a homeless person is the county in which the homeless person usually sleeps. A person maintains residency in the county or state in which the person last resided during the time period that the person is present in a different county or state receiving services in a hospital, a correctional facility, a halfway house for community-based corrections or substance use disorder treatment, a nursing facility, an intermediate care facility for persons with an intellectual disability, a residential care facility, or for the purpose of attending a college or university.

2. a. The dispute resolution process in this subsection shall apply to county of residence disputes. The dispute resolution process shall not be applicable to any of the following:

(1) Disputes involving persons committed to a state facility pursuant to

chapter 812.

(2) Disputes involving Iowa rule of criminal procedure 2.22(8)(b), commitment for evaluation.

(3) Disputes involving chapter 12 of Iowa court rules, rules for involuntary hospitalization of mentally ill persons.

b. If a county objects to a billing for services or a residency determination and asserts that either the person has residency in a different county or the person is not a resident of this state, the person's county of residence shall be determined as provided in this subsection. If the county asserts that the person has residency in a different county in this state, the county shall notify that county in writing within one hundred twenty calendar days of receiving the billing for services or of the county of residence determination.

c. The county that receives the notification under paragraph "b" shall respond in writing to the county that provided the notification within forty-five calendar days of receiving the notification. If the parties cannot agree as to the person's county of residence within ninety calendar days of the date of notification, on motion of either of the parties, the matter shall be referred to the administrative hearings division of the department of inspections, appeals, and licensing for a contested case proceeding under chapter 17A, before an administrative law judge assigned in accordance with section 10A.801, to determine the person's county of residence.

d. (1) Notwithstanding section 17A.15, the administrative law judge's determination of a person's county of residence shall be considered final agency action. Judicial review of the determination may be sought in accordance with section 17A.19.

(2) If following the determination of a person's county of residence under this subsection additional evidence becomes available that merits a change in the determination of the person's county of residence, the affected parties may change the determination of county of residence by mutual agreement. Otherwise, a party may move that the matter be reconsidered by the county, or by an administrative law judge assigned in accordance with section 10A.801.

e. Unless a petition is filed for judicial review, the administrative law judge's determination of the person's county of residence shall result in one of the following:

(1) If a county is determined to be the person's county of residence, that county shall pay any amounts due and shall reimburse the other county for any amounts paid for services provided to the person by the other county prior to the county of residence determination.

(2) If it is determined that the person is not a resident of this state, neither the state nor either county shall be liable for payment of amounts due for services provided to the person prior to the determination of the person's county of residence.

f. (1) The party that does not prevail in a contested case proceeding or a subsequent judicial review pursuant to this subsection shall be liable for costs associated with the proceeding or judicial review, including reimbursement of the administrative hearings division of the department of inspections, appeals, and licensing's actual costs associated with the

administrative proceeding, court costs, and reasonable attorney fees.

(2) A payment or reimbursement pursuant to this subsection shall be remitted within forty-five calendar days of the date the county of residence determination is issued by the administrative law judge or the date the court files an order determining the person's county of residence, whichever is later. After forty-five calendar days, the prevailing party may add a penalty of up to one percent per month to any amounts due.

Sec. 182. Section 35D.9, Code 2024, is amended to read as follows:

35D.9 County of residence upon discharge.

A member of the home does not acquire residency in the county in which the home is located unless the member is voluntarily or involuntarily discharged from the home and the member meets county of residence requirements. For purposes of this section, "*county of residence*" means the same as defined in section ~~225C.61~~ 331.190.

Sec. 183. Section 232.141, subsections 7 and 8, Code 2024, are amended to read as follows:

7. A county charged with the costs and expenses under subsections 2 and 3 may recover the costs and expenses from the child's custodial parent's county of residence, as defined in section ~~225C.61~~ 331.190, by filing verified claims which are payable as are other claims against the county. A detailed statement of the facts upon which a claim is based shall accompany the claim.

8. This subsection applies only to placements in a juvenile shelter care home which is publicly owned, operated as a county or multicounty shelter care home, organized under a chapter 28E agreement, or operated by a private juvenile shelter care home. If the actual and allowable costs of a child's shelter care placement exceed the amount the department is authorized to pay, the unpaid costs may be recovered from the child's custodial parent's county of residence. However, the maximum amount of the unpaid costs which may be recovered under this subsection is limited to the difference between the amount the department is authorized to pay and the statewide average of the actual and allowable rates as reasonably determined by the department annually. A home may only be reimbursed for the lesser of the home's actual and allowable costs or the statewide average of the actual and allowable rates as determined by the department in effect on the date the costs were paid. The unpaid costs are payable pursuant to filing of verified claims against the child's custodial parent's county of residence. A detailed statement of the facts upon which a claim is based shall accompany the claim. Any dispute between counties arising from ~~filings of~~ claims filed pursuant to this subsection shall be settled in the manner provided to determine ~~residency~~ county of residence in section ~~225C.61~~ 331.190.

Sec. 184. EFFECTIVE DATE. This division of this Act takes effect July 1, 2025.

DIVISION VII

SUBSTANCE USE DISORDER — BEER AND LIQUOR CONTROL FUND

Sec. 185. Section 123.17, subsection 5, Code 2024, is amended to read as follows:

5. After any transfer provided for in subsection 3 is made, the department shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of sales made by the department from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually. Of the amounts transferred, two million dollars, ~~plus an additional amount determined by the general assembly,~~ shall be appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 for substance use disorder treatment and prevention programs. Any amounts received in excess of the amounts appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 shall be considered part of the general fund balance.

Sec. 186. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VIII

SUPPORTED COMMUNITY LIVING SERVICES

Sec. 187. Section 225C.21, subsection 1, Code 2024, is amended to read as follows:

1. As used in this section, "*supported community living services*" means services provided in a noninstitutional setting to ~~adult~~ persons sixteen years of age and older with mental illness, an intellectual disability, brain injury, or developmental disabilities to meet the persons' daily living needs.

Sec. 188. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

PAT GRASSLEY

Speaker of the House

AMY SINCLAIR

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2673, Ninetieth General Assembly.

MEGHAN NELSON

Chief Clerk of the House

Approved _____, 2024

KIM REYNOLDS

Governor



Fiscal Note

Fiscal Services Division



[SF 2340](#) – Illegal Entry or Presence, Prohibition and Enforcement (LSB6048SV)
Staff Contact: Molly Kilker (515.725.1286) molly.kilker@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2340](#) creates a new Iowa Code chapter related to illegal reentry into the State by certain aliens; creates procedures for law enforcement, the Department of Public Safety (DPS), and judicial officers; and establishes criminal offenses.

Senate File 2340 establishes that a person commits an aggravated misdemeanor if the person enters, attempts to enter, or is at any time found in the State under the following circumstances:

- The person has been denied admission to or has been excluded, deported, or removed from the United States.
- The person has departed from the United States while an order of exclusion, deportation, or removal is outstanding.

Under the Bill, a person commits a Class D felony under the following circumstances:

- The person's removal was after a conviction for the commission of two or more misdemeanors involving drugs, crimes against a person, or both.
- The person was excluded pursuant to [8 U.S.C. §1225\(c\)](#) (inspection by immigration officers; expedited removal of inadmissible arriving aliens; referral for hearing) because the defendant was excludable under 8 USC §12282(a)(3)(B).
- The person was removed pursuant to the provisions of [8 U.S.C. ch. 12, subch. V](#) (alien terrorist removal procedures).
- The person was removed pursuant to [8 U.S.C. §1231\(a\)\(4\)\(B\)](#) (detention and removal of aliens).

Under the Bill, a person commits a Class C felony if the person was removed after a conviction for the commission of a felony. A person also commits a Class C felony if they are charged with an offense under the Bill, a judge issued an order for the person to return to the foreign nation from which the person entered, and the person failed to comply with the order.

Senate File 2340 sets rules for peace officers and the DPS that limit locations an individual may be arrested for illegal reentry, tasks required prior to the issuance of a return order, and criminal record reporting requirements.

The Bill creates procedures for the Judicial Branch and judges related to written orders; restricts the use of deferred judgments, sentences or suspended sentences in certain circumstances; and restricts the abatement of prosecution in certain circumstances.

The Bill also provides standards related to civil immunity for and indemnification of local government officials, employees, and contractors.

Background

A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,370 but not more than \$13,660. A Class D felony is punishable by confinement for up to five years

and a fine of at least \$1,025 but not more than \$10,245. An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$855 but not more than \$8,540.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A delay of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

Senate File 2340 creates new criminal offenses, and the correctional impact cannot be estimated due to a lack of existing conviction data. Figure 1 shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for Class C felonies, Class D felonies, and aggravated misdemeanors. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Figure 1 — Sentencing Estimate and Length of Stay

Conviction Offense Class	Percent Ordered to State Prison	FY 2023 Avg LOS in Prison (All Released)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY23 Field Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY23 Field Avg LOS on Parole	Marginal Cost Per Day Parole
C Felony (Non-Persons)	86.0%	13.4	\$24.94	64.2%	42.2	\$ 7.67	13.0%	\$ 20.00	34.0%	\$ 50.00	21.3	\$ 7.67
D Felony (Non-Persons)	84.4%	13.0	\$24.94	69.8%	39.5	\$ 7.67	14.5%	\$ 20.00	32.2%	\$ 50.00	15.7	\$ 7.67
Aggravated Misdemeanor (Non-Persons)	30.4%	7.5	\$24.94	45.0%	25.1	\$ 7.67	3.6%	\$ 20.00	71.7%	\$ 50.00	11.9	\$ 7.67

Minority Impact

Senate File 2340 creates new criminal offenses. As a result, Criminal and Juvenile Justice Planning (CJJP) of the Department of Management (DOM) cannot use existing data to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

Senate File 2340 creates new criminal offenses, and the fiscal impact to the correctional system cannot be estimated due to a lack of existing conviction data. Figure 2 shows the average State cost per offense for a Class C felony, a Class D felony, and an aggravated misdemeanor. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections (DOC). The cost would be incurred across multiple fiscal years for prison and parole supervision.

Figure 2 — Average State Cost Per Offense

Offense Class	Average Cost
Class C Felony	\$14,300 to \$27,500
Class D Felony	\$12,600 to \$18,200
Aggravated Misdemeanor	\$7,500 to \$10,800

The cost to transport an individual to a port of entry is unknown. Although the fiscal impact cannot be estimated, it may be significant.

Sources

Department of Corrections
Criminal and Juvenile Justice Planning, Department of Management
Department of Public Safety
Judicial Branch
Legislative Services Agency

/s/ Jennifer Acton

March 4, 2024

Doc ID 1446852

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov

HF2612 - AEA Bill

HF 2612 (LSB 6302HV (6) 90)

RELATING TO EDUCATION, INCLUDING MODIFYING PROVISIONS RELATED TO THE DUTIES AND POWERS OF AREA EDUCATION AGENCIES, THE MEMBERSHIP OF THE BOARDS OF DIRECTORS OF AREA EDUCATION AGENCIES, THE DEPARTMENT OF EDUCATION, AREA EDUCATION AGENCY FUNDING, THE CALCULATION OF THE TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL AND MINIMUM TEACHER SALARIES, IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM BONA FIDE RETIREMENT REQUIREMENTS, AND PROPERTY TAX REPLACEMENT PAYMENTS, ESTABLISHING THE STATE PERCENT OF GROWTH AND THE CATEGORICAL STATE PERCENT OF GROWTH FOR SUPPLEMENTAL STATE AID CALCULATIONS FOR THE BUDGET YEAR BEGINNING JULY 1, 2024, AND INCLUDING TRANSITION, EFFECTIVE DATE, AND APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DIVISION OF SPECIAL EDUCATION OF THE DEPARTMENT OF EDUCATION

Section 1. Section 256.9, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 36. Develop and distribute to school districts, accredited nonpublic schools, and area education agencies a list of evidence-based professional development services that an area education agency may provide to a public school or accredited nonpublic school pursuant to section 273.2, subsection 3, paragraph "b".

Sec. 2. Section 256B.3, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 15A. Beginning July 1, 2024, oversee the operation of each area education agency to ensure the area education agency complies with all applicable federal and state laws related to special education.

NEW SUBSECTION. 15B. Develop and distribute to school districts and accredited nonpublic schools a process to facilitate the development of individualized education programs and assist individualized education program teams with decisions regarding free appropriate public education and placement for students enrolled in accredited nonpublic schools.

NEW SUBSECTION. 15C. Provide professional learning and other support materials and tools for individualized education program teams, including students, families, teacher service providers, and administrators of both school districts and accredited nonpublic schools to help such individuals understand the processes required under the federal law that are relevant to students enrolled in accredited nonpublic schools and to promote informed participation in individualized education program meetings of students enrolled in accredited nonpublic schools.

NEW SUBSECTION. 15D. Provide information to individualized education program teams and public agencies that nonpublic schools shall be considered a placement option so long as the individualized education program of a child with a disability does not require some other arrangement.

NEW SUBSECTION. 15E. Develop and distribute to school districts professional learning and other materials for meaningful consultation for representatives of area education agencies, school districts, and accredited nonpublic schools.

NEW SUBSECTION. 15F. Establish sustainable accountability and data collection systems related to special education that meet federal and state legal requirements and encourage innovative models for meeting the needs of students.

NEW SUBSECTION. 15G. Develop and distribute to school districts and accredited nonpublic schools an implementation plan related to identifying, evaluating, and promoting strategies and models for providing special education and related services with accredited nonpublic schools that improve the experiences and outcomes for students with disabilities.

Sec. 3. DIVISION OF SPECIAL EDUCATION — EMPLOYEES. From July 1, 2024, to June 30, 2025, the division of special education of the department of education shall do all of the following:

1. Devote at least thirteen full-time equivalent positions within the department of education's location in the city of Des Moines to oversight of the area education agencies, including the accreditation of area education agencies under section 273.10.

a. At least one of the full-time equivalent positions shall be an administrator.

b. At least one of the full-time equivalent positions shall be a bureau chief of special education.

c. At least one of the full-time equivalent positions shall be a liaison for accredited nonpublic schools.

d. At least one of the full-time equivalent positions shall be an

employee whose primary job duties relate to the child find process for special education.

e. At least one of the full-time equivalent positions shall be an employee whose primary job duties relate to best practices concerning the development and implementation of individualized education programs.

f. At least five of the full-time equivalent positions shall be devoted to the accreditation of area education agencies.

2. Within each area education agency, devote an amount of full-time equivalent positions, as determined by the division of special education of the department of education but not to exceed forty full-time equivalent positions in the aggregate, that is commensurate with the number of students enrolled in school districts located within the area education agency, to ensure that the area education agency complies with all applicable federal and state laws related to special education and to review the services the area education agency provides.

DIVISION II

AREA EDUCATION AGENCIES — GENERAL PROVISIONS

Sec. 4. Section 273.1, Code 2024, is amended to read as follows:

273.1 Intent.

It is the intent of the general assembly to provide an effective, efficient, and economical means of identifying and serving children from under five years of age through grade twelve who require special education and any other children requiring special education as defined in section 256B.2; to provide for media services and other programs and services for pupils in grades kindergarten through twelve and children requiring special education as defined in section 256B.2; to provide a method of financing the programs and services; ~~and to avoid a duplication of programs and services provided by any other school corporation in the state; and to provide~~ services to school districts under a contract with those school districts; to improve student achievement; and to close student achievement gaps.

Sec. 5. Section 273.2, subsections 1, 3, and 4, Code 2024, are amended to read as follows:

1. There are established throughout the state ~~fifteen~~ nine area education agencies, each of which is ~~governed by an area education agency board of directors~~ under the general supervision of the director of the department of education, except as otherwise provided in this chapter. Each area education agency shall have an area education agency board of directors that shall serve in an advisory capacity. The boundaries of an area education agency shall not divide a school district. The director of the department of education shall change boundaries of area education agencies to take into account mergers of local school districts and changes in boundaries of local school districts, when necessary to maintain the policy of this chapter that a local school district shall not be a part of more than one area education agency.

3. a. The area education agency ~~board~~ shall furnish educational services

and programs as provided in section 273.1, this section, sections 273.3 through 273.8, and chapter 256B to ~~the~~ pupils enrolled in public or nonpublic schools ~~located within its boundaries~~ which are on the list of accredited schools pursuant to section 256.11, which request to receive such services. The programs and services provided shall be at least commensurate with programs and services existing on July 1, 1974. The programs and services provided to pupils enrolled in nonpublic schools shall be comparable to programs and services provided to pupils enrolled in public schools within constitutional guidelines.

b. The area education agency may furnish evidence-based professional development services to public or nonpublic schools which are on the list of accredited schools pursuant to section 256.11 if any of the following requirements are satisfied:

(1) The professional development service is included on the list developed by the director of the department of education pursuant to section 256.9, subsection 36.

(2) The director of the department of education grants approval to the area education agency to furnish the evidence-based professional development services.

4. The area education agency ~~board~~ shall provide for special education services and media services for ~~the local~~ school districts ~~in the area~~ and shall encourage and assist school districts ~~in the area~~ to establish programs for gifted and talented children. The ~~board~~ area education agency shall assist in facilitating interlibrary loans of materials between school districts and other libraries.

Sec. 6. Section 273.2, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 4A. a. The area education agency may furnish services under subsection 3 or 4 to public or nonpublic schools located within its boundaries, or within the boundaries of a contiguous area education agency, which are on the list of accredited schools pursuant to section 256.11.

b. Notwithstanding paragraph "a", the area education agency may furnish services under subsection 3 or 4 to a public school located within the boundaries of an area education agency that is not contiguous if the school district shares a superintendent with another school district, pursuant to section 257.11, subsection 5, that receives services from the area education agency pursuant to paragraph "a".

NEW SUBSECTION. 12. The area education agency shall charge reasonable costs that are consistent with current market rates for the educational services, special education services, professional development services, and media services established by the area education agency.

NEW SUBSECTION. 13. The area education agency shall provide an annual report by January 1 of each year to the department of education, and to public schools and nonpublic schools located within the area education agency's boundaries which are on the list of accredited schools pursuant to section 256.11, a detailed description of the educational services, special education programs and services, professional development services, and media services that the area education agency provides, and the cost associated with purchasing such programs and services from the area education agency.

Sec. 7. Section 273.3, Code 2024, is amended to read as follows:

273.3 Duties and powers of area education agency board — additional powers of area education agencies.

The board in carrying out the provisions of section 273.2 shall:

1. ~~Determine the policies of~~ Advise and consult with the area education agency on policies and procedures for providing programs and services.
2. Be authorized to receive and expend money for providing programs and services as provided in sections 273.1, 273.2, this section, sections 273.4 through 273.8, and chapters 256B and 257. All costs incurred in providing the programs and services, including administrative costs, shall be paid from funds received pursuant to sections 273.1, 273.2, this section, sections 273.4 through 273.8, and chapters 256B and 257.
3. Provide data and prepare reports as directed by the director of the department of education.
4. Provide for advisory committees as deemed necessary.
5. ~~Be~~ Area education agencies are authorized, subject to rules of the state board of education, to provide directly or by contractual arrangement with public or private agencies for special education programs and services, media services, and educational programs and services requested by the local boards of education as provided in this chapter, including but not limited to contracts for the area education agency to provide programs or services to the local school districts and contracts for local school districts, other educational agencies, and public and private agencies to provide programs and services to the local school districts in the area education agency in lieu of the area education agency providing the services. Contracts may be made with public or private agencies located outside the state if the programs and services comply with the rules of the state board. Rules adopted by the state board of education shall be consistent with rules, adopted by the board of educational examiners, relating to licensing of practitioners.
6. Area education agencies may cooperate and contract between themselves and with other public agencies to provide special education programs and services, media services, and educational services to schools and children residing within their respective areas. Area education agencies may provide print and nonprint materials to public and private colleges and universities that have teacher education programs approved by the state board of education.
7. ~~Be~~ Area education agencies are authorized to lease, purchase, or lease-purchase, subject to the approval of the state board of education or its designee and to receive by gift and operate and maintain facilities and buildings necessary to provide authorized programs and services. However, a lease for less than ten years and with an annual cost of less than the amount stated in section 26.3, subsection 1, does not require the approval of the state board. The state board shall not approve a lease, purchase, or lease-purchase until the state board is satisfied by investigation that public school corporations within the area do not have suitable facilities available. A purchase of property that is not a lease-purchase may be made only within two years of a disaster as defined in section 29C.2, subsection 4, and subject to the requirements of this subsection.
8. ~~Be~~ Area education agencies are authorized, subject to the approval of

the director of the department of education, to enter into agreements for the joint use of personnel, buildings, facilities, supplies, and equipment with school corporations as deemed necessary to provide authorized programs and services.

9. ~~Be~~ Area education agencies are authorized to make application for, accept, and expend state and federal funds that are available for programs of educational benefit approved by the director of the department of education, and cooperate with the department in the manner provided in federal-state plans or department rules in the effectuation and administration of programs approved by the director, or approved by other educational agencies, which agencies have been approved as state educational authorities.

10. Be authorized to perform all other acts necessary to carry out the provisions and intent of this chapter.

11. Employ personnel to carry out the functions of the area education agency which shall include the employment of an administrator who shall possess a license issued under chapter 256, subchapter VII, part 3. The administrator shall be employed pursuant to section 279.20 and sections 279.23, 279.24, and 279.25. The salary for an area education agency administrator shall be established by the board based upon the previous experience and education of the administrator; provided, however, that the salary for an area education agency administrator shall not exceed one hundred twenty-five percent of the average salary of all superintendents of the school districts that are located within the boundaries of the area education agency at the time the employment agreement is entered into or renewed between an area education agency and an area education agency administrator. Section 279.13 applies to the area education agency board and to all teachers employed by the area education agency. Sections 279.23, 279.24, and 279.25 apply to the area education board and to all administrators employed by the area education agency. Section 279.69 applies to the area education agency board and employees of the board, including part-time, substitute, or contract employees, who provide services to a school or school district.

12. ~~Prepare~~ Area education agencies shall prepare an annual budget estimating income and expenditures for programs and services as provided in sections 273.1, 273.2, this section, sections 273.4 through 273.8, and chapter 256B within the limits of funds provided under section 256B.9 and chapter 257. The board shall ~~post notice of a public hearing on the proposed budget on the area education agency's internet site and by publication in the newspaper of general circulation in the territory of the area education agency in which the principal place of business of a school district that is a part of the area education agency is located. The notice shall specify the date, which shall be not later than March 1 of each year, the time, and the location of the public hearing~~ submit the proposed budget to the director of the department of education for approval not later than March 1 of each year, and the director shall either approve or reject the proposed budget for changes within ten days after submission. The proposed budget as approved by the ~~board~~ director of the department of education shall then be submitted to the state board of education, on forms provided by the department, no later than March 15 preceding the next fiscal year for approval. The state board

shall review the proposed budget of each area education agency and shall before May 1, either grant approval or return the budget without approval with comments of the state board included. An unapproved budget shall be resubmitted to the state board for final approval not later than May 15. The state board shall give final approval only to budgets submitted by area education agencies accredited by the state board or that have been given conditional accreditation by the state board.

13. Be authorized to pay, out of funds available to the board reasonable annual dues to an Iowa association of school boards. Membership shall be limited to those duly elected members of the area education agency board.

14. a. The board may establish a plan, in accordance with section 403(b) of the Internal Revenue Code, as defined in section 422.3, for employees, which plan shall consist of one or more investment contracts, on a group or individual basis, acquired from a company, or a salesperson for that company, that is authorized to do business in this state.

b. The selection of investment contracts to be included within the plan established by the board shall be made either pursuant to a competitive bidding process conducted by the board, in coordination with employee organizations representing employees eligible to participate in the plan, or pursuant to an agreement with the department of administrative services to make available investment contracts included in a deferred compensation or similar plan established by the department pursuant to section 8A.438, which plan meets the requirements of this subsection. The determination of whether to select investment contracts for the plan pursuant to a competitive bidding process or by agreement with the department of administrative services shall be made by agreement between the board and the employee organizations representing employees eligible to participate in the plan.

c. The board may make elective deferrals in accordance with the plan as authorized by an eligible employee for the purpose of making contributions to the investment contract on behalf of the employee. The deferrals shall be made in the manner which will qualify contributions to the investment contract for the benefits under section 403(b) of the Internal Revenue Code, as defined in section 422.3. In addition, the board may make nonelective employer contributions to the plan.

d. As used in this subsection, unless the context otherwise requires, "*investment contract*" shall mean a custodial account utilizing mutual funds or an annuity contract which meets the requirements of section 403(b) of the Internal Revenue Code, as defined in section 422.3.

15. Be authorized to establish and pay all or any part of the cost of group health insurance plans, nonprofit group medical service plans and group life insurance plans adopted by the board for the benefit of employees of the area education agency, from funds available to the board.

16. Meet at least annually with the members of the boards of directors of the merged areas in which the area education agency is located to discuss coordination of programs and services and other matters of mutual interest to the boards.

17. Be authorized to issue warrants and anticipatory warrants pursuant to chapter 74. The applicable rate of interest shall be determined pursuant to sections 74A.2, 74A.3, and 74A.7. This subsection shall not be construed to

authorize a board to levy a tax.

18. Be authorized to issue school credit cards allowing area education agency employees to pay for the actual and necessary expenses incurred in the performance of work-related duties.

19. Pursuant to rules adopted by the state board of education, be authorized to charge user fees for certain materials and services that are not required by law or by rules of the state board of education and are specifically requested by a school district or accredited nonpublic school.

20. Be authorized to purchase equipment as provided in section 279.48.

21. Be authorized to sell, lease, or dispose of, in whole or in part, property belonging to the area education agency. Before the area education agency may sell property belonging to the agency, the board of directors shall comply with the requirements set forth in section 297.22. Before the board of directors of an area education agency may lease property belonging to the agency, the board shall obtain the approval of the director of the department of education.

22. Meet annually with the members of the boards of directors of the school districts located within its boundaries if requested by the school district boards.

23. By October 1 of each year, submit to the department of education the following information:

a. The contracted salary including bonus wages and benefits, annuity payments, or any other benefit for the administrators of the area education agency.

b. The contracted salary and benefits and any other expenses related to support for governmental affairs efforts, including expenditures for lobbyists and lobbying activities for the area education agency.

24. Be authorized to sell software and support services, professional development programs and materials, online professional development, and online training to entities other than school districts within the state and to school districts and other public agencies located outside of the state. The board may also sell to school districts within this state software and support services, professional development programs and materials, online professional development, and online training which the area education agency is not otherwise required to provide to a school district under this chapter or chapter 256B or 257.

25. Require, by July 1, 2024, any person employed by the area education agency who holds a license, certificate, statement of recognition, or authorization other than a coaching authorization, issued by the board of educational examiners under chapter 256, subchapter VII, part 3, to complete the Iowa reading research center dyslexia overview module. Such persons employed after July 1, 2024, shall complete the module within one year of the employee's initial date of hire.

Sec. 8. Section 273.3, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 26. On a quarterly basis, the area education agency shall prepare and submit to each school district that receives services from the area education agency a report that includes all of the following:

a. A monetary accounting of payments the area education agency received

from the school district, including payments under section 257.35.

b. A description of all of the following:

(1) The special education services provided by the area education agency to the school district.

(2) The services provided by the area education agency under part C of the federal Individuals with Disabilities Education Act.

(3) The services provided by the area education agency that are related to the child find process for special education.

(4) The services provided by the area education agency to accredited nonpublic schools and charter schools.

Sec. 9. Section 273.5, unnumbered paragraph 1, Code 2024, is amended to read as follows:

There shall be established a division of special education of the area education agency which shall provide for special education programs and services to the local school districts. The division of special education shall be headed by a director of special education who meets certification standards of the department of education. The director of special education shall be an employee of the division of special education of the department of education. The director of special education shall not be an employee of the area education agency, shall not receive compensation from the area education agency, shall not supervise or manage employees of the area education agency, and shall not directly provide special education services for the agency. The director of special education's primary job duties and responsibilities to the area education agency are to provide oversight of the area education agency's special education services. The director of special education shall also have the responsibility for implementation of state regulations and guidelines relating to special education programs and services. The director of special education shall have the following powers and duties:

Sec. 10. Section 273.8, subsection 1, Code 2024, is amended to read as follows:

1. *Board of directors.*

a. The board of directors of an area education agency shall consist of ~~not less than five nor more than nine members, each a resident of and elected in the manner provided in this section from a director district that is approximately equal in population to the other director districts in the area education agency.~~ Each director shall serve a four-year term which commences at the organization meeting.

b. Five members of the board of directors of an area education agency must be residents of and elected in the manner provided in this section from a director district that is approximately equal in population to the other director districts in the area education agency.

c. Four members of the board of directors of an area education agency must be appointed by the majority vote of the superintendents of school districts located within the boundaries of the area education agency. A member appointed pursuant to this paragraph must be a superintendent of a school district located within the boundaries of the area education agency; provided, however, that a superintendent appointed pursuant to this paragraph

may designate any individual to serve for all, or the remainder of, the superintendent's term.

Sec. 11. Section 273.8, subsection 2, paragraphs c and d, Code 2024, are amended to read as follows:

c. The board of each separate school district that is located entirely or partially inside an area education agency director district shall cast a vote for director of the area education agency board described in subsection 1, paragraph "b", based upon the ratio that the population of the school district, or portion of the school district, in the director district bears to the total population in the director district. The population of each school district or portion shall be determined by the department of education. The member of the area education agency board described in subsection 1, paragraph "b", to be elected may be a member of a local school district board of directors and shall be an elector and a resident of the director district, but shall not be a school district employee.

d. (1) ~~Vacancies~~ A vacancy, as defined in section 277.29, in the a membership position of the area education agency board described in subsection 1, paragraph "b", shall be filled for the unexpired portion of the term at a director district convention called and conducted in the manner provided in subsection 3.

(2) A vacancy, as defined in section 277.29, in a membership position of the area education agency board described in subsection 1, paragraph "c", shall be filled for the unexpired portion of the term by an individual who is appointed by the majority vote of the superintendents of school districts located within the boundaries of the area education agency.

Sec. 12. Section 273.8, subsection 3, Code 2024, is amended to read as follows:

3. *Director district convention.* If no candidate files with the area education agency secretary by the deadline specified in subsection 2, or a vacancy occurs, or if otherwise required as provided in section 273.23, subsection 3, a director district convention, attended by members of the boards of directors of the local school districts located within the director district, shall be called to elect a board member described in subsection 1, paragraph "b", for that director district. The convention location shall be determined by the area education agency administrator. Notice of the time, date, and place of a director district convention shall be published by the area education agency administrator in at least one newspaper of general circulation in the director district at least thirty days prior to the day of the convention. The cost of publication shall be paid by the area education agency. A candidate for election to the area education agency board shall file a statement of candidacy with the area education agency secretary at least ten days prior to the date of the director district convention on forms prescribed by the department of education, or nominations may be made at the convention by a delegate from a board of directors of a school district located within the director district. A statement of candidacy shall include the candidate's name, address, and school district. Delegates to director district conventions shall not be bound by a school board or any school board member to pledge their votes to any candidate prior to the date of the

convention.

Sec. 13. Section 273.10, subsection 6, Code 2024, is amended to read as follows:

6. a. If the deficiencies in an area education program have not been corrected, the ~~agency board~~ director of the department of education shall take one of the following actions within sixty days from removal of accreditation:

(1) Merge the deficient program with a program from another accredited area education agency.

(2) Contract with another area education agency or other public educational institution for purposes of program delivery.

b. The rules developed by the state board of education for the accreditation process shall include provisions for removal of accreditation, including provisions for proper notice to the administrator of the area education agency, each member of the board of directors of the area education agency, the department of education, and the superintendents and administrators of the schools of the districts served by the area education agency.

Sec. 14. Section 273.11, Code 2024, is amended to read as follows:

273.11 Standards for accrediting area education programs.

1. The state board of education, in consultation with the division of special education of the department of education, shall develop standards and rules for the accreditation of area education agencies. Standards shall be general in nature, but at a minimum shall identify requirements addressing the services provided by each division, as well as identifying indicators of quality that will permit area education agencies, school districts, the division of special education of the department of education, and the general public to judge accurately the effectiveness of area education agency services.

2. Standards developed shall include, but are not limited to, the following:

a. Support for school-community planning, including a means of assessing needs, developing collaborative relationships among community agencies, establishing shared direction, and implementing program plans and reporting progress toward goals for all students, including students with disabilities.

b. ~~Professional~~ Evidence-based professional development programs that respond to current needs.

c. Support for curriculum development, instruction, and assessment ~~for~~ services that address the areas of reading, language arts, math, and science, using research-based methodologies, for all students, including students with disabilities.

d. Special education ~~compliance and~~ support.

e. Management services, including financial reporting and purchasing as requested and funded by local districts.

f. Support for instructional media services that supplement and support local district media centers and services.

g. Support for school technology planning and staff development for implementing instructional technologies.

h. A program and services evaluation and reporting system that includes information related to special education.

i. Support for school district libraries in accordance with section 273.2, subsection 4.

j. Support for early childhood service coordination for families and children, age birth through three years, to meet health, safety, and learning needs, including service coordination.

k. Timely submission of required reports and documents to the state board of education, the department of education, and the division of special education of the department of education.

l. Support for schools and school districts in analyzing student achievement data related to the learning environment, comparing data to the external knowledge base, and using that information to guide schools and school districts in setting goals and implementing actions to improve student learning for all students, including students with disabilities.

m. Support for addressing the diverse learning needs of all children and youths, including children and youths who are eligible for special education through services that include direct services to students with disabilities.

n. Support for schools and school districts to ensure compliance with rules adopted by the state board of education related to special education.

o. Support necessary to implement effective instruction for all students, including students with disabilities, through school technology services.

p. Support for students using educational programs and services in a manner that is consistent with the educational standards established pursuant to section 256.11.

q. Support for staff development and adult learners utilizing evidence-based professional development in a manner that meets the professional needs of staff and adult learners consistent with standards adopted by the state board of education.

r. Compliance with all relevant federal and state laws in the provision of services and supports to students with disabilities.

Sec. 15. Section 284.6, subsection 10, Code 2024, is amended to read as follows:

10. If funds are allocated for purposes of professional development pursuant to section 284.13, subsection 1, paragraph "c", the department shall, ~~in collaboration with the area education agencies,~~ establish teacher development academies for public and nonpublic school-based teams of teachers and instructional leaders. Each academy shall include an institute and shall provide follow-up training and coaching.

Sec. 16. AREA EDUCATION AGENCY — TASK FORCE.

1. The legislative council shall convene an area education agency task force that shall do all of the following:

a. Study and make recommendations related to how to improve the outcomes of students who utilize services provided by area education agencies.

b. Study and make recommendations related to the amount of compensation paid to administrators employed by area education agencies, core services provided by area education agencies, and how to best fund the following services provided by area education agencies:

- (1) Crisis response services.
 - (2) Media services for nonpublic schools.
 - (3) Professional development services.
 - (4) Cooperative purchasing.
 - (5) Services associated with regional planning partnerships.
 - (6) Services associated with the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, codified at 20 U.S.C. §2301 et seq., as amended.
 - (7) Services associated with the federal Every Student Succeeds Act, Pub. L. No. 114-95.
 - (8) Services provided in conjunction with special education equipment.
- c. Study and make recommendations related to all of the following:
- (1) The real property and facilities utilized by each area education agency.
 - (2) The media services, educational services, and special education services provided by each area education agency.
 - (3) What services area education agencies should provide.
 - (4) Current accountability measures applicable to area education agencies.
 - (5) The special education services provided by the division of special education of the department of education, area education agencies, and school districts.
 - (6) The overall organizational structure that determines how special education services are provided to students in this state.
 - (7) How the operation of area education agencies is overseen.
 - (8) The accreditation standards related to area education agencies.
 - (9) A timeline for modifications to the staffing numbers of area education agencies and the transition of responsibilities related to the oversight of area education agencies.
2. a. The task force shall consist of the following voting members who are appointed by the legislative council to represent different geographical regions of this state:
- (1) One special education teacher who is employed by a school district with a total enrollment of greater than or equal to one thousand students.
 - (2) One special education teacher who is employed by a school district with a total enrollment of less than one thousand students.
 - (3) One superintendent who is employed by a school district with a total enrollment of greater than or equal to one thousand students.
 - (4) One superintendent who is employed by a school district with a total enrollment of less than one thousand students.
 - (5) One teacher who is employed by a school district and who does not provide special education programs or services.
 - (6) One parent or guardian of a student who has an individualized education program.
 - (7) One parent or guardian of a student who has a plan under section 504 of the federal Rehabilitation Act, 29 U.S.C. §794.
 - (8) One president or chief executive officer of an accredited nonpublic school.
- b. The task force shall also consist of the following voting members:

- (1) One member to be appointed by the governor.
- (2) One member to be appointed by the director of the department of education.

- (3) One member who is the chief administrator of the heartland area education agency.

c. The task force shall also consist of the following ex officio, nonvoting members of the general assembly:

- (1) Two state senators appointed by the majority leader of the senate.
- (2) One state senator appointed by the minority leader of the senate.
- (3) Two state representatives appointed by the speaker of the house of representatives.

- (4) One state representative appointed by the minority leader of the house of representatives.

3. Any expenses incurred by a member of the task force shall be the responsibility of the individual member or the respective entity represented by the member.

4. The task force shall submit its findings and recommendations in a report to the general assembly on or before December 31, 2024. The report shall include an examination and evaluation of the impact to area education agencies and their operations and services made by this Act.

Sec. 17. AREA EDUCATION AGENCIES — CONTINUOUS IMPROVEMENT. On or before January 1, 2025, each area education agency shall submit a report to the director of the department of education and the general assembly that contains all of the following information:

1. Progress the area education agency has made in reducing expenditures associated with administration and administrators, including chief administrators, directors and department heads, regional administrators, regional and zone coordinators, district coordinators, and human resources and personnel managers by at least thirty percent by July 1, 2026.

2. A proposal for the reorganization of services provided by area education agencies to centralize some services provided by the area education agencies, including media services, and to create centers of excellence for other services.

3. Progress the area education agency has made to improve the outcomes achieved by students receiving special education services and a description of how the area education agency is focusing the moneys it receives on providing service in the classroom.

Sec. 18. TRANSITION PROVISIONS.

1. An area education agency that was accredited pursuant to section 273.10 on or before the effective date of the section of this division of this Act amending section 273.10 shall remain accredited unless and until the division of special education of the department of education takes action to remove accreditation from the area education agency pursuant to section 273.10, as amended in this division of this Act.

2. Within a reasonable time after July 1, 2024, the division of special education of the department of education shall employ at least one individual to serve as a director of special education in each area education agency. During the hiring process associated with employing an individual to serve as

director of special education in an area education agency, the division of special education shall give preference to qualified personnel employed by the area education agency.

Sec. 19. EFFECTIVE DATE. The following take effect July 1, 2025:

1. The section of this division of this Act amending section 273.10.
2. The section of this division of this Act amending section 273.11.

Sec. 20. APPLICABILITY. The following applies to employment agreements entered into or renewed between an area education agency and an area education agency administrator on or after July 1, 2024:

The portion of the section of this division of this Act amending section 273.3, subsection 11.

Sec. 21. APPLICABILITY. The following applies to the election of directors and vacancies occurring under section 273.8, as amended in this division of this Act, on or after July 1, 2024:

The sections of this division of this Act amending section 273.8.

Sec. 22. APPLICABILITY. The following apply to school years beginning on or after July 1, 2025:

1. The portion of the section of this division of this Act amending section 273.2, subsection 3.
2. The portion of the section of this division of this Act amending section 273.2, subsection 4.
3. The portion of the section of this division of this Act enacting section 273.2, subsection 4A.

DIVISION III

AREA EDUCATION AGENCIES — FUNDING

Sec. 23. Section 257.1, subsection 2, paragraph b, Code 2024, is amended to read as follows:

b. For the budget year commencing July 1, 1999, and for each succeeding budget year beginning before July 1, 2022, the regular program foundation base per pupil is eighty-seven and five-tenths percent of the regular program state cost per pupil. For the budget year commencing July 1, 2022, and for each succeeding budget year, the regular program foundation base per pupil is eighty-eight and four-tenths percent of the regular program state cost per pupil. For the budget year commencing July 1, 1991, and for each succeeding budget year the special education support services foundation base is seventy-nine percent of the special education support services state cost per pupil. The combined foundation base is the sum of the regular program foundation base, the special education support services foundation base, the total teacher salary supplement district cost, the total professional development supplement district cost, the total early intervention supplement district cost, the total teacher leadership supplement district cost, and the total area education agency teacher salary supplement district cost, ~~and the~~

~~total area education agency professional development supplement district cost.~~

Sec. 24. Section 257.1, subsection 3, Code 2024, is amended to read as follows:

3. *Computations rounded.* In making computations and payments under this chapter, except in the case of computations relating to funding of special education support services, media services, and educational services ~~provided through the area education agencies under section 257.37,~~ and the teacher salary supplement, the professional development supplement, the early intervention supplement, and the teacher leadership supplement, the department of management shall round amounts to the nearest whole dollar.

Sec. 25. Section 257.4, subsection 1, paragraph a, subparagraph (7), Code 2024, is amended by striking the subparagraph.

Sec. 26. Section 257.9, subsection 10, Code 2024, is amended by striking the subsection.

Sec. 27. Section 257.10, subsection 7, Code 2024, is amended to read as follows:

7. *Special education support services district cost.* Special education support services district cost for a school district for a budget year is equal to the special education support services district cost per pupil for the budget year multiplied by the special education support services weighted enrollment for the district for the budget year. If the special education support services district cost for a school district for a budget year is less than the special education support services district cost for that district for the base year, the department of management shall adjust the special education support services district cost for that district for the budget year to equal the special education support services district cost for the base year. Funds calculated under this subsection and received by a school district shall be used for special education support services. For budget years beginning on or after July 1, 2025, not less than ninety percent of funds calculated under this subsection and received by a school district shall be used by the school district for special education support services contracted from an area education agency. The contract between the school district and the area education agency shall not require the school district to describe the specific special education support services the school district will receive from the area education agency. The special education services provided by the area education agency to the school district pursuant to the contract shall not be limited by the amount of funding the school district provided to the area education agency.

Sec. 28. Section 257.10, subsection 8, paragraph a, Code 2024, is amended to read as follows:

a. Combined district cost is the sum of the regular program district cost per pupil multiplied by the weighted enrollment, the special education support services district cost, the total teacher salary supplement district cost, the total professional development supplement district cost, the total early intervention supplement district cost, and the total teacher leadership

supplement district cost, plus the sum of the additional district cost allocated to the district to fund media services and educational services ~~provided through the area education agency under section 257.37, and the area education agency total teacher salary supplement district cost and the area education agency total professional development supplement district cost.~~

Sec. 29. Section 257.16, subsection 4, Code 2024, is amended to read as follows:

4. Notwithstanding any provision to the contrary, if the governor orders budget reductions in accordance with section 8.31, the teacher salary supplement district cost, the professional development supplement district cost, the early intervention supplement district cost, and the teacher leadership supplement district cost as calculated under section 257.10, subsections 9, 10, 11, and 12, and the area education agency teacher salary supplement district cost ~~and the area education agency professional development supplement district cost~~ as calculated under section 257.37A, ~~subsections 1 and 2,~~ shall be paid in full as calculated and the reductions in the appropriations provided in accordance with this section shall be reduced from the remaining moneys appropriated pursuant to this section and shall be distributed on a per pupil basis calculated with the weighted enrollment determined in accordance with section 257.6, subsection 5.

Sec. 30. Section 257.35, subsections 1, 2, and 17, Code 2024, are amended to read as follows:

1. a. (1) ~~The~~ For fiscal years beginning before July 1, 2024, the department of management shall deduct the amounts calculated for special education support services, media services, area education agency teacher salary supplement district cost, area education agency professional development supplement district cost, and educational services for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the respective area education agencies on a monthly basis from September 15 through June 15 during each school year.

(2) For the fiscal year beginning July 1, 2024, the department of management shall deduct the following amounts from the state aid due to each school district pursuant to this chapter and shall pay the amounts to the respective area education agencies on a monthly basis from September 15 through June 15 during each school year:

(a) The amount calculated for special education support services for the school district.

(b) Forty percent of the amount calculated for media services for the school district.

(c) The area education agency teacher salary supplement district cost.

(d) Forty percent of the amount calculated in section 257.37 for educational services for the school district.

(e) The amount due to the area education agency as the result of supplementary weighting for shared operational functions under section 257.11, subsection 5, paragraph "e".

(3) For the fiscal year beginning July 1, 2025, and each fiscal year thereafter, the department of management shall deduct the following from the state aid due to each school district pursuant to this chapter and shall pay

the amounts to the respective area education agencies on a monthly basis from September 15 through June 15 during each school year:

(a) The area education agency teacher salary supplement district cost.

(b) The amount due to the area education agency as the result of supplementary weighting for shared operational functions under section 257.11, subsection 5, paragraph "e".

b. The department of management shall notify each school district of the amount of state aid deducted for these purposes and the balance of state aid shall be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the department of management, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

2. Notwithstanding the deduction and payment under subsection 1, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies amounts specified for school districts and area education agencies in subsection 1, paragraph "a", for the fiscal year beginning July 1, ~~2002~~ 2024, and each succeeding fiscal year, shall be reduced by the department of management by seven million five hundred thousand dollars. ~~The reduction for each area education agency shall be equal to the reduction that the agency received in the fiscal year beginning July 1, 2001~~ The department of management shall calculate a reduction such that such amounts shall be reduced proportionally to the amount that the agency would otherwise have received under this section if the reduction imposed pursuant to this subsection did not apply.

17. a. Notwithstanding subsection 1, and in addition to the reductions applicable pursuant to subsection 2 and paragraph "b" of this subsection, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies related to expenditures other than expenditures for professional development for the fiscal year beginning July 1, 2022, and ending June 30, 2023, shall be reduced by the department of management by fifteen million dollars. The reduction for each area education agency shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

b. Notwithstanding subsection 1, and in addition to the reductions applicable pursuant to subsection 2 and paragraph "a" of this subsection, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies related to professional development expenditures for the fiscal year beginning July 1, 2022, and ending June 30, 2023, shall be reduced by the department of management by an amount equal to the sum of the area education agency professional development supplement district cost for all area education agencies determined under section 257.37A, subsection 2, Code 2022, for the budget year beginning July 1, 2022. The reduction for each area education agency shall be equal to the area education agency's professional development district cost determined under section 257.37A, subsection 2, Code 2022, for the budget year beginning July 1, 2022. The amounts reduced under this paragraph shall be considered funds paid to school districts and area education agencies under chapter 284

for purposes of requirements for providing professional development opportunities.

Sec. 31. Section 257.36, subsection 1, Code 2024, is amended to read as follows:

1. Notwithstanding chapters 256B and 273 and sections of this chapter relating to the moneys available to school districts and area education agencies for special education support services, for each school year, the department of education may direct the department of management to deduct amounts from the portions of school district budgets that fund special education support services in an area education agency. The total amount deducted ~~in an area~~ for a school district shall be based upon excess special education support services unreserved and undesignated fund balances in that school district or paid by the school district to an area education agency for a school year that remain unreserved and undesignated as determined by the department of education. The department of management shall determine the amount deducted from each school district in an area education agency on a proportional basis. The department of management shall determine from the amounts deducted from the portions of school district budgets that fund area education agency special education support services the amount that would have been local property taxes and the amount that would have been state aid and for the next following budget year shall increase the district's total state school aid available under this chapter for area education agency special education support services and reduce the district's property tax levy for area education agency special education support services by the amount necessary for the property tax portion of the deductions made under this section during the budget year.

Sec. 32. Section 257.37, Code 2024, is amended to read as follows:

257.37 Funding media and educational services.

Media services and educational services provided by a school district or through the area education agencies agency shall be funded, to the extent provided, by an addition to the combined district cost of each school district, determined as follows:

1. For the budget year beginning July 1, 1991, and succeeding budget years, the total amount funded in each area for media services shall be computed as provided in this subsection. For the budget year beginning July 1, 1991, the total amount funded in each area for media services in the base year shall be divided by the enrollment served in the base year to provide an area media services cost per pupil in the base year, and the department of management shall compute the state media services cost per pupil in the base year which is equal to the average of the area media services costs per pupil in the base year. For the budget year beginning July 1, 1991, and succeeding budget years, the department of management shall compute the supplemental state aid for media services in the budget year by multiplying the state media services cost per pupil in the base year times the state percent of growth for the budget year, and the total amount funded in each area for media services cost in the budget year equals the area media services cost per pupil in the base year plus the supplemental state aid for media services in the budget year times the enrollment served in the budget year. ~~Funds~~ For

fiscal years beginning before July 1, 2025, funds shall be paid to area education agencies as provided in section 257.35. For fiscal years beginning on or after July 1, 2024, funds not required to be paid to an area education agency may be used by the school district for any school district general fund purpose.

2. Up to thirty percent of the budget of an area for media services may be expended for media resource material including the purchase or replacement of material required in section 273.6, subsection 1. ~~Funds shall be paid to area education agencies as provided in section 257.35.~~

3. For the budget year beginning July 1, 1991, and succeeding budget years, the total amount funded in each area for educational services shall be computed as provided in this subsection. For the budget year beginning July 1, 1991, the total amount funded in each area for educational services in the base year shall be divided by the enrollment served in the area in the base year to provide an area educational services cost per pupil in the base year, and the department of management shall compute the state educational services cost per pupil in the base year, which is equal to the average of the area educational services costs per pupil in the base year. For the budget year beginning July 1, 1991, and succeeding budget years, the department of management shall compute the supplemental state aid for educational services by multiplying the state educational services cost per pupil in the base year times the state percent of growth for the budget year, and the total amount funded in each area for educational services for the budget year equals the area educational services cost per pupil for the base year plus the supplemental state aid for educational services in the budget year times the enrollment served in the area in the budget year. ~~Funds~~ For fiscal years beginning before July 1, 2025, funds shall be paid to area education agencies as provided in section 257.35. For fiscal years beginning on or after July 1, 2024, funds not required to be paid to an area education agency may be used by the school district for any school district general fund purpose.

4. "*Enrollment served*" means the basic enrollment of all school districts within the boundaries of the area education agency plus the number of nonpublic school pupils served by the area education agency with media services or educational services, as applicable, except that if a nonpublic school pupil or a pupil attending another district under a whole grade sharing agreement or open enrollment receives services through an area other than the area of the pupil's residence, the pupil shall be deemed to be served by the area of the pupil's residence, which shall by contractual arrangement reimburse the area through which the pupil actually receives services. Each school district shall include in the enrollment report submitted pursuant to section 257.6, subsection 1, the number of nonpublic school pupils within each school district for media and educational services served by the area. However, the school district shall not include in the enrollment report nonpublic school pupils receiving classes or services funded entirely by federal grants or allocations.

5. a. If an area education agency does not serve nonpublic school pupils in a manner comparable to services provided public school pupils for media and educational services, as determined by the state board of education, the state board shall instruct the department of management to reduce the funds

for media services and educational services within the area one time by an amount to compensate for such reduced services. The media services budget shall be reduced by an amount equal to the product of the cost per pupil in basic enrollment for the budget year for media services times the difference between the enrollment served and the basic enrollment recorded for the area. The educational services budget shall be reduced by an amount equal to the product of the cost per pupil in basic enrollment for the budget year for educational services times the difference between the enrollment served and the basic enrollment recorded for the area.

b. This subsection applies only to media and educational services which cannot be diverted for religious purposes.

c. Notwithstanding this subsection, an area education agency shall distribute to nonpublic schools media materials purchased wholly or partially with federal funds in a manner comparable to the distribution of such media materials to public schools as determined by the director of the department of education.

6. For the budget year beginning July 1, 2002, and each succeeding budget year, notwithstanding the requirements of this section for determining the budgets and funding of media services and education services, an area education agency or school district may, ~~within the limits of the total of the funds provided for the budget years pursuant to section 257.35,~~ expend for special education support services an amount that exceeds the payment for special education support services ~~pursuant to section 257.35~~ in order to maintain the level of required special education support services in the area education agency or the school district, as applicable.

Sec. 33. Section 257.37A, Code 2024, is amended to read as follows:

257.37A Area education agency salary supplement funding.

~~1. Area education agency teacher salary supplement cost per pupil and district cost.~~

~~a.~~ 1. For the budget year beginning July 1, 2009, the department of management shall add together the teacher compensation allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "i", Code 2009, and the phase II allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the special education support services weighted enrollment in the fiscal year beginning July 1, 2009, to determine the area education agency teacher salary supplement cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the area education agency teacher salary supplement district cost per pupil for each area education agency for a budget year is the area education agency teacher salary supplement district cost per pupil for the base year plus the area education agency teacher salary supplement supplemental state aid amount for the budget year.

~~b.~~ 2. For the budget year beginning July 1, 2010, and succeeding budget years, if the department of management determines that the unadjusted area education agency teacher salary supplement district cost of an area education agency for a budget year is less than one hundred percent of the unadjusted area education agency teacher salary supplement district cost for the base year for the area education agency, the area education agency shall receive a

budget adjustment for that budget year equal to the difference.

~~e. (1) 3. a.~~ The unadjusted area education agency teacher salary supplement district cost is the area education agency teacher salary supplement district cost per pupil for each area education agency for a budget year multiplied by the special education support services weighted enrollment for that area education agency.

~~(2) b.~~ The total area education agency teacher salary supplement district cost is the sum of the unadjusted area education agency teacher salary supplement district cost plus the budget adjustment for that budget year.

~~d. 4.~~ For the budget year beginning July 1, 2009, the use of the funds calculated under this ~~subsection~~ section shall comply with requirements of chapter 284 and shall be distributed to teachers pursuant to section 284.3A. For the budget year beginning July 1, 2010, and succeeding budget years, the use of the funds calculated under this ~~subsection~~ section shall comply with the requirements of chapter 284 and shall be distributed to teachers pursuant to section 284.3A.

~~2. Area education agency professional development supplement cost per pupil and district cost.~~

~~a.~~ For the budget year beginning July 1, 2009, the department of management shall divide the area education agency professional development supplement made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "d", Code 2009, by the special education support services weighted enrollment in the fiscal year beginning July 1, 2009, to determine the professional development supplement cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years, the area education agency professional development supplement district cost per pupil for each area education agency for a budget year is the area education agency professional development supplement district cost per pupil for the base year plus the area education agency professional development supplement supplemental state aid amount for the budget year.

~~b.~~ For the budget year beginning July 1, 2010, and succeeding budget years, if the department of management determines that the unadjusted area education agency professional development supplement district cost of an area education agency for a budget year is less than one hundred percent of the unadjusted area education agency professional development supplement district cost for the base year for the area education agency, the area education agency shall receive a budget adjustment for that budget year equal to the difference.

~~e. (1)~~ The unadjusted area education agency professional development supplement district cost is the area education agency professional development supplement district cost per pupil for each area education agency for a budget year multiplied by the special education support services weighted enrollment for that area education agency.

~~(2)~~ The total area education agency professional development supplement district cost is the sum of the unadjusted area education agency professional development supplement district cost plus the budget adjustment for that budget year.

~~d. The use of the funds calculated under this subsection shall comply with requirements of chapter 284.~~

Sec. 34. Section 284.3A, subsection 4, Code 2024, is amended to read as follows:

4. The teacher salary supplement district cost as calculated under section 257.10, subsection 9, and the area education agency teacher salary supplement district cost as calculated under section 257.37A, ~~subsection 1,~~ are not subject to a uniform reduction in accordance with section 8.31.

Sec. 35. Section 284.4, subsection 1, paragraph b, subparagraph (3), Code 2024, is amended to read as follows:

(3) Determine, following the adoption of the Iowa professional development model by the state board of education, the use and distribution of the professional development funds calculated and paid to the school district ~~or agency as provided in section 257.9, subsection 10, or section 257.10, subsection 10,~~ based upon school district ~~or agency,~~ attendance center, and individual teacher and professional development plans.

Sec. 36. Section 284.6, subsections 8 and 9, Code 2024, are amended to read as follows:

8. For each year in which a school district receives funds calculated and paid to school districts for professional development pursuant to section 257.10, subsection 10, ~~or section 257.37A, subsection 2,~~ the school district shall create quality professional development opportunities. Not less than thirty-six hours in the school calendar, held outside of the minimum school day, shall be set aside during nonpreparation time or designated professional development time to allow practitioners to collaborate with each other to deliver educational programs and assess student learning, or to engage in peer review pursuant to section 284.8, subsection 1. The funds may be used to implement the professional development provisions of the teacher career paths and leadership roles specified in section 284.15, including but not limited to providing professional development to teachers, including additional salaries for time beyond the normal negotiated agreement; activities and pay to support a beginning teacher mentoring and induction program that meets the requirements of section 284.5; pay for substitute teachers, professional development materials, speakers, and professional development content; textbooks and curriculum materials used for classroom purposes if such textbooks and curriculum materials include professional development; administering assessments pursuant to section 256.7, subsection 21, paragraph "b", subparagraphs (1) and (2), if such assessments include professional development; and costs associated with implementing the individual professional development plans. The use of the funds shall be balanced between school district, attendance center, and individual professional development plans, making every reasonable effort to provide equal access to all teachers.

9. Moneys received pursuant to section 257.10, subsection 10, ~~or section 257.37A, subsection 2,~~ shall be maintained as a separate listing within a school district's ~~or area education agency's~~ budget for funds received and expenditures made pursuant to this subsection. The department shall not

require a school district ~~or area education agency~~ to allocate a specific amount or percentage of moneys received pursuant to section 257.10, subsection 10, ~~or section 257.37A, subsection 2,~~ for professional development related to implementation of the core curriculum under section 256.7, subsection 26. A school district shall certify to the department how the school district allocated the funds and that moneys received under this subsection were used to supplement, not supplant, the professional development opportunities the school district would otherwise make available. For budget years beginning on or after July 1, 2017, all or a portion of the moneys received pursuant to section 257.10, subsection 10, that remain unexpended and unobligated at the end of a fiscal year may, pursuant to section 257.10, subsection 10, paragraph "d", be transferred for deposit in the school district's flexibility account established under section 298A.2, subsection 2.

Sec. 37. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 38. APPLICABILITY. This division of this Act applies July 1, 2024, for school budget years beginning on or after that date.

DIVISION IV

TEACHER COMPENSATION AND IPERS

Sec. 39. Section 97B.52A, subsection 1, paragraph c, subparagraph (2), Code 2024, is amended by adding the following new subparagraph division:

NEW SUBPARAGRAPH DIVISION. (d) For a member whose first month of entitlement is July 2024 or later, but before July 2027, the member may return to covered employment as a teacher for a covered employer after receiving one month of retirement benefits. For the purposes of this subparagraph division, "teacher" means a teacher licensed under chapter 256.

Sec. 40. Section 257.10, subsection 12, paragraph d, Code 2024, is amended to read as follows:

d. Except as otherwise allowed under this paragraph, for the budget year beginning July 1, 2014, and succeeding budget years, the use of the funds calculated under this subsection shall comply with the requirements of chapter 284 and shall be distributed to teachers pursuant to section 284.15. The funds shall be used only to increase the payment for a teacher assigned to a leadership role pursuant to a framework or comparable system approved pursuant to section 284.15; to increase the percentages of teachers assigned to leadership roles; to increase the minimum teacher starting salary to ~~thirty three thousand five hundred dollars~~ the amount provided in section 284.15, subsection 2, paragraph "a", subparagraph (1); to cover the costs for the time mentor and lead teachers are not providing instruction to students in a classroom; for coverage of a classroom when an initial or career teacher is observing or co-teaching with a teacher assigned to a leadership role; for professional development time to learn best practices associated with the

career pathways leadership process; and for other costs associated with a framework or comparable system approved by the department of education under section 284.15 with the goals of improving instruction and elevating the quality of teaching and student learning. If all requirements for the school district for the use of funds calculated under this subsection are met and funds received under this subsection remain unexpended and unobligated at the end of a fiscal year beginning on or after July 1, 2020, the school district may transfer all or a portion of such unexpended and unobligated funds for deposit in the school district's flexibility account established under section 298A.2, subsection 2. At the end of a fiscal year beginning on or after July 1, 2022, school districts may use all or a portion of funds under this subsection for the purposes authorized under subsection 9, paragraph "d", and, notwithstanding any provision of law to the contrary, school districts shall not be required to participate in or comply with section 284.15 in order to continue to receive funding under this subsection.

Sec. 41. Section 284.15, subsection 2, paragraph a, subparagraph (1), Code 2024, is amended to read as follows:

(1) (a) ~~The~~ For the fiscal year beginning July 1, 2024, the salary for an initial teacher who has successfully completed an approved practitioner preparation program as defined in section 256.145 or holds an initial or intern teacher license issued under chapter 256, subchapter VII, part 3, shall be at least ~~thirty-three~~ forty-seven thousand five hundred dollars, which shall also constitute the minimum salary for an Iowa teacher.

(b) For the fiscal year beginning July 1, 2025, and each subsequent fiscal year, the salary for an initial teacher who has successfully completed an approved practitioner preparation program as defined in section 256.145 or holds an initial or intern teacher license issued under chapter 256, subchapter VII, part 3, shall be at least fifty thousand dollars, which shall also constitute the minimum salary for an Iowa teacher.

Sec. 42. Section 284.15, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. a. For the fiscal year beginning July 1, 2024, the salary for a career teacher, model teacher, mentor teacher, or lead teacher, who holds a valid license issued under chapter 256, subchapter VII, part 3, and who has been a teacher for at least twelve years, shall be at least sixty thousand dollars.

b. For the fiscal year beginning July 1, 2025, and each subsequent fiscal year, the salary for a career teacher, model teacher, mentor teacher, or lead teacher, who holds a valid license issued under chapter 256, subchapter VII, part 3, and who has been a teacher for at least twelve years, shall be at least sixty-two thousand dollars.

Sec. 43. Section 284.16, subsection 1, paragraph a, unnumbered paragraph 1, Code 2024, is amended to read as follows:

~~The~~ For the fiscal year beginning July 1, 2024, the beginning teacher shall be paid not less than ~~thirty-three~~ forty-seven thousand five hundred dollars ~~and~~. For the fiscal year beginning July 1, 2025, and each subsequent fiscal year, the beginning teacher shall be paid not less than fifty thousand

dollars. Each beginning teacher shall meet the following requirements:

Sec. 44. Section 284.16, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. a. *Experienced teacher.* For the fiscal year beginning July 1, 2024, a career teacher, instructional coach, curriculum and professional development leader, or model teacher, who has been a teacher for at least twelve years, shall be paid not less than sixty thousand dollars.

b. For the fiscal year beginning July 1, 2025, and each subsequent fiscal year, a career teacher, instructional coach, curriculum and professional development leader, or model teacher, who has been a teacher for at least twelve years, shall be paid not less than sixty-two thousand dollars.

Sec. 45. Section 284.17, subsection 1, Code 2024, is amended to read as follows:

1. a. A For the fiscal year beginning July 1, 2024, the minimum salary of ~~thirty-three~~ forty-seven thousand five hundred dollars for a full-time teacher who has less than twelve years of teaching experience and a minimum salary of sixty thousand dollars for a full-time teacher who has at least twelve years of teaching experience.

b. For the fiscal year beginning July 1, 2025, and each subsequent fiscal year, the minimum salary of fifty thousand dollars for a full-time teacher who has less than twelve years of teaching experience and a minimum salary of sixty-two thousand dollars for a full-time teacher who has at least twelve years of teaching experience.

DIVISION V

TEACHER SALARY SUPPLEMENT DISTRICT COST PER PUPIL

Sec. 46. Section 257.10, subsection 9, paragraph a, Code 2024, is amended to read as follows:

a. (1) For the budget year beginning July 1, 2009, the department of management shall add together the teacher compensation allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "h", Code 2009, and the phase II allocation made to each district for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the district's budget enrollment in the fiscal year beginning July 1, 2009, to determine the teacher salary supplement district cost per pupil. For the budget year beginning July 1, 2010, and succeeding budget years beginning before July 1, 2024, the teacher salary supplement district cost per pupil for each school district for a budget year is the teacher salary supplement program district cost per pupil for the base year plus the teacher salary supplement supplemental state aid amount for the budget year.

(2) (a) For the budget year beginning July 1, 2024, the teacher salary supplement district cost per pupil for each school district shall be determined under this subparagraph.

(b) The department of management shall categorize all school districts

into not more than ten tiers according to each school district's actual enrollment. Each tier established by the department of management containing a school district with an actual enrollment above three thousand five hundred pupils shall contain, to the extent feasible, the same number of school districts as other tiers containing school districts with an actual enrollment of more than three thousand five hundred pupils. Each tier established by the department of management containing a school district with an actual enrollment equal to or less than three thousand five hundred pupils shall contain, to the extent feasible, the same number of school districts as other tiers containing school districts with an actual enrollment equal to or less than three thousand five hundred pupils.

(c) (i) To support school districts with meeting the minimum teacher starting salary requirement of forty-seven thousand five hundred dollars and the minimum teacher salary requirement for full-time teachers with at least twelve years of experience of sixty thousand dollars under chapter 284 and other costs associated with such salary requirements, as identified in subparagraph subdivision (ii), the department of management shall calculate and assign to all school districts in a tier established under subparagraph division (b), a teacher salary supplement district cost per pupil in an amount based in part on the average cost to school districts within the tier to meet the requirements.

(ii) If, however, a school district's total teacher salary supplement district cost under paragraph "c" as calculated using the teacher salary supplement district cost per pupil assigned to the school district's applicable tier, is insufficient to comply with the applicable minimum teacher salary requirements of the school district, including costs associated with the employer's share of contributions to the Iowa public employees' retirement system and the employer's share of the tax imposed by the federal Insurance Contributions Act, the department of management shall set the school district's teacher salary supplement district cost per pupil at an amount necessary to meet the district's minimum salary requirements and associated costs.

(3) (a) For the budget year beginning July 1, 2025, the teacher salary supplement district cost per pupil for each school district shall be determined under this subparagraph.

(b) The department of management shall categorize all school districts into not more than ten tiers according to each school district's actual enrollment. Each tier established by the department of management containing a school district with an actual enrollment above three thousand five hundred pupils shall contain, to the extent feasible, the same number of school districts as other tiers containing school districts with an actual enrollment of more than three thousand five hundred pupils. Each tier established by the department of management containing a school district with an actual enrollment equal to or less than three thousand five hundred pupils shall contain, to the extent feasible, the same number of school districts as other tiers containing school districts with an actual enrollment equal to or less than three thousand five hundred pupils.

(c) (i) To support school districts with meeting the minimum teacher starting salary requirement of fifty thousand dollars and the minimum teacher

salary requirement for full-time teachers with at least twelve years of experience of sixty-two thousand dollars under chapter 284 and other costs associated with such salary requirements, as identified in subparagraph subdivision (ii), the department of management shall calculate and assign to all school districts in a tier established under subparagraph division (b), a teacher salary supplement district cost per pupil in an amount based in part on the average cost to school districts within the tier to meet the requirements.

(ii) If, however, a school district's total teacher salary supplement district cost under paragraph "c", as calculated using the teacher salary supplement district cost per pupil assigned to the school district's applicable tier, is insufficient to comply with the applicable minimum teacher salary requirements of the school district, including costs associated with the employer's share of contributions to the Iowa public employees' retirement system and the employer's share of the tax imposed by the federal Insurance Contributions Act, the department of management shall set the school district's teacher salary supplement district cost per pupil at an amount necessary to meet the district's minimum salary requirements and associated costs.

(4) For the budget year beginning July 1, 2026, and succeeding budget years, the teacher salary supplement district cost per pupil for each school district for a budget year is the teacher salary supplement program district cost per pupil for the base year plus the teacher salary supplement supplemental state aid amount for the budget year.

Sec. 47. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VI

STATE PERCENTS OF GROWTH

Sec. 48. Section 257.8, subsections 1 and 2, Code 2024, are amended to read as follows:

1. *State percent of growth.* ~~The state percent of growth for the budget year beginning July 1, 2021, is two and four-tenths percent.~~ The state percent of growth for the budget year beginning July 1, 2022, is two and one-half percent. The state percent of growth for the budget year beginning July 1, 2023, is three percent. The state percent of growth for the budget year beginning July 1, 2024, is two and one-half percent. The state percent of growth for each subsequent budget year shall be established by statute which shall be enacted within thirty days of the transmission of the governor's budget required by February 1 under section 8.21 during the regular legislative session beginning in the base year.

2. *Categorical state percent of growth.* ~~The categorical state percent of growth for the budget year beginning July 1, 2021, is two and four-tenths percent.~~ The categorical state percent of growth for the budget year beginning July 1, 2022, is two and one-half percent. The categorical state percent of growth for the budget year beginning July 1, 2023, is three

percent. The categorical state percent of growth for the budget year beginning July 1, 2024, is two and one-half percent. The categorical state percent of growth for each budget year shall be established by statute which shall be enacted within thirty days of the transmission of the governor's budget required by February 1 under section 8.21 during the regular legislative session beginning in the base year. The categorical state percent of growth may include state percents of growth for the teacher salary supplement, the professional development supplement, the early intervention supplement, the teacher leadership supplement, and for budget years beginning on or after July 1, 2020, transportation equity aid payments under section 257.16C.

Sec. 49. Section 257.16B, subsections 1 and 2, Code 2024, are amended to read as follows:

1. For each fiscal year beginning on or after July 1, ~~2021~~ 2022, there is appropriated from the general fund of the state to the department of education an amount necessary to make all school district property tax replacement payments under this section, as calculated in subsection 2.

2. ~~a.~~ For the budget year beginning July 1, ~~2021~~, the department of management shall calculate for each school district all of the following:

~~(1) The regular program state cost per pupil for the budget year beginning July 1, 2012, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the budget year beginning July 1, 2021.~~

~~(2) The regular program state cost per pupil for the budget year beginning July 1, 2021, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the budget year beginning July 1, 2021.~~

~~(3) The amount of each school district's property tax replacement payment. Each school district's property tax replacement payment equals the school district's weighted enrollment for the budget year beginning July 1, 2021, multiplied by the remainder of the amount calculated for the school district under subparagraph (2) minus the amount calculated for the school district under subparagraph (1).~~

~~b.~~ a. (1) For the budget year beginning July 1, 2022, the amount of each school district's property tax replacement payment shall be the product of the school district's weighted enrollment for the budget year multiplied by the per pupil property tax replacement amount for the budget year calculated under subparagraph (2).

(2) The per pupil property tax replacement amount for the budget year beginning July 1, 2022, is equal to the sum of one hundred fifty-three dollars plus the difference between the following:

(a) The regular program state cost per pupil for the budget year beginning July 1, 2022, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the budget year beginning July 1, 2022.

(b) The regular program state cost per pupil for the budget year beginning July 1, 2021, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the budget year beginning July 1, 2022.

~~e. b.~~ (1) For ~~each~~ the budget year beginning ~~on or after~~ July 1, 2023, the amount of each school district's property tax replacement payment shall be the product of the school district's weighted enrollment for the budget year multiplied by the per pupil property tax replacement amount for the budget year calculated under subparagraph (2).

(2) The per pupil property tax replacement amount for the budget years year beginning on or after July 1, 2023, is equal to the sum of one hundred fifty-three dollars plus the difference between the following:

(a) The regular program state cost per pupil for the budget year beginning July 1, 2023, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the ~~applicable budget year under this paragraph~~ beginning July 1, 2023.

(b) The regular program state cost per pupil for the budget year beginning July 1, 2021, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the ~~applicable budget year under this paragraph~~ beginning July 1, 2023.

c. (1) For each budget year beginning on or after July 1, 2024, the amount of each school district's property tax replacement payment shall be the product of the school district's weighted enrollment for the budget year multiplied by the per pupil property tax replacement amount for the budget year calculated under subparagraph (2).

(2) The per pupil property tax replacement amount for budget years beginning on or after July 1, 2024, is equal to the sum of one hundred fifty-three dollars plus the difference between the following:

(a) The regular program state cost per pupil for the budget year beginning July 1, 2024, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the applicable budget year under this paragraph.

(b) The regular program state cost per pupil for the budget year beginning July 1, 2021, multiplied by one hundred percent less the regular program foundation base per pupil percentage pursuant to section 257.1 for the applicable budget year under this paragraph.

Sec. 50. CODE SECTION 257.8 — IMPLEMENTATION. The requirements of section 257.8, subsections 1 and 2, regarding the enactment of bills establishing the state percent of growth and the categorical state percent of growth within thirty days of the transmission of the governor's budget required by February 1 under section 8.21 during the regular legislative session beginning in the base year, do not apply to this division of this Act.

Sec. 51. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VII

EDUCATION SUPPORT PERSONNEL SALARY SUPPLEMENT

Sec. 52. EDUCATION SUPPORT PERSONNEL SALARY SUPPLEMENT — FY 2024-2025.

1. If funds are appropriated by the general assembly to the department of education for the fiscal year beginning July 1, 2024, and ending June 30, 2025, to make all payments to school districts required under subsection 2, such funds shall be used to provide a funding supplement to each school district during the fiscal year beginning July 1, 2024, and ending June 30, 2025, to supplement education support personnel compensation.

2. In order to receive the funding supplement, a school district shall first report to the department of education on or before July 1, 2024, the number of education support personnel employed by the school district, including all other information related to such personnel required by the department of education. Each school district's funding supplement amount shall be equal to fourteen million dollars multiplied by the quotient of the school district's budget enrollment for the budget year beginning July 1, 2023, and ending June 30, 2024, divided by the statewide total budget enrollment for the budget year beginning July 1, 2023, and ending June 30, 2024. For purposes of this section, "education support personnel" means regular and part-time employees of a school district who are not salaried.

3. The payment of funding supplement amounts under this section shall be paid by the department of education at the same time and in the same manner as foundation aid is paid under section 257.16 for the fiscal year beginning July 1, 2024, and ending June 30, 2025, and may be included in the

monthly payment of state aid under section 257.16, subsection 2.

Sec. 53. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VIII

STATE MANDATE

Sec. 54. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3, shall not apply to this Act.

PAT GRASSLEY

Speaker of the House

AMY SINCLAIR

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2612, Ninetieth General Assembly.

MEGHAN NELSON

Chief Clerk of the House

Approved _____, 2024

KIM REYNOLDS

Governor



Fiscal Note
Fiscal Services Division



[HF 674](#) – Motor Vehicle Title and Registration, County of Issuance (LSB1245HZ.1)
 Staff Contact: Garry Martin (515.281.4611) garry.martin@legis.iowa.gov
 Fiscal Note Version – Final Action

Description

[House File 674](#) allows for any county treasurer, instead of the treasurer of the county where the primary user of the vehicle is located, to conduct certain transactions, including accepting applications for and issuing certain certificates of title, accepting applications for and issuing new registrations, and perfecting security interests. Currently, a person must apply for registration and certificate of title from the person’s county of residence or from the county where the primary users of the vehicle are located. The Bill also increases by \$10 various fees required in the registration and titling of vehicles, including establishing a \$10 increase in the fee for new registration. House File 674 subsequently increases the amount the county treasurer is allowed to retain for deposit in the county general fund by \$10 from each fee for certificate of title, perfection of security interest, and new vehicle registration, as seen in **Figure 1**.

Figure 1 — County Fee Retention Per Transaction Under House File 674

Type of Transaction	Current Fees Retained	Fees Retained Under HF 674
Certificate of Title	\$2.50	\$12.50
Perfection of Security Interests	\$6.00	\$16.00
New Registration	\$1.00	\$11.00

Division I of the Bill is effective January 1, 2025.

Background

2008 Iowa Acts, chapter [1113](#), increased the application fees paid to a county treasurer for motor vehicle registration and issuance of certificate of title from \$10 to \$20, and from \$2 to \$10 for salvage titles and titles for motor vehicles returned to a manufacturer. The additional \$10 or \$8 collected from the collected fees is allocated to the Transportation Moves the Economy in the 21st Century (TIME-21) Fund pursuant to Iowa Code section [321.2\(15\)](#). The TIME-21 Fund is currently set to be repealed on June 30, 2028.

A surcharge of \$5 is also required for the issuance of a certificate of title pursuant to Iowa Code section [321.52A](#).

Iowa Code section [321.152](#) currently allows counties to retain and deposit fees in their general funds. The fees that can be retained are as follows:

- 4.0% of the total collection of each annual or semiannual vehicle registration and each duplicate registration card or plate issued.
- \$2.50 from each fee collected for certificates of title.
- 40.0% of all fees collected for certified copies of certificates of title.
- 60.0% of all fees collected for perfection of security interests.
- 25.0% of each penalty collected for improper business-trade truck registration.

- \$1 from each fee for new registration.
- 25.0% of each penalty collected for improper motorsports recreational vehicle registration.

The remaining revenue collected from a certificate of title transaction, including the \$5 surcharge per title transaction, is deposited into the Statutory Allocations Fund pursuant to Iowa Code section [321.145](#). After statutory distributions, any remaining revenue in the Statutory Allocations Fund is credited to the Road Use Tax Fund (RUTF).

Figure 2 includes the total number of transactions at the county level in FY 2022. The transactions are listed as they are identified in the Department of Transportation's (DOT's) system.

Figure 2 — FY 2022 Initial Registration and Certificate of Title Transactions by Counties

Type of Transaction	FY 2022 Transactions
Title and Registration	888,860
Replacement and Corrected Title	61,462
Manufacturer Buy Back Title	89
Salvage Title	42,151
Security Interests	213,427

In addition to the transactions above, the Iowa DOT estimates that DOT locations processed approximately 2,229 title transactions for commercial vehicles and 2,026 transactions for perfection of security interests in FY 2022.

Assumptions

- FY 2025 and FY 2026 transactions will match FY 2022 transactions.
- All "title and registration" transactions involve payment of both the new title fee and the new registration fee. As a result, it is assumed there are 888,860 new title transactions and 888,860 new registration transactions.
- Fee revenue from transactions processed by the Iowa DOT is deposited into the RUTF.
- The Iowa DOT has stated it will incur a one-time information technology labor expense of \$48,000, which will be absorbed with existing resources.

Fiscal Impact

House File 674 is estimated to increase fee revenue retained in county general funds by \$10.5 million in FY 2025 and \$20.9 million annually beginning in FY 2025 (Figures 3 and 4).

Figure 3 — Estimated Increase to Counties in FY 2025

Type of Transaction	Estimated Number of Transactions	Estimated Increase in Revenue
Certificate of Title	496,281	\$ 4,960,810
Security Interests	106,714	1,067,135
New Registration	444,430	4,444,300
Total Increase in Revenue		\$ 10,472,245

Figure 4 — Estimated Annual Increase to Counties Beginning in FY 2026

Type of Transaction	Estimated Annual Number of Transactions	Estimated Annual Increases in Revenue
Certificate of Title	992,562	\$ 9,923,620
Security Interests	213,427	2,134,270
New Registration	888,860	8,888,600
Total Increase in Revenue		\$ 20,946,490

Additionally, HF 674 is estimated to increase net revenue to the RUTF by \$21,000 in FY 2025 and \$43,000 annually beginning in FY 2026 (Figures 5 and 6).

Figure 5 — Estimated Net Increase to the RUTF in FY 2025

Type of Transaction	Estimated Annual Number of Transactions	Estimated Annual Changes in Revenue
Certificate of Title — Commercial Vehicles	1,115	\$ 11,145
Security Interests	1,013	10,130
Total Increase in Revenue		\$ 21,275

Figure 6 — Estimated Annual Net Increase to the RUTF Beginning in FY 2026

Type of Transaction	Estimated Annual Number of Transactions	Estimated Annual Changes in Revenue
Certificate of Title — Commercial Vehicles	2,229	\$ 22,290
Security Interests	2,026	20,260
Total Increase in Revenue		\$ 42,550

Sources

Department of Transportation
Legislative Services Agency calculations

/s/ Jennifer Acton

May 8, 2024

Doc ID 1449486

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



Fiscal Note

Fiscal Services Division



SF 2442 – Individual Income Tax Rate (LSB6385SV.1)

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Fiscal Note Version – Final Action

Description

[Senate File 2442](#) has nine divisions and modifies the individual and alternate income tax rates, withholding credits, franchise tax deductions, and property tax procedures; changes methods to determine compensation of county officials; makes contingent transfers from the Taxpayer Relief Fund (TRF); and makes corrections to the Iowa Code. The Bill has retroactive provisions.

Division I — Individual and Alternate Income Tax Rates in Tax Year 2025

Description and Background

Division I of the Bill decreases individual income tax rates beginning in tax year (TY) 2025. Division I makes the following changes:

- Eliminates the bracketed individual income tax rates that go into effect in TY 2025 and establishes flat individual income tax rates of 3.8% for tax years beginning on or after January 1, 2025. Currently, a flat individual income tax rate of 3.9% is scheduled to go into effect beginning in TY 2026.
- Eliminates references to calculating the latest cumulative inflation factors in Iowa Code chapter 422 due to removing income tax brackets.
- Decreases the future alternate income tax rate from 4.4% to 4.3% beginning in tax years on or after January 1, 2025.
- Requires the rate of withholding for tax years beginning on or after January 1, 2025, to not be higher than the tax rate in effect for the applicable tax year.

Division I is effective January 1, 2025, and applies to tax years beginning on or after January 1, 2025.

Current individual income tax rates for TY 2024, for TY 2025, and for tax years beginning on or after January 1, 2026, were set in 2022 Iowa Acts, [House File 2317](#) (Income Tax Rate Reduction and Exemptions Act). Figure 1 details [current](#) and proposed tax rates for single filers in the Bill by TY, while Figure 2 details current and proposed tax rates for married filers by TY.

Figure 1 — Individual Income Tax Rates (Single Filer)

Income — Single Filer	Current Law			SF 2442	
	TY 2024	TY 2025	TY 2026+	TY 2024	TY 2025+
\$0 to \$6,210	4.40%	4.40%	3.90%	4.40%	3.80%
\$6,210 to \$31,050	4.82%	4.82%		4.82%	
\$31,050+	5.70%			5.70%	

Figure 2 — Individual Income Tax Rates (Married Filers)

Income — Married Filers	Current Law			SF 2442	
	TY 2024	TY 2025	TY 2026+	TY 2024	TY 2025+
\$0 to \$12,420	4.40%	4.40%	3.90%	4.40%	3.80%
\$12,420 to \$62,100	4.82%	4.82%		4.82%	
\$62,100+	5.70%			5.70%	

Assumptions/Fiscal Impact (Division I)

- The tax reduction estimate is based on income tax returns filed for TY 2022 and is time-adjusted for previously enacted State and federal law changes, as well as personal income and population changes that are projected to occur after the 2022 base tax year.
- Temporary federal law changes under the [Tax Cut and Jobs Act of 2017](#) are assumed to expire after TY 2025. The Iowa individual income tax revisions under 2018 Iowa Acts, [Senate File 2417](#) (Income and Sales Tax Modification Act), and 2022 Iowa Acts, House File, 2317, are incorporated as current law for applicable years.
- Iowa withholding decreases would begin in January 2025, affecting FY 2025 revenue; however, the majority impact of TY 2025 income tax rate decreases would be realized in FY 2026.
- Tax year results are converted to fiscal year estimates using historical relationships between income tax withholding, estimate payments, tax refunds, and payments with filed tax returns.
- The [income surtax for schools](#) is a local option tax that is based on a taxpayer's Iowa income tax liability. Law changes that lower Iowa income tax liability also lower the amount of income surtax owed by any taxpayer subject to the surtax. For this projection, the surtax is assumed to equal 2.5% of State individual income tax liability.

The individual income tax rate changes in SF 2442 are projected to decrease net individual income tax liability and State General Fund revenue by the following amounts:

- FY 2025 = \$328.2 million
- FY 2026 = \$605.3 million
- FY 2027 = \$97.0 million
- FY 2028 = \$96.8 million
- FY 2029 = \$99.5 million
- FY 2030 = \$102.4 million

The decrease in tax liability is also projected to decrease the statewide local option income surtax for schools by the following amounts:

- FY 2025 = \$8.1 million
- FY 2026 = \$15.0 million
- FY 2027 = \$2.4 million
- FY 2028 = \$2.4 million
- FY 2029 = \$2.5 million
- FY 2030 = \$2.5 million

Division II — Targeted Jobs Withholding Credit

Description and Background

Division II of the Bill makes the following changes to the Targeted Jobs Withholding Tax Credit:

- Increases the investment required for a business to qualify for the credit from \$500,000 to \$1.0 million.
- Extends the ability of the Iowa Economic Development Authority (IEDA) to enter into a targeted jobs withholding agreement by three years, from June 30, 2024, to June 30, 2027.
- Changes the entity responsible for annual compliance reporting concerning a targeted jobs withholding agreement from the pilot project city to the employer.

The [Targeted Jobs Withholding Tax Credit](#) was created in 2006 as an economic incentive tool available in a small number of cities for a limited time. The availability of the credit has been extended several times. The incentive is funded through individual income tax withholding. Instead of remitting income tax withholding from certain employees to the State General Fund, the employer forwards the withholding tax to the city to finance a project related to the employer pursuant to an agreement between the employer and the pilot project city. Under current law, the authority for employers and pilot project cities to enter into new agreements expires June 30, 2024.

Assumptions/Fiscal Impact (Division II)

- Based on historical award data, it is estimated that \$4.0 million will be awarded each year for FY 2025 through FY 2027.
- Based on historical claim data, the credit redemption pattern, in the form of retained withholding tax from employee paychecks, will be:
 - First fiscal year = 3.0%
 - Second fiscal year = 5.0%
 - Third through eleventh fiscal year = 8.0% per year
 - Awarded credits that are never redeemed = 20.0%

Extending the Targeted Jobs Withholding Pilot Project by three additional years is projected to reduce General Fund revenue by the following amounts:

- FY 2025 = \$120,000
- FY 2026 = \$320,000
- FY 2027 = \$640,000
- FY 2028 = \$840,000
- FY 2029 = \$960,000
- FY 2030 = \$960,000

Division III — Franchise Tax — Investment Subsidiaries

Description and Background

Division III of the Bill:

- Allows the deduction of expenses allocable to investment in an investment subsidiary for purposes of the franchise tax.
- Allows a financial institution with an investment subsidiary to elect to include the income and expenses of the investment subsidiary on a franchise tax return.

- Requires the inclusion of income and expenses of the investment subsidiary on all subsequent franchise tax returns as long as the investment subsidiary remains a subsidiary of the financial institution.
- Specifies if the financial institution requests the filing of separate returns and the director of the Iowa Department of Revenue (IDR) determines separate returns will more clearly disclose the taxable income, the financial institution may file a separate return from the investment subsidiary.

Division III of the Bill is effective for tax years beginning on or after January 1, 2025.

The deduction of expenses allocable to investment in a subsidiary was previously eliminated in 1995 Iowa Acts, [chapter 193](#) (Franchise Tax on Financial Institutions Act), which required financial institutions to pay the franchise tax when depositing certain kinds of investments in subsidiary corporations.

Assumptions/Fiscal Impact (Division III)

- The Bill is not expected to have a compulsory impact on banks as use of investment subsidiaries is optional.
- Any fiscal estimate is dependent on the extent to which banks choose to open investment subsidiaries to elect the deduction associated with investment in subsidiaries to reduce franchise tax liability.
- The IDR cannot estimate the fiscal impact of Division III due to a lack of information but believes Division III may result in either less or more franchise tax revenue to the General Fund, dependent on taxpayer actions that cannot be predicted.
- The estimated [fiscal impact](#) from 1995 Iowa Acts, [chapter 193](#), was a gain in tax revenue of approximately \$8.0 million annually to the General Fund.
- TY 2025 franchise tax revenue is expected to affect FY 2026 revenue.

The fiscal impact of Division III of the Bill cannot be determined due to a lack of information.

Division IV — Property Tax Procedures

Description and Background

Division IV makes the following modifications to property tax procedures and statements found in Iowa Code section [24.2A](#):

- Changes the deadline for political subdivisions to file reports with the Department of Management (DOM) from March 15 to 4:00 p.m. on March 5.
- The report is required to include all necessary information for the DOM to compile and calculate amounts required to be included in the statements sent out to property tax owners and taxpayers in that subdivision. If a city or county fails to meet the deadline, that city's or county's tax levy is limited to the previous year's budget amount.
- Changes the deadline for county auditors to send an individual statement containing information relating to property taxes from March 20 to March 15.
- Increases the assessed value of the example property on the property tax statement from \$100,000 to \$300,000 for residential and commercial properties. This change applies to all fiscal years beginning on or after July 1, 2025. The Bill also changes the amount used for residential and commercial property in the budget year to 110.0% of the value of the property used as the current fiscal year example.
- On or after July 1, 2024, statements must include a percent change in property taxes owed from the current fiscal year example to the budgeted year example.
- Requires that all statements include a link to the DOM's Internet site. This requirement is retroactive to January 1, 2024.

Division IV amends requirements related to public hearings for a political subdivision's proposed property tax amount found in Iowa Code section [24.2A](#).

Division IV repeals the 1848 Iowa Acts, First Extraordinary Session, chapter [52](#), which required Lee County to maintain a district court at Fort Madison and the city of Keokuk. The Act also required the clerk of the district court and the sheriff of Lee County to keep offices at both Fort Madison and the city of Keokuk.

Division IV allows a city to levy at a rate not to exceed \$8.10 per \$1,000 of assessed valuation for its general fund levy if the city's actual levy rate for the current fiscal year is \$0 per \$1,000 of value and the total assessed value used to calculate taxes for that budget year exceeds 102.75%. This provision is effective upon enactment.

Counties may collect taxes for a fiscal year for which no budget has been certified for the county, but the Bill prohibits a county from distributing any funds collected until the county certifies its budget and transmits the certified budget to the county auditor. Division IV allows the DOM to make exemptions to this requirement on a case-by-case basis.

A municipality with a population equal to or greater than 15,000 using tax increment financing for public improvements related to housing is limited to tax collection for a maximum of 10 fiscal years. The Bill allows a municipality of any size to extend its urban renewal area tax collections for three additional years if the project for which revenue is being divided was established prior to January 1, 2018, to adequately fund the project. All governing bodies of the taxing district affected must approve the extension, and this provision of this Bill takes effect upon enactment.

Division IV requires the county recorder, county treasurer, county assessor, city assessor, or other government body to maintain confidentially the names, addresses, and dates of birth of persons receiving the 65+ homestead tax exemption.

Taxing district assessors are required to report to the county auditor, in a manner that is compatible with the county auditor's software, the valuations and revaluations in their taxing district as instructed by the DOM.

2023 Iowa Acts, [chapter 71](#), requires the Director of the DOM to annually prepare and file a report by December 1 with the General Assembly. Division IV changes the county and city bond issuance reporting deadline for the DOM from December 1 to no later than January 1.

Assumptions/Fiscal Impacts (Division IV)

DOM

The fiscal impact to the DOM is estimated to be approximately \$20,000 for technology changes and updates to the existing software system. The expenses would be paid from Technology Reinvestment Fund appropriations to the DOM for local government systems.

Lee County District Court and Sheriff Offices

The closure of the City of Keokuk clerk of the district court and the sheriff of Lee County offices may generate local savings. The LSA is unable to estimate the local impact.

City Levy Rates

2023 Iowa Acts, [House File 718](#), restricted any city that received zero property taxes and had a \$0.0 tax rate from levying a new rate increase unless the city's assessed value grew less than 3.0% in terms of taxable value. Cities that grew by more than 3.0% would not be allowed to tax real property in FY 2025.

In FY 2024, seven cities are prevented from raising their rates in FY 2025. Of those cities, four incurred taxable growth in excess of 3.0% and would be eligible to increase rates and collect property taxes in FY 2025 under this Division. This Bill would generate an additional \$145,000 in statewide property tax revenue. Cities affected include:

- Bagley — Increased FY 2025 taxable property growth by 5.8%, which generates \$34,000 in additional revenues.
- Pleasanton — Increased FY 2025 taxable property growth by 10.6%, which generates \$5,000 in additional revenues.
- Sageville — Increased FY 2025 taxable property growth by 16.8%, which generates \$83,000 in additional revenues.
- Zwingle — Increased FY 2025 taxable property growth by 11.1%, which generates \$23,000 in additional revenues.

Tax Increment Financing (TIF)

The FY 2023 Annual Urban Renewal [Report](#) identified a total of 84 low- and moderate-income housing-related projects. Of those projects, 53 were created prior to January 1, 2018, with a total balance of \$11.3 million. It is unknown how many of these TIFs may utilize this program, and the impact on local property taxes cannot be estimated.

Division V — Compensation of Elected County Officials

Description and Background

Division V of the Bill does the following:

- Requires a majority vote from a board of county supervisors to change the compensation schedule of elected county officials if a compensation board does not exist.
- Allows a board of county supervisors to dissolve or create a county compensation board upon a majority vote of the members of the board. Requires the board of supervisors to annually prepare and review a compensation schedule if a compensation board does not exist.
- Requires the salary of a county sheriff to be comparable to salaries paid to professional law enforcement administrators and command officers of the State Patrol, the Division of Criminal Investigation of the Department of Public Safety (DPS), and city police chiefs in cities of a similar population to the population of the county.
- Requires a county compensation board to provide documentation to the board of supervisors demonstrating how the compensation board determined its recommended compensation schedule.
- Allows a board of supervisors to set compensation of a position at less than compensation provided in the current compensation schedule if the position is reduced to part-time.

Fiscal Impact

Division V is not expected to have a fiscal impact.

Division VI — County and City Tax Levy Rate Adjustments

Description and Background

Division VI makes changes to the limits on county and city property tax rates established in 2023 Iowa Acts, [House File 718](#). House File 718 consolidated property tax rate limits to allow

rate adjustment by the growth of that local taxing districts property assessments into a new combined general fund levy (CGFL rate).

Current Law Under HF 718

House File 718 made the following county changes, which are impacted by Division VI:

- Consolidated several county functions that were previously financed through a combination of general county services, rural county services, and additions to general/rural county services levies. The consolidation first occurs for FY 2025.
- Created additional limits on the maximum allowed general and rural county services tax rates. The new limits apply to FY 2025 through FY 2028 and will be specific to each county.
- Established maximum general county and rural county services rates for FY 2029 and after that will apply to all counties. The maximum rates for FY 2029 and after are \$3.50 for general county services and \$3.95 for rural county services.
- The new county-specific general services tax rate limits for FY 2025 are based on rates in place for FY 2024, including the consolidation within the general or rural services levies of any levies utilized by the county during FY 2024. For four fiscal years (FY 2025 through FY 2028), maximum county-specific tax rates are based on growth in county-taxed value and county tax rates. For FY 2025 through FY 2028, the application of new county general service levy limits will fall into one of three categories depending on the situation in each county each year:
 - **Category 1** — Counties with general services tax base growth that exceeds 3.00% but is less than 6.00%: A county in this category will have its maximum property tax dollars reduced by 2.00 percentage points for the budget year through a reduction in the maximum tax rate.
 - **Category 2** — Counties with general services tax base growth that equals or exceeds 6.00%: A county in this category will have its maximum property tax dollars reduced by 3.00 percentage points for the budget year through a reduction in the maximum tax rate.
 - **Category 3** — Counties with general services budget year tax base growth of 3.00% or less: Counties in this category will be able to utilize all growth in the property tax base, and if the county's current-year rate is below \$3.50, the county may raise the budget year general services rate to \$3.50.
- Rural county services tax rates are limited in the same manner as discussed above, but the limit is based on the rate of growth in a county's rural tax base and the current year's rural county services tax rate, with references to the \$3.50 tax rate changed to \$3.95.

House File 718 made the following city changes, which are impacted by Division VI:

- Consolidated authority for the city general fund (\$8.10) levy, 16 of 21 additions to the city general fund levy (Iowa Code section [384.12](#)), the emergency levy (Iowa Code section [384.8](#)), and any levy increases that are the result of the suspension of statutory levy limits approved by the State Appeals Board under Iowa Code section [24.48](#). Separate authority for the emergency levy was stricken, and the 16 levy purposes are removed from the list of additions to the city basic levy in Iowa Code section 384.12. In addition, the State Appeals Board is allowed to approve the suspension of a city statutory levy limit only in the event of a natural disaster, unusual problems related to major new functions required by State law, or an unusual need for a new program that will provide substantial benefits to county residents.
- Created additional limits on the maximum allowed city general fund tax rate.
- Created new city-specific general fund tax rate limits for FY 2025 that are based on FY 2024 rates, and for FY 2025 through FY 2028, city-specific tax rates are based on growth in city taxed value and the previous year's city tax rate. For FY 2025 through FY 2028, the application of new city general fund rate limits will fall into one of three categories depending on the situation in each city:

- **Category 1** — Cities with tax base growth that exceeds 3.00% but is less than 6.00%: A city in this category will have its maximum property tax dollars reduced by 2.00 percentage points for the budget year through a reduction in the maximum tax rate.
- **Category 2** — Cities with tax base growth that equals or exceeds 6.00%: A city in this category will have its maximum property tax dollars reduced by 3.00 percentage points for the budget year through a reduction in the maximum tax rate.
- **Category 3** — Cities with budget year tax base growth of 3.00% or less: A city in this category will be able to utilize all growth in the property tax base, and if the city's current year rate is below \$8.10, the city may also raise the budget year rate to \$8.10 per \$1,000 of assessed property value.
- For FY 2029 and after, the maximum city general fund tax rate for all cities is limited to \$8.10 per \$1,000 of assessed value.

Proposed Law Under This Bill

Division VI creates four growth categories, redistributes the allowable base growth, and includes an assessed value reduction for each group. The Bill adjusts the levy rates for cities and counties so cities and counties use the greater of last year's levy rate or the default levy rate based on their growth. The following four categories apply to both the county and city rates:

- **Category 1** — Counties with general services tax base growth that is less than 2.75%. A county in this category will not receive a reduction in the maximum tax rate.
- **Category 2** — Counties with general services tax base growth that equals 2.75% but is less than 4.00%: A county in this category will have its maximum property tax dollars reduced by 1.00 percentage point for the budget year through a reduction in the maximum tax rate.
- **Category 3** — Counties with general services tax base growth that equals 4.00% but is less than 6.00%: A county in this category will have its maximum property tax dollars reduced by 2.00 percentage points for the budget year through a reduction in the maximum tax rate.
- **Category 4** — Counties with general services tax base growth that equals or exceeds 6.00%: A county in this category will have its maximum property tax dollars reduced by 3.00 percentage points for the budget year through a reduction in the maximum tax rate.

Assumptions/Fiscal Impact (Division VI)

- The county authority for general services is limited to a maximum of \$3.50, and the authority for the rural services levy is limited to a maximum of \$3.95 pursuant to Iowa Code section [331.423](#). Properties located in cities are only subject to the general levies, while rural properties are subject to both general and rural levies.
- The city authority for the general fund levy is limited to a maximum of \$8.10 per \$1,000 of assessed property value. With the exception of property classified as agricultural, that maximum rate applies to all classes of property. The tax rate that applies to agricultural property is limited to \$3.00375 pursuant to Iowa Code section [384.1](#). City tax levies apply to taxable property located within the boundary limits of the city, although in limited cases, particular classes of property are excluded from the levy.
- FY 2024 had a total county assessed value, with gas and electric, of \$202.3 billion, which generated \$730.6 million in local tax dollars. FY 2025 has \$214.3 billion in assessed property value.
- FY 2024 had a total rural county assessed value, with gas and electric, of \$82.7 billion, which generated \$264.2 million in local tax dollars. FY 2025 has \$86.9 billion in assessed property value.
- FY 2024 had a total city assessed value, with gas and electric, of \$119.0 billion, which generated \$962.8 million in local tax dollars. FY 2025 has \$126.7 billion in assessed property value.

Division VI would increase the local tax dollars collected at the county and city level by \$1.4 million in FY 2025 (see Figure 3 below).

Figure 3

FY 2025 General County, General County Rural, and General City Levy Proposal in Millions			
	FY 2024 Assessed Value	FY 2024 Tax Dollars	FY 2025 Assessed Value
County Tax	\$ 202,386.29	\$ 730.56	\$ 214,295.47
County Rural Tax	82,713.45	264.21	86,929.77
City Tax	118,992.80	962.81	126,662.00
Total Tax	\$ 404,092.55	\$ 1,957.59	\$ 427,887.24
	FY 2025 HF 718 Tax Dollars	FY 2025 SF 2442 Tax Dollars	FY 2025 Difference
County Tax	\$ 757.96	\$ 758.40	\$ 0.44
County Rural Tax	291.20	291.45	0.25
City Tax	1,002.80	1,003.54	0.74
Total Tax	\$ 2,051.96	\$ 2,053.40	\$ 1.43

Note: 2023 Iowa Acts, HF 718, reduced property tax rates as described in the Fiscal Note and is current law.

Division VI applies to taxes and budgets for fiscal years beginning on or after July 1, 2025.

Division VII — Public Utility Assessment Limitations

Description and Background

Division VII removes public utility company property operating under Iowa Code chapter [428](#) and pipeline company property under Iowa Code chapter [438](#) from the calculation of the assessment limitation. The Bill also reduces the percentage of actual value at which a property is valued by 2.0% each year beginning in assessment year (AY) 2025 over the next 5 years to 90.0% in AY 2029.

Real property is taxed on a percentage of its value as determined through an assessment process. The percentage of assessed value that is subject to taxation is referred to as a rollback. Certain property classes are assigned a static rollback, and other classes have a rollback calculated annually by formula.

This Division lowers the rollback percentage for pipeline property from 100.0% to 90.0% over five years. Decreases in the rollback reduce the taxable value of a class of property and reduce property taxes owed. Through the action of Iowa's school aid formula, decreases in the rollback also increase the annual appropriation from the State General Fund to support local schools.

The changes in Division VII take effect for property taxes assessed in calendar year 2025 and collected in FY 2027.

Assumptions/Fiscal Impact (Division VII)

Division VII would decrease centrally assessed pipeline and utility property taxable values. The decrease in the property tax base is estimated to be \$81.98 million in AY 2025. This Division would decrease local property tax revenues by an estimated \$1.62 million in FY 2027.

The General Fund appropriation for School Foundation Aid would also increase, and the cost to the State in implementing the school aid formula would increase by \$5.40 per \$1,000 of the diminished property tax base. Appropriations from the State General Fund are estimated to increase by \$440,000 beginning in FY 2027 as a result (see Figure 4 below).

Figure 4

Projected Property Tax Change Under Division VII (FY 2026 – FY 2031)						
Dollars in Millions						
	AY 2024 FY 2026	AY 2025 FY 2027	AY 2026 FY 2028	AY 2027 FY 2029	AY 2028 FY 2030	AY 2029 FY 2031
Assessed Value of Public Utility Under Current Law	\$4,018.67	\$4,099.04	\$4,181.02	\$4,264.65	\$4,349.94	\$4,436.94
Assessed Value of Public Utility Under Division VII	4,018.67	4,017.06	4,013.78	4,008.77	4,001.94	3,993.24
Total Decrease in Assessed Value	\$ -	\$ 81.98	\$ 167.24	\$ 255.88	\$ 348.00	\$ 443.69
Rollback	100.00%	98.00%	96.00%	94.00%	92.00%	90.00%
General Fund Impact	\$ -	\$ 0.44	\$ 0.90	\$ 1.38	\$ 1.88	\$ 2.40
Local Levy Authority Impact	-	\$ 1.62	\$ 3.31	\$ 5.06	\$ 6.89	\$ 8.78
Total Revenue Impact	\$ -	\$ 2.06	\$ 4.21	\$ 6.44	\$ 8.76	\$ 11.17

The net of the decrease in State Foundation Aid and the statewide fiscal impact of the Bill on local jurisdictions is estimated to be a decrease of \$2.1 million in FY 2027. The fiscal impact is estimated to increase each year until FY 2031 as a result of the assessment limitation downward schedule.

Division VIII — Taxpayer Relief Fund

Description and Background

Division VIII of the Bill:

- Specifies that if actual net revenue is less than net General Fund appropriations for a fiscal year, up to 50.0% of the difference between actual net revenue and net General Fund appropriations is transferred from the TRF to the General Fund beginning in FY 2025 to the extent funds are available.
- Excludes transfers from the TRF to the General Fund if enacted in Division VIII from calculation of the annual expenditure limitation.
- Repeals current Iowa Code section [8.57E\(2\)](#), which authorizes a transfer from the TRF to the General Fund if actual net revenue from the General Fund is less than 103.5% of the actual net revenue of the General Fund for the prior fiscal year.

Division VIII of the Bill is repealed July 1, 2029.

The TRF is established in Iowa Code section [8.57E](#) and is required to be used only as appropriations or transfers made by the General Assembly for tax relief or reductions in income tax rates. Pursuant to Iowa Code section [8.55](#), a transfer is made to the Economic Emergency Fund (EEF), and excess money after the transfer to the EEF is transferred to the TRF based on the difference between the actual net revenue for the General Fund in a fiscal year and the adjusted revenue estimate for the fiscal year. It is [estimated](#) that the TRF will have a balance of \$3,662.9 million at the close of FY 2024.

Assumptions/Fiscal Impact (Division VIII)

- In TY 2023, net actual revenue to the General Fund totaled \$9,845.3 million, while net actual appropriations from the General Fund totaled \$8,211.5 million.
- The automatic TRF transfer procedure created in the Bill will not be activated unless a specific State General Fund financial situation occurs in the future. The specific financial conditions required to trigger a transfer are not predictable.

The fiscal impact of Division VIII cannot be estimated due to a lack of information.

Division IX — Corrective Provision

Description and Background

Division IX makes a technical correction to 2024 Iowa Acts, [Senate File 574](#) (Economic Development Authority, Major Economic Growth Attraction Program Bill).

Assumptions/Fiscal Impact (Division IX)

Division IX is estimated to have no fiscal impact.

Fiscal Impact

The Bill is projected to reduce individual income tax, corporate income tax, and impact the State General Fund by the amounts in Figure 5.

Figure 5 — General Fund Fiscal Impact (in Millions)

	Division I 3.8% TY 2025 Income Tax	Division II Targeted Jobs Credit	Division VII Public Utility Assessment	Total General Fund Fiscal Impact
FY 2025	\$ -328.2	\$ -0.1	\$ 0.0	\$ -328.3
FY 2026	-605.3	-0.3	0.0	-605.6
FY 2027	-97.0	-0.6	-0.4	-98.0
FY 2028	-96.8	-0.8	-0.9	-98.5
FY 2029	-99.5	-1.0	-1.4	-101.9
FY 2030	-102.4	-1.0	-1.9	-105.3

The DOM is expected to incur costs totaling \$20,000 due to technology changes and updates to existing software related to the property tax procedures in Division IV of the Bill.

The Bill is projected to reduce local government revenue by the amounts in Figure 6.

Figure 6 — Local Government Revenue Impact (in Millions)

	Division I 3.8% TY 2025 Income Tax	Division IV Property Tax Procedures	Division VI County/City Tax Levy	Division VII Public Utility Assessment	Total Local Government Revenue Change
FY 2025	\$ -8.1	\$ 0.1	\$ 1.4	\$ 0.0	\$ -6.5
FY 2026	-15.0	0.1	1.4	0.0	-13.4
FY 2027	-2.4	0.1	1.4	-1.6	-2.4
FY 2028	-2.4	0.1	1.4	-3.3	-4.1
FY 2029	-2.5	0.1	1.4	-5.1	-6.0
FY 2030	-2.5	0.1	1.4	-6.9	-7.8

Sources

Iowa Department of Revenue
 Iowa Department of Management
 Iowa State Association of Counties
 Legislative Services Agency analysis

/s/ Jennifer Acton

May 10, 2024

Doc ID 1449764

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

May 1, 2024

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 2397, an Act relating to the transport of patients to mental health access centers by an ambulance.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 2397

AN ACT
RELATING TO THE TRANSPORT OF PATIENTS TO MENTAL HEALTH ACCESS
CENTERS BY AN AMBULANCE.

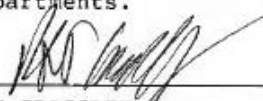
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 147A.19 Transport to mental health
access centers.

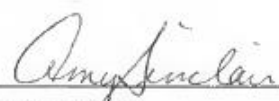
A service program may provide ambulance service to transport
a person experiencing a mental health crisis to a mental health
access center.

Sec. 2. AMBULANCE TRANSPORT TO MENTAL HEALTH ACCESS CENTERS
— BILLING. The department of health and human services shall
authorize payments to service programs for the transportation
of persons experiencing a mental health crisis to mental health

access centers in amounts similar to payments authorized for the transportation of persons to hospital emergency departments.

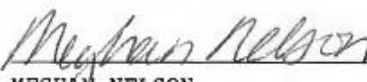


PAT GRASSLEY
Speaker of the House



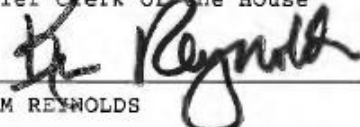
AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2397, Ninetieth General Assembly.



MEGHAN NELSON
Chief Clerk of the House

Approved May 1st, 2024



KIM REYNOLDS
Governor



Fiscal Note

Fiscal Services Division



[SF 455](#) – Storm Water Regulation (LSB1480SV.2)
Staff Contact: Austin Brinks (515.725.2200) austin.brinks@legis.iowa.gov
Fiscal Note Version – Final Action

Description

[Senate File 455](#) relates to local regulation of topsoil and storm water at construction sites. Provisions in the Bill include:

- Defining "construction site" to mean a site or common plan of residential or commercial development, including a single-unit or multiple-unit residential building.
- Defining "topsoil" as the same as defined in the National Pollutant Discharge Elimination System (NPDES) General Permit Number (No.) 2 as issued by the Department of Natural Resources (DNR).
- Prohibiting a county or city from adopting or enforcing an ordinance, resolution, or amendment regarding topsoil at a construction site that is more restrictive than those requirements provided in NPDES General Permit No. 2.
- Allowing a county or city to adopt or enforce an ordinance, motion, resolution, or amendment that regulates storm water runoff at a construction site for 5- to 100-year rainfall events only if the storm water flow rate is not more restrictive than the existing flow rate of a 5-year rainfall event, with all runoff rates based on site conditions at the time construction commences.
- Allowing a county or city to adopt or enforce an ordinance, motion, resolution, or amendment that regulates storm water runoff from upstream properties adjacent to a construction site if the runoff is allowed to pass through downstream storm water basins at the same flow rates as off-site storm water runoff entering the construction site.
- Allowing a county or city to impose storm water runoff requirements that are more restrictive than what is allowed or required by the DNR if the county or city pays for all study, design, and engineering costs associated with implementing the storm water runoff requirement; pays for one-half of any equipment or practices required for a property owner to comply with the requirement; pays the property owner the fair market value of any property or easement taken to impose the requirement; and pays the costs incurred without imposing a special assessment or otherwise recovering the costs solely from the property owner for the costs attributable to the county or city.
- Allowing a county or city to impose a storm water runoff requirement that is more restrictive than established in federal or State law if the county or city and the owner of the affected property agree to the requirement.
- Allowing a county or city to request that the DNR review the soil of a construction site to verify whether a NPDES General Permit No. 2 is appropriate for the site.

Background

Iowa Code sections [331.301](#) and [364.3](#), which are amended in the Bill, outline the general powers and limitations of county and city governments, respectively.

The DNR's NPDES [General Permits](#) allow the DNR to allocate resources efficiently to provide timely permit coverage for multiple facilities in a permit application and allow for consistency.

The DNR's NPDES [General Permit No. 2](#) relates specifically to storm water related to construction activities.

Assumptions

- The expenditure requirements in the Bill are voluntary. However, at least one county or city will establish storm water requirements that will require local government expenditures for study, design, or engineering costs; equipment or practices; or property, as outlined in the Bill.
- The costs to a county or city for creating storm water requirements that are more restrictive than what is allowed or required by the DNR cannot be determined and will vary depending on individual circumstances.
- There will be approximately 900 inspections of construction sites conducted by the DNR.
- The DNR will require new full-time equivalent (FTE) positions to complete these inspections. The salary and benefits for one inspector will be \$150,000 per year.
- There will be one-time equipment costs including vehicles, clothing, and computers associated with the new inspector FTE positions.

Fiscal Impact

The fiscal impact of the Bill to counties and cities cannot be estimated as it is unknown how many studies would be needed and it is unknown how many counties or cities would create more restrictive storm water requirements.

The DNR estimates that SF 455 will require approximately \$1.7 million and 8.0 new FTE positions for inspectors in FY 2025 to conduct the inspections of construction sites requested by cities and counties. This would include a total ongoing cost of \$1.2 million per year for salaries and a total one-time cost of approximately \$520,000 for equipment and other operational expenses for FY 2025.

Sources

Department of Natural Resources
Iowa State Association of Counties
Legislative Services Agency

/s/ Jennifer Acton

April 29, 2024

Doc ID 1449245

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

www.legis.iowa.gov



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

May 17, 2024

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 2388, an Act relating to the regulation of styles and materials used for residential building exteriors.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 2388

AN ACT

RELATING TO THE REGULATION OF STYLES AND MATERIALS USED FOR
RESIDENTIAL BUILDING EXTERIORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 331.301, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 23. *a.* A county shall not adopt, enforce, or otherwise administer an ordinance, motion, resolution, or building code that prohibits or limits, either directly or indirectly, the use of a specific style of exterior cladding or finish materials for residential buildings in a manner that is more restrictive than the state building code as adopted pursuant to section 103A.7. This section does not prohibit a county from regulating the use of a specific style of exterior cladding or finish materials for a residential building that meets any of the following conditions:

(1) The building is located in an area designated and declared as a state or local historic district under applicable law.

(2) The building is designated as a local, state, or national historic landmark.

(3) The building is in a common interest community as defined in chapter 499C.

(4) The building is located on a property that is governed by a policy of regulation of an overlay or special purpose zoning district that is adopted pursuant to applicable law.

b. For purposes of this subsection, "*residential building*" means any single or multifamily residential dwelling and includes single-family and two-family dwellings and townhouses, condominiums and apartments with a maximum of twelve units per building, and all secondary structures to such a single or multifamily residential dwelling.

Sec. 2. Section 414.1, subsection 1, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *h.* (1) A city shall not adopt, enforce, or otherwise administer an ordinance, motion, resolution, or building code that prohibits or limits, either directly or indirectly, the use of a specific style of exterior cladding or finish materials for residential buildings in a manner that is more restrictive than the state building code as adopted pursuant to section 103A.7. This subsection does not prohibit a city from regulating the use of a specific style of exterior cladding or finish materials for a residential building that meets any of the following conditions:


(a) The building is located in an area designated and declared as a state or local historic district under applicable law.

(b) The building is designated as a local, state, or national historic landmark.


(c) The building is in a common interest community as defined in chapter 499C.

(d) The building is located on a property that is governed by a policy of regulation of an overlay or special purpose zoning district that is adopted pursuant to applicable law.

(2) For purposes of this paragraph, "residential building" means any single or multifamily residential dwelling and includes single-family and two-family dwellings and townhouses, condominiums and apartments with a maximum of twelve units per building, and all secondary structures to such a single or multifamily residential dwelling.

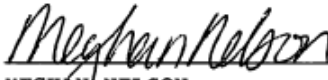


PAT GRASSLEY
Speaker of the House



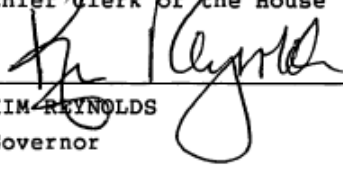
AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2388, Ninetieth General Assembly.



MEGHAN NELSON
Chief Clerk of the House

Approved May 17, 2024



KIM REYNOLDS
Governor

Tab K. HF2681 – ATE Cameras Bill

HF 2681 (LSB 6358HV (4) 90)

RELATING TO AUTOMATED TRAFFIC SYSTEMS, INCLUDING FOR TRAFFIC LAW ENFORCEMENT
AND FOR CAPTURE OF REGISTRATION PLATE IMAGES, PROVIDING PENALTIES, AND
INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

AUTOMATED OR REMOTE SYSTEMS FOR TRAFFIC LAW ENFORCEMENT — AUTOMATIC
REGISTRATION PLATE READERS

Section 1. NEW SECTION. **321P.1 Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "*Automated or remote system for traffic law enforcement*" or "*system*" means a camera or other optical device designed to work in conjunction with a speed measuring device to detect motor vehicles being operated in violation of the speed limit, the use of which results in the issuance of citations sent through the mail or by electronic means.
2. "*Critical traffic safety issues*" include traffic violations resulting in a traffic collision or accident and traffic collisions and accidents resulting in serious injury or death occurring at a location.
3. "*Department*" means the state department of transportation.

4. "Local authority" means a county or municipality having authority to adopt local police regulations under the Constitution of the State of Iowa and laws of this state.

Sec. 2. NEW SECTION. **321P.2 Permit required — local ordinances.**

1. A person shall not use an automated or remote system for traffic law enforcement unless authorized under this chapter. A local authority shall not adopt, enforce, or otherwise administer an ordinance authorizing the use of a system, and shall not use a system, unless the local authority holds a valid permit to use a system at the system's location. Notwithstanding section 331.302, subsection 6, and section 380.3, the governing body of a local authority that is considering an ordinance to authorize or implement traffic law enforcement by automated or remote systems shall not suspend the requirements of section 331.302, subsection 6, or section 380.3, as applicable.

2. A local authority may apply for a permit by submitting an application to the department in a manner determined by the department. The department may approve or disapprove the application for a permit based on the department's determination that a system is appropriate and necessary and the least restrictive means to address the critical traffic safety issues at a location. The department shall only issue one permit for a local authority, which shall set forth all locations at which a local authority is authorized to use a system. A local authority may submit an application to the department to update the local authority's permit with a new location in the same manner and with the same information as required for the initial permit. An application for a permit must contain all of the following for a location at which the local authority intends to operate a system:

a. Records detailing the number and description of traffic violations at the location, which shall be compiled and maintained by the local authority for at least one year prior to the installation of the system and for each year the system is in operation. The records shall be considered public records for purposes of chapter 22.

b. Records detailing the number and severity of traffic collisions and accidents occurring at the location.

c. An analysis of existing traffic speed data, posted speed limits, traffic volume data, and intersection and roadway measurements of the location. The analysis must demonstrate to the department that existing speed restrictions are appropriate and must describe how the speed restrictions were established.

d. The proposed cause of critical traffic safety issues at the location.

e. Alternative methods to improve traffic safety at the location that the local authority has implemented or has considered but declined to implement. Alternative methods to improve traffic safety may include but are not limited to changes relating to law enforcement practices, roadway or intersection design, traffic control devices used, and public education campaigns.

f. Details of discussions, if any, held with an entity that has resources which may aid the reduction of traffic collisions and accidents caused at the location by failure to obey speed restrictions and subsequent actions taken by the local authority.

g. An explanation detailing the reasons that the use of a system at the location is appropriate and necessary and the least restrictive means to address the critical traffic safety issues.

Sec. 3. NEW SECTION. **321P.3 Use limited.**

1. A local authority shall not use an automated or remote system for traffic law enforcement to issue a citation for a traffic violation unless the violation is for exceeding the speed limit by more than ten miles per hour.

2. A local authority with a population of twenty thousand or less based on the most recent federal decennial census shall not use a mobile system to issue a citation for a traffic violation. The department shall adopt rules pursuant to chapter 17A otherwise authorizing and regulating the operation of mobile systems, taking into consideration a mobile system's mobility, flexible usage, and the needs of a local authority to control traffic speed to address critical traffic safety issues at a location. However, the rules shall not authorize the use of a mobile system other than in neighborhoods, construction zones, school zones, including collegiate zones, and locations where traffic enforcement is difficult or dangerous to enforce by alternative methods.

3. A local authority, regardless of its population, may issue a warning memorandum to the owner of a vehicle that was operated in violation of a traffic law if the violation was detected by an automated or remote system for traffic law enforcement, including a mobile system.

Sec. 4. NEW SECTION. **321P.4 Automatic registration plate readers — data retention limited.**

1. The operator of an automatic registration plate reader or any associated data storage device shall permanently delete from the plate reader and storage device, as applicable, every image of a vehicle registration plate captured by the plate reader, and any other accompanying data, no later than thirty days after the image was captured.

2. Prior to deletion under subsection 1, an image of a vehicle registration plate captured by an automatic registration plate reader, and any other accompanying data, may be copied and stored by a law enforcement agency if the image and data are relevant to an ongoing criminal case or investigation. The law enforcement agency shall maintain the copied registration plate image and accompanying data in accordance with the agency's evidence retention policies. Copies maintained by the law enforcement agency are not subject to subsection 1.

3. For purposes of this section, "automatic registration plate reader" or "plate reader" means a camera or other optical device designed or programmed to automatically detect a vehicle's registration plate, or to automatically capture or store an image of a vehicle's registration plate and any accompanying data.

4. A person who violates subsection 1 commits a simple misdemeanor.

Sec. 5. NEW SECTION. **321P.5 Notice — signage and reports.**

1. a. A local authority shall not operate an automated or remote system for traffic law enforcement at a fixed location unless permanent signs

meeting the requirements as specified in the department manual on uniform traffic-control devices and giving notice of the system are erected at least five hundred feet but not more than one thousand feet along the approach of the highway where the system is used.

b. A local authority shall not operate a mobile automated or remote system for traffic law enforcement unless permanent signs meeting the requirements as specified in the department manual on uniform traffic-control devices and giving notice of the local authority's use of a mobile system within the boundaries of the local authority are posted at every location where a highway enters the boundaries of the local authority.

c. Signs required under this subsection shall be erected by the local authority at the local authority's expense at least thirty days prior to a system enforcing any detected violations.

2. A local authority using a system shall submit to the department an annual report by March 1 of each year detailing the number of traffic collisions and accidents that occurred at each location where a system is in use, the number of citations issued for each system during the previous calendar year, and any other relevant information about the systems that the local authority deems appropriate. The local authority shall post the report on the local authority's internet site, if the local authority has an internet site.

Sec. 6. NEW SECTION. **321P.6 Enforcement.**

1. A local authority shall not issue a citation or warning memorandum for a violation detected by a system until a peace officer of the local authority, or an individual trained and certified by the local authority, has reviewed and approved the recorded photograph or video to affirm a traffic violation occurred.

2. a. For an excessive speed violation detected by a system other than as provided in paragraph "b", the fine shall not exceed the following amounts:

(1) Seventy-five dollars for speed greater than ten miles per hour in excess of the limit but not more than twenty miles per hour in excess of the limit.

(2) One hundred dollars for speed greater than twenty miles per hour in excess of the limit but not more than twenty-five miles per hour in excess of the limit.

(3) Two hundred fifty dollars for speed greater than twenty-five miles per hour in excess of the limit but not more than thirty miles per hour in excess of the limit.

(4) Five hundred dollars for speed greater than thirty miles per hour in excess of the limit.

b. For an excessive speed violation detected by a system in a road work zone, as defined in section 321.1, the fine shall not exceed the following amounts:

(1) One hundred fifty dollars for speed greater than ten miles per hour in excess of the limit but not more than twenty miles per hour in excess of the limit.

(2) Two hundred dollars for speed greater than twenty miles per hour in excess of the limit but not more than twenty-five miles per hour in excess of

the limit.

(3) Five hundred dollars for speed greater than twenty-five miles per hour in excess of the limit but not more than thirty miles per hour in excess of the limit.

(4) One thousand dollars for speed greater than thirty miles per hour in excess of the limit.

3. A system not in compliance with this chapter shall not be used to detect violations. A citation issued while the system is not in compliance with this chapter is void and unenforceable.

4. A violation detected by an automated or remote system for traffic law enforcement is a civil infraction. Such a violation shall not be considered by the department of transportation for purposes of driver's license sanctions, and shall not be considered by an insurer for purposes of a person's automobile insurance rates. The fine associated with a citation issued by a local authority as the result of the use of a system must be a civil penalty.

Sec. 7. NEW SECTION. 321P.7 Liability for violations detected.

1. A citation for a violation detected by an automated or remote system for traffic law enforcement shall be issued to the owner of the identified motor vehicle.

2. a. Notwithstanding subsection 1, a local authority shall provide the owner of a motor vehicle who receives a citation for a violation detected by a system with an opportunity to submit evidence that the owner was not operating the motor vehicle at the time of the violation. As part of the proceeding, the owner shall provide the name and address of the person who was operating the motor vehicle at the time of the violation.

b. Notwithstanding subsection 1, a citation issued to the owner of a motor vehicle may be amended and issued to the person identified under paragraph "a" who was operating the motor vehicle.

3. For purposes of this section, "owner" means a person who holds the legal title to a motor vehicle. However, if the motor vehicle is the subject of a security agreement with a right of possession in the debtor, the debtor is deemed the owner for purposes of this section, or if the motor vehicle is leased as defined in section 321.493, the lessee is deemed the owner for purposes of this section.

Sec. 8. NEW SECTION. 321P.8 Restrictions on use of revenue.

A local authority shall not use any revenue received as a result of the use of a system and retained by the local authority, not including the cost to install, operate, and maintain the system, other than for any of the following purposes:

1. To fund transportation infrastructure improvement projects.
2. To offset costs incurred relating to the operation of a police department or fire department.

Sec. 9. NEW SECTION. 321P.9 Installation and maintenance.

1. A local authority shall install a system in a manner that minimizes the effect of camera flash on drivers, if a camera flash is used.

2. An automated or remote system for traffic law enforcement must only

record a photograph or video of the rear of a vehicle and the vehicle's registration plate while the vehicle is used to commit an alleged traffic violation. A local authority shall not install a system such that the system's camera is placed to capture the front of a motor vehicle or the face of any person in the vehicle being recorded. In accordance with section 321P.6, subsection 3, a citation issued by a system that captures the front of a motor vehicle or the face of any person in the vehicle is void and unenforceable.

3. A system must verify its internal calibrations daily, and a person trained in the calibration of the system shall conduct a monthly calibration.

4. A local authority operating a system shall maintain a monthly log detailing whether a person trained in the calibration of the system successfully performed the monthly calibrations and whether the system successfully performed the daily internal calibrations.

5. The log and documentation of the calibrations required under this section are admissible in any court proceeding relating to a violation detected by the system.

6. If a daily or monthly calibration is not successfully performed, the system shall not operate until a successful calibration is subsequently performed.

DIVISION II

EXISTING SYSTEMS

Sec. 10. EXISTING SYSTEMS.

1. A local authority using an automated or remote system for traffic law enforcement prior to January 1, 2024, may submit to the department of transportation by July 1, 2024, a list of system locations and justifications for placement and use of the systems at the locations in conformance with section 321P.2, as enacted by this Act, to the extent practicable, as determined by the department. The department shall, by October 1, 2024, issue a permit as provided in section 321P.2, as enacted by this Act, to a local authority that provided valid submissions in accordance with this subsection. A local authority using a system prior to January 1, 2024, may continue to use the system in the same manner and at the same locations as the system was used on or before January 1, 2024, during the period of time between the local authority's submission to the department and the date the department issues the permit to the local authority, unless the system is a mobile system prohibited under section 321P.3, as enacted by this Act. If, on October 1, 2024, a local authority has not been issued a permit by the department as a result of a submission that was not timely filed, or due to a timely filed submission that did not otherwise comply with this subsection, the local authority shall cease using all systems until the local authority obtains a permit from the department pursuant to section 321P.2, as enacted by this Act.

2. A local authority using an automated or remote system for traffic law enforcement at a location for the first time on or after January 1, 2024,

shall not be issued a permit by the department of transportation pursuant to section 321P.2, as enacted by this Act, before July 1, 2026.

Sec. 11. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

PAT GRASSLEY

Speaker of the House

AMY SINCLAIR

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2681, Ninetieth General Assembly.

MEGHAN NELSON

Chief Clerk of the House

Approved _____, 2024

KIM REYNOLDS

Governor



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

May 1, 2024

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 2661, an Act relating to public safety personnel by modifying the retirement benefits of sheriffs and deputy sheriffs, restricting bail for murder in the first degree or felonious assaults committed upon public safety personnel, and providing for a tax credit for moving expenses available against the individual income tax for new public safety personnel moving to the state, and including retroactive applicability provisions.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House



House File 2661

AN ACT

RELATING TO PUBLIC SAFETY PERSONNEL BY MODIFYING THE RETIREMENT BENEFITS OF SHERIFFS AND DEPUTY SHERIFFS, RESTRICTING BAIL FOR MURDER IN THE FIRST DEGREE OR FELONIOUS ASSAULTS COMMITTED UPON PUBLIC SAFETY PERSONNEL, AND PROVIDING FOR A TAX CREDIT FOR MOVING EXPENSES AVAILABLE AGAINST THE INDIVIDUAL INCOME TAX FOR NEW PUBLIC SAFETY PERSONNEL MOVING TO THE STATE, AND INCLUDING RETROACTIVE APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM — SHERIFFS AND DEPUTY
SHERIFFS

Section 1. Section 97B.49C, subsection 1, paragraph a, subparagraph (3), Code 2024, is amended to read as follows:

(3) For each active or inactive vested member retiring on or after July 1, 1998, and before July 1, 2024, sixty percent plus, if applicable, an additional three-eighths of one percentage point for each additional calendar quarter of eligible service beyond twenty-two years of service, not to exceed a total of twelve additional percentage points.

Sec. 2. Section 97B.49C, subsection 1, paragraph a, Code 2024, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (4) For each active or inactive vested member retiring on or after July 1, 2024, sixty percent plus, if applicable, an additional five-eighths of one percentage point for each additional calendar quarter of eligible service beyond twenty-two years of service, not to exceed a total of twenty additional percentage points.

Sec. 3. Section 97B.49C, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. *Annual adjustment of allowance.* A member who retires from employment as a sheriff or deputy sheriff on or after July 1, 2024, and who receives a monthly retirement allowance under this section shall have the monthly allowance adjusted as follows:

a. On each July 1, the monthly retirement allowance authorized in this section and payable to a member retired prior to that date, and to a beneficiary or contingent annuitant entitled to a monthly retirement allowance prior to that date, shall be adjusted by adding to the monthly retirement allowance payable on that date an amount equal to the sum of one and one-half percent of the monthly retirement allowance payable on that date.

b. A retired member, beneficiary, or contingent annuitant shall not be eligible for an annual readjustment of allowance provided in this subsection unless the member has twenty-two years of eligible service and attained the age of fifty years prior to the member's termination of employment.

c. A retired member, beneficiary, or contingent annuitant that receives an annual adjustment of allowance provided in this subsection shall not be eligible for the retirement dividends under section 97B.49F.

DIVISION II

ASSAULT ON PUBLIC SAFETY PERSONNEL — BAIL

Sec. 4. Section 124.416, Code 2024, is amended to read as follows:

124.416 Exception to restrictions on bail.

Notwithstanding section 811.1, the court, after making the finding required by section 811.1, subsection 3 2, paragraph "d", may admit a person convicted of a violation of section 124.401, subsection 2, or of a violation of section 124.406, to bail if the prosecuting attorney in the action and the defendant's counsel jointly petition the court to admit the person to bail.

Sec. 5. Section 811.1, Code 2024, is amended to read as follows:

811.1 Bail and bail restrictions.

1. For purposes of this section:

a. "Assault" means the same as defined in section 708.1.

b. "Charged" means the same as "charge" as defined in section 801.4.

c. "Felonious assault upon an officer" means the defendant committed an assault, for which the penalty is a felony, with the knowledge the person against whom the felonious assault was committed was a peace officer or correctional officer, acting in the peace officer's or correctional officer's official capacity.

d. "Peace officer" means the same as defined in section 801.4.

2. All defendants are bailable both before and after conviction, by sufficient surety, or subject to release upon condition or on their own recognizance, except that the following defendants shall not be admitted to bail:

a. A defendant charged with murder in the first degree of a peace officer in violation of section 707.2, if the murder in the first degree was committed with the knowledge the person against whom the murder was committed was a peace officer

or correctional officer, acting in the peace officer's or correctional officer's official capacity.

1. b. A defendant awaiting judgment of conviction and sentencing following either a plea or verdict of guilty of a class "A" felony; forcible felony as defined in section 702.11; a felonious assault upon an officer; any class "B" felony included in section 462A.14 or 707.6A; any felony included in section 124.401, subsection 1, paragraph "a" or "b"; a second or subsequent offense under section 124.401, subsection 1, paragraph "c"; any public offense committed while detained pursuant to section 229A.5; or any public offense committed while subject to an order of commitment pursuant to chapter 229A.

2. c. A defendant appealing a conviction of a class "A" felony; forcible felony as defined in section 702.11; a felonious assault upon an officer; any class "B" or "C" felony included in section 462A.14 or 707.6A; any felony included in section 124.401, subsection 1, paragraph "a" or "b"; or a second or subsequent conviction under section 124.401, subsection 1, paragraph "c"; any public offense committed while detained pursuant to section 229A.5; or any public offense committed while subject to an order of commitment pursuant to chapter 229A.

3. d. Notwithstanding ~~subsections 1 and 2~~ paragraphs "b" and "c", a defendant awaiting judgment of conviction and sentencing following either a plea or verdict of guilty of, or appealing a conviction of, any felony offense included in section 708.11, subsection 3, or a felony offense under chapter 124 not provided for in subsection 1 or 2, is presumed to be ineligible to be admitted to bail unless the court determines that such release reasonably will not result in the person failing to appear as required and will not jeopardize the personal safety of another person or persons.

DIVISION III

PUBLIC SAFETY OFFICER MOVING EXPENSES — TAX CREDIT

Sec. 6. NEW SECTION. 422.12P Public safety officer moving expense — tax credit.

1. For purposes of this section, unless the context otherwise requires:

a. "Moving expense" means an unreimbursed expense for moving household goods and personal effects from the former residence of the new resident to this state including travel expenses for meals and lodging.

b. "New resident" means an individual who becomes a resident of Iowa, after July 1, 2024, upon taking full-time employment as a public safety officer in this state, who remains a resident of and employed full-time as a public safety officer in this state when claiming the credit, and who has not been a resident of this state at any time during the previous twelve-month period prior to establishing residency in this state.

c. "Public safety officer" means a peace officer as defined in section 801.4 or a correctional officer.

2. The taxes imposed under this subchapter, less the credits allowed under section 422.12, shall be reduced by a public safety officer moving expense tax credit equal to the amount of moving expense incurred by the new resident in connection with taking full-time employment as a public safety officer in this state, not to exceed a maximum amount of two thousand dollars per move.

3. Any credit in excess of the tax liability is refundable. In lieu of claiming a refund, the taxpayer may elect to have the overpayment shown on the taxpayer's final, completed return credited to the tax liability for the following tax year.

4. The credit under this section with respect to any moving expense shall be allowed during a tax year as follows:

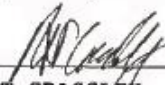
a. For any moving expense paid or incurred prior to or during the tax year in which the new resident is employed full-time in the state, the tax year in which the full-time employment begins.

b. For any qualified moving expense paid or incurred after the tax year in which the full-time employment begins, the tax year in which the moving expense is paid or incurred.


5. A new resident is not eligible for the credit pursuant to this section to the extent the moving expenses were deducted for federal tax purposes.

6. The department of revenue shall adopt rules to administer this section.

Sec. 7. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2024, for tax years beginning on or after that date.

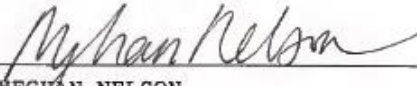


PAT GRASSLEY
Speaker of the House



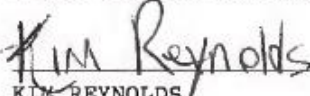
AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2661, Ninetieth General Assembly.



MEGHAN NELSON
Chief Clerk of the House

Approved May 1st, 2024



KIM REYNOLDS
Governor

Tab M. Bill Tracking

Urban County Coalition
Passed Legislative Bills

2024

Name	Title	Declare	Pass/Dead
HF 2101	A bill for an act relating to the acquisition of water, sanitary sewer, and storm water utilities by rate-regulated public utilities. (Formerly HF 473, HF 56.) E ffective date: 07/01/2024.	U	Passed
HF 2163	A bill for an act relating to public safety telecom municators. (Formerly HSB 522.) E ffective date: 07/01/2024.	U	Passed
HF 2167	A bill for an act relating to disaster aid including the disaster aid individual assistance grant fund and program and the disaster case advocacy grant fund and program. (Formerly HSB 549.) E ffective date: 07/01/2024	U	Passed
HF 2175	A bill for an act extending the repeal date of the Iowa cell siting Act. (Formerly HSB 558.) E ffective date: 07/01/2024.	U	Passed
HF 2185	A bill for an act relating to personal information of the previous owner of a motor vehicle. (Formerly HSB 517.) E ffective date: 07/01/2024.	U	Passed
HF 2186	A bill for an act relating to notice of agency sales of unused highway right-of-way. (Formerly HSB 519.) E ffective date: 07/01/2024.	U	Passed
HF 2187	A bill for an act relating to certain reporting requirements of the department of transportation. (Formerly HSB 518.) E ffective date: 07/01/2024.	U	Passed
HF 2264	A bill for an act relating to the use of county funds by ecclesiastical and sectarian institutions. (Formerly HF 2079.) E ffective date: 07/01/2024.	U	Passed
HF 2269	A bill for an act relating to the salaries of assessors who are appointed to serve a previous assessor's unexpired term. (Formerly HF 2008.) E ffective date: 07/01/2024.	U	Passed
HF 2276	A bill for an act relating to the zoning of maternity group homes. (Formerly HSB 516.) E ffective date: 07/01/2024.	U	Passed
HF 2308	A bill for an act relating to a proclamation of disaster emergency and the disaster aid contingent fund. (Formerly HSB 551.) E ffective date: 07/01/2024.	U	Passed
HF 2316	A bill for an act providing an alternative to filing a bond as a condition of registering and titling certain motor vehicles. (Formerly HSB 553.) E ffective date: 07/01/2024.	U	Passed
HF 2319	A bill for an act prohibiting counties and cities from providing guaranteed income programs, and including e ffective date provisions. (Formerly HSB 552.) E ffective date: 05/01/2024.	U	Passed
HF 2325	A bill for an act relating to inspections for violations relating to retailers of cigarettes, tobacco, tobacco products, alternative nicotine products, and vapor products that provide for use or consumption of regulated products on the retailer's premises. (Formerly HF 496, HSB 184.) E ffective date: 07/01/2024.	U	Passed
HF 2388	A bill for an act relating to the regulation of styles and materials used for residential building exteriors. (Formerly HSB 619.) E ffective date: 07/01/2024	A	Passed
HF 2390	A bill for an act relating to certain powers and duties of the department of inspections, appeals, and licensing including confidentiality of information and records, and dependent adult abuse, and making penalties applicable. (Formerly HSB 596.) E ffective date: 07/01/2024.	U	Passed

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HF 2397	A bill for an act relating to the transport of patients to mental health access centers by an ambulance. (Formerly HSB 617.) Effective date: 07/01/2024.	F	Passed
HF 2398	A bill for an act relating to bonds and insurance policies for public officers. (Formerly HSB 597.) Effective date: 07/01/2024.	U	Passed
HF 2402	A bill for an act relating to behavioral health services for children including psychiatric medical institutions for children. (Formerly HSB 502.) Effective date: 07/01/2024.	U	Passed
HF 2421	A bill for an act relating to firearms by limiting civil liability of federal firearms licensees who enter into voluntary firearm hold agreements with individuals. (Formerly HF 2080.) Effective date: 07/01/2024.	U	Passed
HF 2426	A bill for an act relating to the inspection obligations of the department of inspections, appeals, and licensing associated with hotel sanitation. (Formerly HSB 578.) Effective date: 07/01/2024.	U	Passed
HF 2448	A bill for an act relating to exceptions to the penalty for supplying an alcoholic beverage to certain persons under legal age. (Formerly HSB 631.) Effective date: 07/01/2024.	U	Passed
HF 2464	A bill for an act relating to merchant category codes for transactions involving firearms and ammunition, firearm registries and records, and providing civil penalties. (Formerly HSB 671.) Effective date: 07/01/2024.	U	Passed
HF 2466	A bill for an act relating to the administration of elections. (Formerly HSB 628.) Effective date: 07/01/2024	U	Passed
HF 2507	A bill for an act relating to the provision of emergency medical services by a physician and surgeon or osteopathic physician and surgeon and the definition of first responder. (Formerly HF 2258.) Effective date: 07/01/2024.	U	Passed
HF 2512	A bill for an act enacting the social work licensure compact. (Formerly HF 2272.) Effective date: 07/01/2024.	U	Passed
HF 2515	A bill for an act relating to the licensure of marital and family therapists, mental health counselors, and social workers, and including effective date provisions. (Formerly HF 2343.) Effective date: 04/19/2024, 07/01/2024.	U	Passed
HF 2531	A bill for an act relating to public safety nuisances at adult establishments that provide nude or topless dancing or operate any other adult-oriented business, and making penalties applicable. (Formerly HF 2334.) Effective date: 07/01/2024.	U	Passed
HF 2538	A bill for an act relating to state agency strategic planning and data collection. (Formerly HSB 648.) Effective date: 07/01/2024.	U	Passed
HF 2539	A bill for an act relating to penalties associated with open meetings violations. (Formerly HF 2062.) Effective date: 07/01/2024	U	Passed
HF 2556	A bill for an act relating to damages against participants in firearms regulation violations by political subdivisions, and including effective date provisions. (Formerly HF 518.) Effective date: 01/01/2025.	U	Passed
HF 2581	A bill for an act relating to required timing for notices regarding underground facility excavations and enforcement of excavation provisions, and including penalties. (Formerly HSB 538.) Effective date: 07/01/2024.	U	Passed
HF 2605	A bill for an act providing for the regulation of hemp and hemp products, providing penalties, and making penalties applicable. (Formerly HSB 665.) Effective date: 07/01/2024	U	Passed

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HF 2612	A bill for an act relating to education, including modifying provisions related to the duties and powers of area education agencies, the membership of the boards of directors of area education agencies, the department of education, area education agency funding, the calculation of the teacher salary supplement district cost per pupil and minimum teacher salaries, Iowa public employees' retirement system bona fide retirement requirements, and property tax replacement payments, establishing the state percent of growth and the categorical state percent of growth for supplemental state aid calculations for the budget year beginning July 1, 2024, and including transition, effective date, and applicability provisions. (Formerly HSB 713.) Effective date: 03/27/2024, 07/01/2024, 07/01/2025. Applicability date: 07/01/2024, 07/01/2025.	U	Passed
HF 2648	A bill for an act relating to alcoholic beverage licenses, including native distilled spirits alternating proprietorships and the issuance of five-day retail alcohol and native wine licenses, and providing fees. (Formerly HF 2445, HSB 594.) Effective date: 07/01/2024.	U	Passed
HF 2661	A bill for an act relating to public safety personnel by modifying the retirement benefits of sheriffs and deputy sheriffs, restricting bail for murder in the first degree or felonious assaults committed upon public safety personnel, and providing for a tax credit for moving expenses available against the individual income tax for new public safety personnel moving to the state, and including retroactive applicability provisions. (Formerly HF 2533, HF 2206.) Effective date: 07/01/2024. Applicability date: 01/01/2024.	U	Passed
HF 2667	A bill for an act relating to the treasurer of state's duties, including Iowa educational savings plan trust and Iowa ABLE savings plan trust requirements and disposition of unclaimed property, and including retroactive applicability provisions. (Formerly HF 2537, HSB 626.) Effective date: 07/01/2024 Applicability date: 01/01/2024	U	Passed
HF 2668	A bill for an act relating to insurance coverage for biomarker testing. (Formerly HF 2492, HF 2157.) Effective date: 07/01/2024.	U	Passed
HF 2669	A bill for an act relating to the sale of wine, including private wine sales and wine auction permits, providing fees, and making penalties applicable. (Formerly HF 2449, HSB 629.) Effective date: 07/01/2024.	U	Passed
HF 2673	A bill for an act related to state behavioral health, disability, and addictive disorder services and related programs, including the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, the transfer of disability services to the division of aging and disability services of the department of health and human services, the elimination of the commission on aging, the elimination of special intellectual disability units at state mental health institutes, making appropriations, and including effective date provisions. (Formerly HF 2509, HSB 653.) Effective date: Enactment, 07/01/2024, 07/01/2025.	U	Passed
HF 2680	A bill for an act relating to public safety personnel retirement systems, the taxation of surviving spouse pension benefits, and including retroactive applicability provisions. (Formerly HSB 745.) Effective date: 07/01/2024. Applicability date: 01/01/2024.	U	Passed

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HF 2681	A bill for an act relating to automated traffic systems, including for traffic law enforcement and for capture of registration plate images, providing penalties, and including effective date provisions. (Formerly HSB 740.) Effective date: Enactment, 07/01/2024.	U	Passed
HF 2686	A bill for an act relating to the organization, structure, and functions of state and local governments, providing for salaries of certain state officers, making statutory corrections, resolving inconsistencies, removing ambiguities, and including effective date provisions. (Formerly HF 2550, HSB 664.) Effective date: 06/21/2024, 07/01/2024	U	Passed
HF 2691	A bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund and technology reinvestment fund, providing for related matters including renewable fuel infrastructure incentives, and including effective date provisions. Effective date: Enactment, 07/01/2024	U	Passed
HF 2698	A bill for an act relating to and making appropriations for veterans and health and human services, including other related provisions and appropriations including but not limited to the personal needs allowance for certain persons under Medicaid and the state supplementary assistance programs, replacement generation tax revenues, the Medicaid fraud and health care trust funds, the retention of certain revenues by the mental health institutes, the retention of Medicaid eligibility by residents of mental health institutes, the scope of services of the state resource centers, the appropriation of moneys in the juvenile detention home fund, the family investment program account and diversion program, the child support collection services center refund account, the quality assurance assessment payment period, the centers of excellence grant program, an assisted living program revised payment model study, funding for county commissions of veteran affairs, foster care provisions including those relating to a relative or fictive kin, health care employment agencies and health care technology platforms, medical cannabidiol practitioner requirements, nursing facility oversight, and state-funded psychiatry residency and fellowship positions, providing penalties, and including effective date and retroactive applicability provisions. Effective date: Enactment, 07/01/2024 Applicability date: 07/01/2022, 07/01/2023	U	Passed
HF 681	A bill for an act exempting from the sales and use tax the sales price of tangible personal property or specified digital products sold and services furnished to a county or district fair, and making a county or district fair a designated exempt entity. (Formerly HSB 225.) Effective date: 07/01/2024.	U	Passed
SF 2096	A bill for an act repealing gender balance requirements for appointive bodies. Effective date: 07/01/2024.	U	Passed
SF 2109	A bill for an act relating to the driving privileges of persons under eighteen years of age, and making penalties applicable. (Formerly SSB 3097.) Effective date: 07/01/2024	U	Passed
SF 2161	A bill for an act relating to false reports to or communications with public safety entities, and providing penalties. (Formerly SSB 3026.) Effective date: 07/01/2024.	U	Passed
SF 2205	A bill for an act relating to requirements for the hiring of civil service positions. (Formerly SF 454, SF 266.) Effective date: 07/01/2024.	U	Passed

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SF 2268	A bill for an act relating to assistance animals and service animals, including reasonable accommodations for housing and requirements for findings of disabilities. E ffective date: 07/01/2024.	U	Passed
SF 2331	A bill for an act relating to publication requirements for official publications, and including effective date provisions. (Formerly SSB 3107.) E ffective date: 04/10/2024, 07/01/2024, 07/01/2025.	F	Passed
SF 2421	A bill for an act relating to and making appropriations involving state government entities associated with agriculture, natural resources, and environmental protection, and including effective date provisions. (Formerly SSB 3196.)	U	Passed
SF 2422	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. (Formerly SSB 3184.) E ffective date: 07/01/2024	U	Passed
SF 2423	A bill for an act relating to snowmobile registrations and non resident user permits, providing fees, and making penalties applicable. (Formerly SF 2155, SSB 3067.) E ffective date: 07/01/2024.	U	Passed
SF 2430	A bill for an act relating to the correction and substitution of death certificates. (Formerly SSB 3194.) E ffective date: 07/01/2024	U	Passed
SF 2432	A bill for an act relating to and making appropriations for the economic development of the state, including to the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions. (Formerly SSB 3198.) E ffective date: 07/01/2024	U	Passed
SF 2442	A bill for an act relating to state and local finances by modifying individual and alternate income tax rates, withholding credits, franchise tax deductions, methodologies for determining property taxes, and property tax assessment limitations, changing methods of determining compensation of county officials, making contingent transfers from the taxpayer relief fund, and making corrections, and including effective date and applicability provisions. (Formerly SSB 3207.) E ffective date: E nactment, 05/01/2024, 07/01/2024, 01/01/2025. Applicability date: 01/01/2024, 01/01/2025, 07/01/2025.	U	Passed
SF 345	A bill for an act relating to the regulation of certain tobacco products, providing penalties, and including effective date provisions. (Formerly SSB 1128.) E ffective date: 01/01/2025	U	Passed
SF 477	A bill for an act relating to health care, including the licensure of internationally trained physicians and electronic protected health information, and including effective date provisions. (Formerly SF 439.) E ffective date: 07/01/2024, 01/01/2025.	U	Passed
HF 2279	A bill for an act relating to public utilities, including energy production, public utility affiliates, and cable and video service. (Formerly HSB 555.) E ffective date: 07/01/2024.	U	Passed
HF 207	A bill for an act relating to the assessment and taxation of certain sanitary sewage and storm water drainage property and including effective date and retroactive applicability provisions. (Formerly HSB 64.) E ffective date: 05/01/2024. Applicability date: 01/01/2024.	U	Passed

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Name	Title	Declare	Pass/Dead
HF 2004	A bill for an act creating a driftless area development and conservation authority and fund.	U	Dead
HF 2005	A bill for an act relating to the inclusion of parents and legal guardians of minors as reimbursed providers of personal care services under the Medicaid program.	U	Dead
HF 2006	A bill for an act relating to the salary of county attorneys in certain counties.(See HF 2208.)	U	Dead
HF 2008	A bill for an act relating to the salaries of assessors who are appointed to serve a previous assessor's unexpired term.(See HF 2269.)	U	Dead
HF 2018	A bill for an act requiring the department of health and human services to reimburse a county for the temporary holding of, or confinement of, a sexually violent predator who commits a public offense while subject to an order of civil commitment.	U	Dead
HF 2062	A bill for an act relating to open meetings and open records, providing penalties, and making penalties applicable.(See HF 2539.)	U	Dead
HF 2079	A bill for an act relating to the use of county funds by ecclesiastical and sectarian institutions.(See HF 2264.)	U	Dead
HF 2092	A bill for an act relating to motor grader operator training.(See HF 2452.)	U	Dead
HF 2093	A bill for an act authorizing county boards of supervisors to determine whether the county permits forest and fruit-tree reservation tax exemptions.(See HF 2672.)	U	Dead
HF 2120	A bill for an act relating to road construction, modification, and repair project standards.(See HF 2451.)	U	Dead
HF 2168	A bill for an act relating to matters before the Iowa ethics and campaign disclosure board, including campaign finance filings, attribution statements, and delinquent payment penalties.(Formerly HF 638, HSB 210; See HF 2675.)	U	Dead
HF 2208	A bill for an act relating to the salary of county attorneys in certain counties.(Formerly HF 2006.)	U	Dead
HF 2271	A bill for an act relating to disclosure of the electronic protected health information of a minor to a legal guardian.(Formerly HF 2064.)	U	Dead
HF 2299	A bill for an act relating to open records requests.	U	Dead
HF 2302	A bill for an act relating to assaults, including assaults on persons engaged in certain occupations and inmate assaults on department of corrections employees, and providing penalties.(Formerly HSB 523.)	U	Dead
HF 2309	A bill for an act relating to confidential records including booking photographs.(Formerly HSB 531.)	U	Dead
HF 2328	A bill for an act relating to the use capacity of campground septic systems.(Formerly HSB 600.)	U	Dead
HF 2343	A bill for an act relating to the licensure of marital and family therapists and mental health counselors and including effective date provisions.(See HF 2515.)	U	Dead
HF 2345	A bill for an act abolishing county compensation boards.(See HF 2514.)	A	Dead

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HF 2391	A bill for an act relating to health care employment agencies, including the statewide maximum allowable charges schedule applicable to nursing services provided by health care employment agency workers, providing penalties, and including effective date provisions.(Formerly HF 2199.)	U	Dead
HF 2445	A bill for an act relating to the issuance of five-day retail alcohol and native wine licenses, and providing fees.(Formerly HSB 594; See HF 2648.)	U	Dead
HF 2447	A bill for an act relating to the maximum weight of vehicles powered primarily by natural gas or electric battery, and making penalties applicable.(Formerly HSB 611.)	U	Dead
HF 2449	A bill for an act relating to the sale of wine, including private wine sales and wine auction permits, providing fees, and making penalties applicable.(Formerly HSB 629; See HF 2669.)	U	Dead
HF 2451	A bill for an act relating to road construction, modification, and repair project standards.(Formerly HF 2120.)	U	Dead
HF 2452	A bill for an act relating to motor grader operator training.(Formerly HF 2092.)	U	Dead
HF 2453	A bill for an act relating to the penalty for public employees and public officials taking money from a public employer.(Formerly HSB 635.)	U	Dead
HF 2509	A bill for an act relating to the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, and the transfer of disability services to the division of aging and disability services of the department of health and human services, making appropriations, and including effective date provisions.(Formerly HSB 653; See HF 2673.)	U	Dead
HF 2514	A bill for an act abolishing county compensation boards.(Formerly HF 2345.)	A	Dead
HF 2522	A bill for an act relating to procedures to review the exercise of the power of eminent domain.(Formerly HSB 608; See HF 2664.)	U	Dead
HF 2533	A bill for an act relating to public safety personnel by modifying the retirement benefits of sheriffs and deputy sheriffs, restricting bail for murder in the first degree or felonious assaults committed upon public safety personnel, and providing for a tax credit for moving expenses available against the individual income tax for new public safety personnel moving to the state.(Formerly HF 2206; See HF 2661.)	U	Dead
HF 2537	A bill for an act relating to the treasurer of state's duties, including Iowa educational savings plan trust and Iowa ABLE savings plan trust requirements and disposition of unclaimed property, and including retroactive applicability provisions.(Formerly HSB 626; See HF 2667.)	U	Dead
HF 2540	A bill for an act repealing gender balance requirements for appointive bodies.(Formerly HSB 670.)	U	Dead
HF 2549	A bill for an act relating to the conduct of elections, including the use of artificial intelligence and deceptive statements, and providing penalties.(Formerly HSB 599.)	U	Dead

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HF 2550	A bill for an act relating to the organization, structure, and functions of state and local governments, providing for salaries of certain state officers, making statutory corrections, resolving inconsistencies, removing ambiguities, and including effective date provisions.(Formerly HSB 664; See HF 2686.)	U	Dead
HF 2574	A bill for an act relating to boards, commissions, committees, councils, and other entities of state government, and including transition provisions.(Formerly HSB 710.)	U	Dead
HF 2578	A bill for an act relating to certain emergency services provided by a city.(Formerly HSB 598.)	U	Dead
HF 2590	A bill for an act relating to mobile homes and manufactured homes property taxes, and including applicability provisions.(Formerly HSB 706.)	U	Dead
HF 2601	A bill for an act relating to public parking meters. (Formerly HSB 669.)	U	Dead
HF 2607	A bill for an act relating to vehicles, including the initial registration and issuance of certificate of title by any county treasurer and the definitions of terms for purposes of motor vehicle franchisers.(Formerly HSB 610; See HF 2678.)	U	Dead
HF 2610	A bill for an act relating to the duties of the secretary of state, including the address confidentiality program and the conduct of elections, and including effective date provisions. (Formerly HSB 697.)	U	Dead
HF 2614	A bill for an act relating to the conservation and improvement of soil and water resources, including by providing for the administration of associated programs and regulations, making appropriations, and including effective date provisions.(Formerly HSB 674; See HF 2642.)	U	Dead
HF 2621	A bill for an act relating to the statewide interoperable communications system and county sheriff's offices, and making appropriations.	U	Dead
HF 264	A bill for an act exempting from the individual income tax the wages of individuals who provide services to disabled individuals and including effective date and applicability provisions.(See HF 2709.)	U	Dead
HF 2642	A bill for an act relating to the conservation and improvement of soil and water resources, including by providing for the administration of associated programs and regulations, making appropriations, and including effective date provisions.(Formerly HF 2614, HSB 674.)	U	Dead
HF 2654	A bill for an act relating to tax collections for buildings or improvements erected or made by a person on land owned by another person.(Formerly HF 2566, HSB 685.)	U	Dead
HF 2655	A bill for an act placing assessment limitations for property tax purposes on commercial child care facilities, and including effective date, applicability, and retroactive applicability provisions.(Formerly HSB 726.)	U	Dead
HF 2664	A bill for an act relating to actions involving hazardous liquid pipelines, and providing fees. (Formerly HF 2522, HSB 608.)	U	Dead
HF 2672	A bill for an act relating to forest and fruit-tree reservation tax exemptions, including county participation and minimum size requirements for forest reservations.(Formerly HF 2093.)	U	Dead

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HF 2674	A bill for an act relating to tax credits awarded by the economic development authority for specific capital contributions made to certified rural business growth funds for investment in qualified businesses. (Formerly HSB 722.)	U	Dead
HF 2675	A bill for an act relating to matters before the Iowa ethics and campaign disclosure board, including campaign finance filings, attribution statements, and delinquent payment penalties. (Formerly HF 2168, HF 638, HSB 210.)	U	Dead
HF 2678	A bill for an act relating to vehicles, including the initial registration and issuance of certificate of title by certain county treasurers and the definitions of terms for purposes of motor vehicle franchisers, providing fees, and including effective date provisions. (Formerly HF 2607, HSB 610.)	U	Dead
HF 2683	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.	U	Dead
HF 2705	A bill for an act relating to state and local finances by modifying individual and alternate income tax rates, withholding credits, franchise tax deductions, methodologies for determining property taxes, and property tax assessment limitations, changing methods of determining compensation of county officials, making contingent transfers from the taxpayer relief fund, and making corrections, and including effective date and applicability provisions. (Formerly HSB 752.)	U	Dead
HF 2710	A bill for an act relating to the duties and responsibilities of the department of revenue including sports wagering, the lottery, cigarette and tobacco taxes, alcoholic beverages, and including effective date provisions. (Formerly HSB 723.)	U	Dead
HF 496	A bill for an act relating to inspections for violations relating to retailers of cigarettes, tobacco, tobacco products, alternative nicotine products, and vapor products that provide for use or consumption of regulated products on the retailer's premises. (Formerly HSB 184; See HF 2325.)	U	Dead
HF 518	A bill for an act relating to damages against participants in firearms regulation violations by political subdivisions. (See HF 2556.)	U	Dead
HF 638	A bill for an act relating to matters before the Iowa ethics and campaign disclosure board, including campaign finance filings, attribution statements, authorized gifts, and delinquent payment penalties. (Formerly HSB 210; See HF 2168, HF 2675.)	U	Dead
HF 690	A bill for an act relating to the Medicaid extended postpartum coverage option, making an appropriation, and including effective date provisions.	U	Dead
HSB 501	A bill for an act relating to limitations on activities related to paid claims under the Medicaid program, and including effective date provisions. (See HF 2268.)	U	Dead
HSB 502	A bill for an act relating to the Medicaid reimbursement rate for psychiatric medical institutions for children. (See HF 2402.)	U	Dead
HSB 516	A bill for an act relating to the zoning of maternity group homes. (See HF 2276.)	U	Dead

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HSB 517	A bill for an act relating to personal information of the previous owner of a motor vehicle.(See HF 2185.)	U	Dead
HSB 518	A bill for an act relating to certain reporting requirements of the department of transportation.(See HF 2187.)	U	Dead
HSB 519	A bill for an act relating to notice of agency sales of unused highway right-of-way.(See HF 2186.)	U	Dead
HSB 522	A bill for an act relating to public safety telecommunicators.(See HF 2163.)	U	Dead
HSB 523	A bill for an act relating to assaults, including assaults on persons engaged in certain occupations and inmate assaults on department of corrections employees, and providing penalties.(See HF 2302.)	U	Dead
HSB 528	A bill for an act relating to defense subpoenas in criminal cases, and providing penalties.(See HF 2616.)	U	Dead
HSB 531	A bill for an act relating to confidential records including booking photographs.(See HF 2309.)	U	Dead
HSB 542	A bill for an act relating to education, including modifying provisions related to the number of area education agencies in this state, the duties and powers of area education agencies, area education agency boards of directors, the department of administrative services, the director of the department of education, the division of special education within the department of education, the services provided by area education agencies, area education agency funding, the calculation of the teacher salary supplement district cost per pupil, and minimum teacher salaries, and including transition, effective date, and applicability provisions.	U	Dead
HSB 543	A bill for an act relating to state taxation and appropriations by combining special purpose funds, modifying individual income tax rates, placing assessment limitations for property tax purposes on commercial child care facilities, and modifying unemployment benefits, and including effective date and retroactive applicability provisions.	U	Dead
HSB 549	A bill for an act relating to disaster aid including the disaster aid individual assistance grant fund and program and the disaster case advocacy grant fund and program.(See HF 2167.)	U	Dead
HSB 551	A bill for an act relating to a proclamation of disaster emergency and the disaster aid contingent fund.(See HF 2308.)	U	Dead
HSB 552	A bill for an act prohibiting counties and cities from providing guaranteed income programs, and including effective date provisions.(See HF 2319.)	U	Dead
HSB 553	A bill for an act providing an alternative to filing a bond as a condition of registering and titling certain motor vehicles.(See HF 2316.)	U	Dead
HSB 555	A bill for an act relating to public utilities, including energy production, public utility affiliates, and cable and video service.(See HF 2279.)	U	Dead
HSB 561	A bill for an act relating to emergency management services and emergency medical services and including applicability provisions.	U	Dead
HSB 591	A bill for an act relating to an absentee ballot marking pilot program for voters with disabilities.	U	Dead
HSB 594	A bill for an act relating to the issuance of temporary event alcohol licenses, and providing fees.(See HF 2445, HF 2648.)	U	Dead

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HSB 596	A bill for an act relating to certain powers and duties of the department of inspections, appeals, and licensing including confidentiality of information and records, and dependent adult abuse, and making penalties applicable.(See HF 2390.)	U	Dead
HSB 597	A bill for an act relating to bonds and insurance policies for public officers.(See HF 2398.)	U	Dead
HSB 598	A bill for an act relating to certain emergency services provided by a city.(See HF 2578.)	U	Dead
HSB 599	A bill for an act relating to the conduct of elections, including the use of artificial intelligence and deceptive statements, and providing penalties.(See HF 2549.)	U	Dead
HSB 610	A bill for an act relating to vehicles, including the initial registration and issuance of certificate of title by any county treasurer and the definitions of terms for purposes of motor vehicle franchisers.(See HF 2607, HF 2678.)	U	Dead
HSB 611	A bill for an act relating to the maximum weight of vehicles powered primarily by natural gas or electric battery, and making penalties applicable.(See HF 2447.)	U	Dead
HSB 614	A bill for an act relating to the exercise of religion, and including effective date and applicability provisions.(See HF 2454.)	U	Dead
HSB 617	A bill for an act relating to the transport of patients to mental health access centers by an ambulance.(See HF 2397.)	U	Dead
HSB 619	A bill for an act relating to the regulation of styles and materials used for residential building exteriors.(See HF 2388.)	U	Dead
HSB 626	A bill for an act relating to the treasurer of state's duties, including Iowa educational savings plan trust and Iowa ABLE savings plan trust requirements and disposition of unclaimed property, and including effective date and retroactive applicability provisions.(See HF 2537, HF 2667.)	U	Dead
HSB 627	A bill for an act relating to the conduct of election recounts, providing penalties, and including effective date provisions.	U	Dead
HSB 628	A bill for an act relating to the administration of elections.(See HF 2466.)	U	Dead
HSB 629	A bill for an act relating to the sale of wine, including private wine sales and wine auction permits, providing fees, and making penalties applicable.(See HF 2449, HF 2669.)	U	Dead
HSB 631	A bill for an act relating to exceptions to the penalty for supplying an alcoholic beverage to certain persons under legal age.(See HF 2448.)	U	Dead
HSB 633	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.	U	Dead
HSB 635	A bill for an act relating to the penalty for public employees and public officials taking money from a public employer.(See HF 2453.)	U	Dead
HSB 636	A bill for an act relating to fur-bearing animals, including the establishment of a raccoon bounty program and fund and the assessment of fur dealer license fees, making appropriations, and providing penalties.(See HF 2481, HF 2665.)	U	Dead

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HSB 653	A bill for an act relating to the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, and the transfer of disability services to the division of aging and disability services of the department of health and human services, making appropriations, and including effective date provisions.(See HF 2509, HF 2673.)	U	Dead
HSB 666	A bill for an act establishing a deferred retirement option plan for members of the public safety peace officers' retirement, accident, and disability system, and including implementation provisions.	U	Dead
HSB 669	A bill for an act relating to public parking meters.(See HF 2601.)	U	Dead
HSB 670	A bill for an act repealing gender balance requirements for appointive bodies.(See HF 2540.)	U	Dead
HSB 671	A bill for an act relating to government records of firearms, and payment card transactions involving firearms and ammunition, and providing civil penalties.(See HF 2464.)	U	Dead
HSB 674	A bill for an act relating to the conservation and improvement of soil and water resources, including by providing for the administration of associated programs and regulations.(See HF 2614, HF 2642.)	U	Dead
HSB 676	A bill for an act requiring school districts to post information on mental health resources online.	U	Dead
HSB 685	A bill for an act relating to tax collections for buildings or improvements erected or made by a person on land owned by another person.(See HF 2566, HF 2654.)	U	Dead
HSB 697	A bill for an act relating to the duties of the secretary of state, including the address confidentiality program and the conduct of elections.(See HF 2610.)	U	Dead
HSB 700	A bill for an act relating to qualifications to bid on or submit a proposal for certain public contracts, and providing penalties.(See HF 2596.)	U	Dead
HSB 706	A bill for an act relating to mobile homes and manufactured homes property taxes, and including applicability provisions.(See HF 2590.)	U	Dead
HSB 710	A bill for an act relating to boards, commissions, committees, councils, and other entities of state government, and including transition provisions.(See HF 2574.)	U	Dead
HSB 713	A bill for an act relating to area education agencies, including modifying provisions related to the duties and powers of area education agencies, oversight by the department of education, funding, shared operational functions, and establishing a task force related to area education agency property and operations, and including effective date and applicability provisions.(See HF 2612.)	U	Dead
HSB 717	A bill for an act exempting certain cities from public hearing requirements related to proposed property taxes.	U	Dead
HSB 720	A bill for an act relating to state taxation by modifying future individual income tax rates, creating processes for reducing the individual income tax rate to zero, reducing future contingent corporate income tax rates, making appropriations, and including effective date, applicability, and retroactive applicability provisions.	U	Dead
HSB 723	A bill for an act relating to the duties and responsibilities of the department of revenue including confidentiality of records, sports wagering, the lottery, cigarette and tobacco taxes, alcoholic beverages, and including effective date provisions.(See HF 2710.)	U	Dead

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HSB 725	A bill for an act relating to heated tobacco products, and providing for taxation of heated tobacco products.	U	Dead
HSB 726	A bill for an act placing assessment limitations for property tax purposes on commercial child care facilities, and including effective date, applicability, and retroactive applicability provisions.(See HF 2655.)	U	Dead
HSB 738	A bill for an act relating to law enforcement, including the enforcement of state, local, and municipal laws at regents institutions, personal injury or illness of a peace officer employed by a regents institution, the revocation or suspension of a law enforcement officer's or reserve peace officer's certification, administrative investigations under the peace officer, public safety, and emergency personnel bill of rights, and communications in professional confidence.	U	Dead
HSB 740	A bill for an act relating to the use of automated traffic enforcement systems on the primary road system.(See HF 2681.)	U	Dead
HSB 745	A bill for an act relating to public safety personnel retirement systems, the taxation of surviving spouse pension benefits, and including retroactive applicability provisions.(See HF 2680.)	U	Dead
HSB 752	A bill for an act relating to state and local finances by modifying individual and alternate income tax rates, withholding credits, franchise tax deductions, methodologies for determining property taxes, and property tax assessment limitations, changing methods of determining compensation of county officials, making contingent transfers from the taxpayer relief fund, and making corrections, and including effective date and applicability provisions.(See HF 2705.)	U	Dead
SF 108	A bill for an act relating to the employment of unauthorized aliens and providing penalties.	U	Dead
SF 2014	A bill for an act relating to investigation by a sheriff of an employee who is an immediate family member of the sheriff.(See SF 2277.)	U	Dead
SF 2028	A bill for an act relating to the salaries of assessors who are appointed to serve a previous assessor's unexpired term.	U	Dead
SF 2068	A bill for an act relating to certain employees of the department of corrections, including collective bargaining, health insurance for a surviving spouse and children of certain employees of the department, and certain operational and employment matters involving the department, and including applicability provisions.	U	Dead
SF 2078	A bill for an act relating to voter registration, including verification of voter citizenship.	U	Dead
SF 2102	A bill for an act relating to common interest communities and unit owner associations and the display of the American flag.(Formerly SSB 3039.)	U	Dead
SF 2110	A bill for an act relating to notice of agency sales of unused highway right-of-way.(Formerly SSB 3032.)	U	Dead
SF 2116	A bill for an act relating to nonpedestrian travel on roadways based on lane designations, including the manner of overtaking other vehicles, providing penalties, and making penalties applicable.(Formerly SSB 3090.)	U	Dead
SF 2117	A bill for an act relating to personal information of the previous owner of a motor vehicle.(Formerly SSB 3033.)	U	Dead

SF 2121	A bill for an act relating to bonds and insurance policies for public officers.	U	Dead
SF 2133	A bill for an act creating a jobs and infrastructure revolving fund and program administered by the Iowa finance authority, and making appropriations.(See SF 2413.)	U	Dead
SF 2134	A bill for an act relating to the penalty for public employees and public officials taking money from a public employer, and including effective date provisions.(See SF 2336.)	U	Dead
SF 2143	A bill for an act relating to the maximum weight of vehicles powered primarily by natural gas or electric battery, and making penalties applicable.(Formerly SSB 3088.)	U	Dead
SF 2144	A bill for an act relating to certain reporting requirements of the department of transportation.(Formerly SSB 3034.)	U	Dead
SF 2154	A bill for an act relating to building design element regulation by governmental subdivisions, and including effective date provisions.(Formerly SF 174, SF 43.)	U	Dead
SF 2165	A bill for an act relating to remote court proceedings.(Formerly SSB 3022.)	U	Dead
SF 2183	A bill for an act extending the repeal date of the Iowa cell siting Act.(Formerly SSB 3003.)	U	Dead
SF 2193	A bill for an act relating to disaster aid including the disaster aid individual assistance grant fund and program and the disaster case advocacy grant fund and program.(Formerly SSB 3061.)	U	Dead
SF 2202	A bill for an act relating to a proclamation of disaster emergency and the disaster aid contingent fund.(Formerly SSB 3062.)	U	Dead
SF 2278	A bill for an act relating to information required for nonresidents who apply for vehicle registration and issuance of a certificate of title.(Formerly SSB 3105.)	U	Dead
SF 2283	A bill for an act relating to county supervisors, concerning county supervisor representation plans and county supervisor vacancies, and including effective date provisions.	U	Dead
SF 2308	A bill for an act providing an alternative to filing a bond as a condition of registering and titling certain motor vehicles.(Formerly SSB 3035.)	U	Dead
SF 2324	A bill for an act relating to restrictions on the acquisition of real property by the department of natural resources.(Formerly SSB 3129.)	U	Dead
SF 2325	A bill for an act relating to city civil service employees and related procedures and including effective date provisions. (Formerly SF 457, SF 231.)	U	Dead
SF 2329	A bill for an act relating to local civil rights commissions.(Formerly SF 2212.)	U	Dead
SF 2336	A bill for an act relating to the penalty for public employees and public officials taking money from a public employer, and including effective date provisions.(Formerly SF 2134.)	U	Dead
SF 2354	A bill for an act relating to the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, and the transfer of disability services to the division of aging and disability services of the department of health and human services, making appropriations, and including effective date provisions.(Formerly SSB 3146, See SF 2420.)	U	Dead

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SF 2356	A bill for an act relating to solar energy by establishing a community solar facility program. (Formerly SSB 3180.)	U	Dead
SF 2376	A bill for an act relating to the administration of elections. (Formerly SSB 3165.)	U	Dead
SF 2377	A bill for an act relating to the organization, structure, and functions of state and local governments, providing for salaries of certain state officers, making statutory corrections, resolving inconsistencies, removing ambiguities, and including effective date provisions. (Formerly SSB 3144; See SF 2416.)	U	Dead
SF 2380	A bill for an act relating to the duties of the secretary of state, including the address confidentiality program and the conduct of elections. (Formerly SSB 3161.)	U	Dead
SF 2386	A bill for an act relating to education, including modifying provisions related to the duties and powers of area education agencies, the department of education, the department of administrative services, area education agency funding, the calculation of the teacher salary supplement district cost per pupil and the minimum teacher starting salary, and including transition, effective date, and applicability provisions. (Formerly SSB 3073.)	U	Dead
SF 2395	A bill for an act relating to the opioid settlement fund, including appropriations of the moneys in the fund, and providing an effective date. (Formerly SSB 3178.)	U	Dead
SF 2396	A bill for an act relating to state taxation by modifying lottery and alcoholic beverages provisions under the purview of the department of revenue, changing the taxation of lump sum distributions of retirement income, increasing estimated tax thresholds, making appropriations, and including effective date and retroactive applicability provisions. (Formerly SSB 3115.)	U	Dead
SF 2398	A bill for an act relating to state taxation by modifying alternate and individual income tax rates, and including effective date and retroactive applicability provisions. (Formerly SSB 3038.)	U	Dead
SF 2413	A bill for an act creating a jobs and infrastructure revolving fund and program administered by the Iowa finance authority. (Formerly SF 2133.)	U	Dead
SF 2420	A bill for an act related to state behavioral health, disability, and addictive disorder services and related programs, including the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, the transfer of disability services to the division of aging and disability services of the department of health and human services, the elimination of the commission on aging, the elimination of special intellectual disability units at state mental health institutes, making appropriations, and including effective date provisions. (Formerly SF 2354, SSB 3146.)	U	Dead
SF 2424	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. (Formerly SF 555, SF 113.)	A	Dead
SF 2426	A bill for an act relating to emergency management services and emergency medical services and including applicability provisions. (Formerly SF 570, SF 352, SF 41.)	A	Dead

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SF 2427	A bill for an act relating to the duties and responsibilities of the department of revenue including sports wagering, the lottery, cigarette and tobacco taxes, alcoholic beverages, and including effective date provisions. (Formerly SSB 3179.)	U	Dead
SF 2434	A bill for an act relating to and making appropriations to the justice system.(Formerly SSB 3200.)	U	Dead
SF 2439	A bill for an act relating to county supervisors, concerning county supervisor representation plans and county supervisor vacancies, and including effective date provisions.(Formerly SSB 3204.)	A	Dead
SSB 3003	A bill for an act extending the repeal date of the Iowa cell siting Act.(See SF 2183.)	U	Dead
SSB 3007	A bill for an act relating to the placement of a child who is the subject of a pending delinquency petition in a supervised apartment living arrangement pursuant to a consent decree, and the circumstances under which the placement is paid by the state.(See SF 2344.)	U	Dead
SSB 3016	A bill for an act relating to traffic violations and enforcement, including the use of an electronic device in a voice-activated or hands-free mode while driving and the use of automated or remote systems for traffic law enforcement, providing penalties, making penalties applicable, and including effective date provisions.(See SF 2337.)	U	Dead
SSB 3026	A bill for an act relating to false reports to or communications with public safety entities, and providing penalties.(See SF 2161.)	U	Dead
SSB 3032	A bill for an act relating to notice of agency sales of unused highway right-of-way.(See SF 2110.)	U	Dead
SSB 3033	A bill for an act relating to personal information of the previous owner of a motor vehicle.(See SF 2117.)	U	Dead
SSB 3034	A bill for an act relating to certain reporting requirements of the department of transportation.(See SF 2144.)	U	Dead
SSB 3035	A bill for an act providing an alternative to filing a bond as a condition of registering and titling certain motor vehicles.(See SF 2308.)	U	Dead
SSB 3037	A bill for an act relating to the address confidentiality program.(See SF 2162.)	U	Dead
SSB 3038	A bill for an act relating to state taxation and appropriations by combining special purpose funds, modifying individual income tax rates, placing assessment limitations for property tax purposes on commercial child care facilities, and modifying unemployment benefits, and including effective date and retroactive applicability provisions.(See SF 2398.)	U	Dead
SSB 3039	A bill for an act relating to common interest communities and unit owner associations and the display of the American flag.(See SF 2102.)	U	Dead
SSB 3040	A bill for an act relating to the regulation of styles and materials used for residential building exteriors.(See SF 2231.)	U	Dead
SSB 3061	A bill for an act relating to disaster aid including the disaster aid individual assistance grant fund and program and the disaster case advocacy grant fund and program.(See SF 2193.)	U	Dead
SSB 3062	A bill for an act relating to a proclamation of disaster emergency and the disaster aid contingent fund.(See SF 2202.)	U	Dead
SSB 3067	A bill for an act relating to snowmobile registrations and nonresident user permits, providing fees, and making penalties applicable.(See SF 2155, SF 2423.)	U	Dead

SSB 3073	A bill for an act relating to education, including modifying provisions related to the number of area education agencies in this state, the duties and powers of area education agencies, area education agency boards of directors, the department of administrative services, the director of the department of education, the division of special education within the department of education, the services provided by area education agencies, area education agency funding, the calculation of the teacher salary supplement district cost per pupil, and minimum teacher salaries, and including transition, effective date, and applicability provisions.(See SF 2386.)	U	Dead
SSB 3086	A bill for an act relating to third-party testers and test examiners authorized to administer knowledge and final field tests to persons seeking a driver's permit or driver's license.(See SF 2314.)	U	Dead
SSB 3088	A bill for an act relating to the maximum weight of vehicles powered primarily by natural gas or electric battery, and making penalties applicable.(See SF 2143.)	U	Dead
SSB 3089	A bill for an act relating to the speed limit applicable to all-terrain vehicles.	U	Dead
SSB 3090	A bill for an act relating to nonpedestrian travel on roadways based on lane designations, including the manner of overtaking other vehicles, providing penalties, and making penalties applicable.(See SF 2116.)	U	Dead
SSB 3105	A bill for an act relating to information required for nonresidents who apply for vehicle registration and issuance of a certificate of title.(See SF 2278.)	U	Dead
SSB 3107	A bill for an act relating to publication requirements for official publications.(See SF 2331.)	U	Dead
SSB 3115	A bill for an act relating to the administration of state taxation, the lottery, and alcoholic beverages under the purview of the department of revenue, making appropriations, and including effective date and retroactive applicability provisions.(See SF 2396.)	U	Dead
SSB 3116	A bill for an act relating to the treasurer of state's duties, including Iowa educational savings plan trust and Iowa ABLE savings plan trust requirements and disposition of unclaimed property, and including effective date and retroactive applicability provisions.(See SF 2236.)	U	Dead
SSB 3117	A bill for an act relating to the definition of a public improvement.	U	Dead
SSB 3121	A bill for an act relating to prequalification requirements for the construction of public safety infrastructure and purchase of public safety technology.	U	Dead
SSB 3129	A bill for an act relating to restrictions on the acquisition of real property by the department of natural resources.(See SF 2324.)	U	Dead
SSB 3130	A bill for an act relating to the provision of water service for manufactured home communities.	U	Dead
SSB 3141	A bill for an act relating to state taxation by modifying future individual income tax rates, creating processes for reducing the individual income tax rate to zero, reducing future contingent corporate income tax rates, making appropriations, and including effective date, applicability, and retroactive applicability provisions.	U	Dead

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SSB 3146	A bill for an act relating to the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, and the transfer of disability services to the division of aging and disability services of the department of health and human services, making appropriations, and including effective date provisions.(See SF 2354, SF 2420.)	U	Dead
SSB 3158	A bill for an act relating to retention and recertification elections for public employee collective bargaining units and including applicability provisions.(See SF 2374.)	U	Dead
SSB 3161	A bill for an act relating to the duties of the secretary of state, including the address confidentiality program and the conduct of elections.(See SF 2380.)	U	Dead
SSB 3165	A bill for an act relating to the administration of elections.(See SF 2376.)	U	Dead
SSB 3169	A bill for an act relating to the siting and operation of certain wind energy conversion facilities.	U	Dead
SSB 3175	A bill for an act relating to homelessness, providing penalties, and including effective date provisions.	U	Dead
SSB 3178	A bill for an act relating to the opioid settlement fund, including appropriations of the moneys in the fund, and providing an effective date.(See SF 2395.)	U	Dead
SSB 3180	A bill for an act relating to solar energy by establishing a community solar facility program.(See SF 2356.)	U	Dead
SSB 3184	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.(See SF 2422.)	U	Dead
SSB 3193	A bill for an act relating to and making appropriations involving state government entities associated with agriculture, natural resources, and environmental protection.	U	Dead
SSB 3194	A bill for an act relating to the correction and substitution of death certificates.(See SF 2430.)	U	Dead
SSB 3196	A bill for an act relating to and making appropriations involving state government entities associated with agriculture, natural resources, and environmental protection.(See SF 2421.)	U	Dead
SSB 3199	A bill for an act relating to and making appropriations for state government administration and regulation, including the department of administrative services, auditor of state, ethics and campaign disclosure board, offices of governor and lieutenant governor, department of inspections, appeals, and licensing, department of insurance and financial services, department of management, Iowa public employees' retirement system, public information board, department of revenue, secretary of state, treasurer of state, and utilities board.(See SF 2433.)	U	Dead
SSB 3200	A bill for an act relating to and making appropriations to the justice system.(See SF 2434.)	U	Dead
SSB 3202	A bill for an act relating to and making appropriations from the rebuild Iowa infrastructure fund and technology reinvestment fund, providing for related matters, and including effective date provisions.(See SF 2438.)	U	Dead

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SSB 3204	A bill for an act relating to county supervisors, concerning county supervisor representation plans and county supervisor vacancies, and including effective date provisions.(See SF 2439.)	A	Dead
SSB 3205	A bill for an act relating to and making appropriations for veterans and health and human services, including other related provisions and appropriations, and including effective date and retroactive applicability provisions.(See SF 2437.)	U	Dead
SSB 3207	A bill for an act relating to state and local finances by modifying individual and alternate income tax rates, withholding credits, franchise tax deductions, methodologies for determining property taxes, and property tax assessment limitations, changing methods of determining compensation of county officials, making contingent transfers from the taxpayer relief fund, and making corrections, and including effective date and applicability provisions.(See SF 2442.)	U	Dead