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AROUND THE CAPITOL

Legislators did no work on the floor today, as they wrapped up the second funnel week. The Senate moved most of its remaining bills to the UFB where they will remain eligible for the rest of the session, and will be eligible for floor action next week.

The House read a much smaller number of bills unto the UFB before adjourning until Friday morning for a gavel-in, gavel-out session in order to read in new bills.

Two Senate committees met today and passed out eight house bills, including [HF 661 STATEWIDE FARMERS MARKETS](#) on a 9-5 vote and [HF 319 CHILDCARE PHYSICALS](#) on a 9-4 vote. The full House approved [HF 661](#) on a 77-20 vote after it was amended on the floor to include made-to-order foods for immediate consumption in the definition of homemade foods. The amendment also added a schedule of fees for food processors, based on size. Prior to the amendment, the bill had passed out of two House committees on unanimous votes. Senate Health & Human Services passed [HF 319](#), but after striking the House language. As approved in the House, on a 66-32 vote, the bill strikes the requirement that childcare employees must have a pre-employment physical exam. The Senate amendment requires childcare workers to report if they have a communicable disease or other health condition that could threaten a child. Democrats said that the bill did not go far enough to protect children. Senator Edler, who managed the bill, said that the requirement in the amendment is stricter than current law because a pre-employment physical exam can be done months before hiring.

House committees moved fourteen bills out of committee today, including [SF 315 RAW MILK](#), on a 13-10 vote, [SF 478 AUDITOR PROCESS INFORMATION](#) on a 15-7 vote, after amendment, [SF 496 GOVERNORS EDUCATION BILL](#) on a 15-6 vote and [SF 494 PUBLIC ASSISTANCE OVERSIGHT](#) on a 14-10 vote.

House Appropriations approved [SF 494 PUBLIC ASSISTANCE OVERSIGHT](#). Representative Fry said that the bill will help make the SNAP and Medicaid programs in Iowa more sustainable. Opponents of the bill said that it will lead to people who are eligible for SNAP benefits getting kicked off the program. Representative Konfrst said that if the changes to the program don't lead to more kids getting food, Democrats won't support it.

House Education approved [SF 496 GOVERNORS EDUCATION BILL](#). Representative Holt said that the bill is needed because it protects parental rights and because there are too many inappropriate books getting into school libraries now. Opponents of the bill said the bill will make transgender children less safe at school and require significant amounts of staff time to review every book in school libraries.

AROUND THE CAPITOL (CONTINUED)

House State Government approved [SF 478](#) **AUDITOR PROCESS INFORMATION** with a *Strike & Replace* amendment. The bill passed in the Senate on a party-line vote. Democrats said that the bill was aimed at Auditor Rob Sand, who is the only elected state-wide official. In State Government today, Republicans said that the bill is needed to protect the private information of Iowans during state audits. Democrats said that the House amendment will does not protect personal information more than current law and will interfere too much with the ability of the Auditor to conduct audits. They said that the changes could lead to the loss of federal funds and more waste and corruption.

The House State Government approved [SF 315](#) **RAW MILK**. The full Senate approved [SF 315](#) on a 34-15 vote; in 2022, the Senate also approved a similar measure to allow raw milk sales, but that bill did not make it out of House Agriculture. The bill came through the State Government Committee this session. Opponents of the bill said that it did not have enough safety protections for consumers.

TRUMP INDICTMENT

Governor Reynolds released the following statement in support of former President Donald Trump:

This sham indictment only serves as a reminder to Americans that there is a two-tiered justice system under Joe Biden. While New York faces an open season for crime, the Manhattan DA is focused on arresting a former president. This is what an assault on democracy looks like - using government power to go after your political opponents - and it's coming directly from those who proclaim to 'defend' it. This isn't normal, it isn't 'justice,' and it's certainly not what America stands for.

FISCAL IMPACTS

[HF 642](#) **MAJOR ECONOMIC DEVELOPMENTS**

Establishes a tax incentive program for major economic projects, including rebates of sales taxes for qualifying purchases and tax credits of up to 5% of the investment. Requires the project be on at least 250 acres and include investment of \$1 billion. Includes wage and job creation requirements for the projects. Includes provisions on implementing the tax credits and other requirements related to the tax credits.

The House Economic Growth & Technology Committee approved the bill; it is now in House Ways & Means. Representative Tom Moore managed the bill in Economic Growth; but the bill has not been assigned to a subcommittee in Ways & Means. If approved in committee as a Ways & Means bill, the bill will remain eligible and will be renumbered. According to LSA estimates, from FY 2027 to FY 2031, the cost annually to the GF is estimated to range between \$18.2 million and \$18.9 million. The impact on local property taxes is unknown.

TODAY IN THE LEGISLATURE

House Files: 1 (HF 687)

House Study Bills: 5 (HSB 238 - HSB 242)

Senate Files: none (last introduced SF 556)

Senate Study Bills: 1 (SSB 1216)

HOUSE COMMITTEE ACTION

House Appropriations Committee: Voted Out (3)

HF 412 ENTERTAINMENT AREAS

Allows cities to designate entertainment areas and entertainment surcharges. Makes requirements for such entertainment areas, including supermajority approval by the city council. Includes implementing provisions.

PASSED 23-1; *FM: Lohse*

SF 494 PUBLIC ASSISTANCE OVERSIGHT

SNAP: Requires the HHS to conduct an asset check on all members of the household of a SNAP recipient. Requires the HHS to enter into memos of understanding with any necessary department. Sets the income threshold at 160% of the FPL. **Medicaid:** Requires someone receiving Medicaid to cooperate with the CSRU. **Other:** Requires the HHS to redesign and implement a new computer verification system for income and eligibility for other kinds of public benefits by July 2024. Includes notice and appeals provisions. Allows the HHS to contract with a 3rd-party vendor. Requires applicants to complete a computerized authentication process and requires the HHS to terminate an application if the applicant files to do so. Requires the HHS to take no further action if it finds a discrepancy in eligibility but to HHS to notify the applicant. Gives the applicant 10-days notice to respond. Requires HHS to seek any needed waiver. Allows HHS to refer cases of potential fraud to the appropriate agency and to take measures to collect amounts from fraud that it is substantiated with a conviction, including recovery of money. Includes reporting requirements for the authentication measures and the impact on public assistance. **PASSED** 14-10; *FM: Fry*

SF 513 DOT PEACE OFFICER TRANSITION

Establishes a process for transitioning motor vehicle enforcement officers in the DOT to the DPS. Keeps transferred employees with ten years of service in IPERS; moves officers with less than ten years of service to PORS. Authorizes DOT to designate certain employees with limited authority as peace officers. Requires the DPS to adopt rules on the transfer of duties for hazardous materials, on driving a commercial vehicle and on other matters and to report to the Legislature on the adoption of rules. Includes consultation with the DOT and DNR on specified matters. Includes retirement and transition provisions and transfer of forfeited funds. **PASSED** 24-0; *FM: Lohse*

House Commerce Committee: Voted Out (1)

SF 418 PUBLIC INVESTMENT IN CHINA

Prohibits public funds (the Treasurer, the Regents, various retirement funds) from investing in companies controlled by the Chinese military or Chinese government. Makes definitions and sets deadlines for releasing lists of prohibited companies. Requires the sale of assets in prohibited companies within 180 days of the company becoming a prohibited company. Requires the creation and maintenance of a list of prohibited companies. Authorizes IPERS to issue an RFP for a third-party to identify prohibited companies. **PASSED** 22-0; *FM: Lundgren*

House Education Committee: Voted Out (4)

SF 250 COMPUTER GRANTS

Allows recipients of computer science professional development grants to use the money in the fiscal year of the grant through to September 30. Effective on enactment. **PASSED** 21-0; *FM: Sorenson*

HOUSE COMMITTEE ACTION (CONTINUED)

House Education Committee: Voted Out (continued)

SF 252 UNIVERSITY PREGNANCY ACCOMMODATIONS

Requires the state universities and community colleges, including employees and faculty, to make reasonable accommodations to students who are pregnant or who have recently given birth. Defines reasonable accommodations and give examples. Requires the AG to maintain a system for receiving and investigating complaints and requires founded complaints to be forwarded to the US DOE. Includes additional requirements. **PASSED 21-0; FM: *Hora***

SF 484 SCHOOL FINANCE REVIEW

Requests the Legislative Council allow the School Finance Formula Review Committee to meet in 2023 to begin review work due to various funding disparities. **PASSED 21-0; FM: *Gehlbach***

SF 496 GOVERNORS EDUCATION BILL

Sex Ed: Prohibits instruction on gender identify or sexual activity in grades K-6. Strikes required instruction on AIDS in Human Growth & Development (Sex Ed) courses and on HPV for grades 7-12. Requires sex ed to be age-appropriate and evidence-based in the kindergarten project. **Libraries:** Requires schools to establish a K-12 library program with only age-appropriate books in the library. Requires the DOE to investigate violations and sets penalties for violations, including written warnings and disciplinary actions for subsequent violations. Requires schools to publish explanations on how to request removal of materials from libraries. **Civics:** Requires the use of the US citizenship test in HS civics courses and that results be submitted to the DOE. Requires students to score 70% or to retake the test. Allows the test to be modified for students with special needs. **Emotional Learning:** Prohibits surveys on emotional learning or on physical health that are not required under law unless the parent or guardian agrees. Requires written notice of such surveys. **Gender ID:** Requires schools to report to parents if a child expresses a different gender identity, unless the school believes the report will lead to child abuse. Requires the school to then report to HHS instead for potential action as a ChINA case. Requires written permission from parents before a child can be addressed with a name or pronoun that does not match the biological sex of the child. Establishes penalties for violations. **Other:** Allows parents to review all school records on a child. Prohibits school districts from any activity involving obscene material or sexually explicit material. Includes civil penalties for schools. Requires parental consent before students can be asked about a variety of topics for surveys. Requires schools to publish a list of all persons who receive money from the school for instruction or activities and who have direct contact with children. Allows a child needing special education to be placed under private instruction without approval from an AEA. Deems the parent as ultimately responsible for decisions affecting medical care, moral upbringing, religion, residence, and extracurriculars. Exempts the bill from state mandate laws on funding. **PASSED 15-6; FM: *Wheeler***

House Natural Resources Committee: Voted Out (1)

SF 519 OFF-ROAD VEHICLE RENEWALS

Allows county recorders or license agents to issue renewals for off-road utility vehicles electronically. **PASSED 19-0; FM: *Fisher***

HOUSE COMMITTEE ACTION (CONTINUED)

House State Government Committee: Voted Out (5)

[HSB 81](#) ARRC MATTERS

Allows the administrative code editor to make various edits to the Code to correct references and internet links. Deems that the ombudsman is not covered in the exclusion from the executive branch for the legislative branch. Changes the rules for suspending action on noticed rules. Changes how standards can be adopted by reference. Makes the Administrative Rules Coordinator an *ex officio* member of the ARRC. Makes other changes to administrative rules. **PASSED** 23-0; *FM: Sexton*

[SJR 9](#) VOTING AGE 18

Proposes amendment to lower the voting age in the Constitution to 18. **PASSED** 22-0; *FM: Golding*

[SF 315](#) RAW MILK

Allows the sale of raw milk and raw milk products by raw milk dairies. Limits raw milk dairies to ten animals or less and prohibits pasteurizing or grading the milk. Requires sales be made at the dairy or delivered to a location specified by the buyer. Prohibits resale. Includes requirements for veterinarian testing. Requires retention of health records and requires buyers be allowed to inspect records. Prohibits home food establishments from selling raw milk and raw milk products. Makes definitions. Includes enforcement provisions. **PASSED** 13-10; *FM: Kaufmann*

[SF 399](#) POOL INSPECTIONS

Exempts a housing coop from pool inspections, including spray pads, if the coop is fewer than 72 members and the bylaws provide for pool inspections. **PASSED** 23-0; *FM: Harris*

[SF 478](#) AUDITOR PROCESS INFORMATION

Requires the Auditor to work using federal standards for government audits and audits start. Requires the Auditor keep confidential information confidential and limits the access of the Auditor to some information (income tax, health records, peace officer records, various other records for law enforcement and attorneys, personal information and other specified records). Requires the auditor to take steps to protect information. Requires binding arbitration before a 3-person board for disputes between statutory and constitutional offices, with each party appointing a member and the third member being appointed by the governor. **AMENDED & PASSED** 15-7; *FM: Kaufmann* (Strike & Replace: Includes limits on information that can be gathered and on resolving disputes)

House Ways & Means Committee: Voted Out (1)

[HSB 237](#) MFPRS 411 BENEFITS (now [HF 687](#))

Adds MH evaluations to the entrance exams for firefighters and police officers. Defines ordinary disability beneficiary and allows the person an accident disability benefit. Makes various related changes and includes requirements. Includes provisions on cities paying hospital costs for injuries arising out of employment. **PASSED** 25-0; *FM: Kaufmann*

SENATE COMMITTEE ACTION

Senate Agriculture Committee: Voted Out (2)

HF 185 INNOVATIVE BUTCHERY ELIGIBILITY

Increases the number of employees a company can have and still be eligible for Innovative Butcher grants to 75 employees. **PASSED** 14-0; *FM: Sweeney*

HF 661 STATEWIDE FARMERS MARKETS

Makes licensing for farmer's markets that pay a \$200 fee and for famer's markets that must be licensed as food establishments for a \$150 fee valid statewide. Includes made to order foods as home-made foods. Sets the fees for food processing plants: \$75 (under \$50,000); \$150 (\$50,000 - \$200,000); \$300 (\$200,000 - \$2 million); \$500 (over \$2 million). **PASSED** 9-5; *FM: Green*

Senate Health & Human Resources Committee: Voted Out (6)

HF 93 MH PRACTICE RESTRICTIONS

Prohibits an employer from restricting the place or time a MH professional can practice or prohibiting the professional from contracting for services with a patient the professional previously treated. Makes contrary provisions in current contracts null and unenforceable. Effective on enactment. **PASSED** 13-0; *FM: Garrett*

HF 319 CHILDCARE PHYSICALS

Strikes the requirement that childcare employees must have a pre-employment physical exam. **AMENDED & PASSED** 9-4; *FM: Edler* (*Strike & Replace*: Requires workers to report if they have a communicable disease or other health condition that could threaten a child.)

HF 425 NEWBORN CUSTODY

Expands the places a parent can voluntarily relinquish custody of a newborn to include fire stations, to medical staff after notifying the staff of the intent to relinquish the newborn or surrendering the child. Allows a parent to seek custody through a DNA test. **PASSED** 13-0; *FM: Sweeney*

HF 466 TELEVISED COMMITMENT TESTIMONY

Allows a court to hear testimony from a doctor during an involuntary commitment proceeding by telephone or televised means. Allows for the respondent or attorney, or the applicant, to waive the televised/telephoned appearance. **PASSED** 13-0; *FM: Evans*

HF 555 PHARMACY MATTERS

Reorganizes provisions on the practice of pharmacy. States general principles that pharmacists and registrants under the BOP must follow. Requires the BOP to adopt rules on pharmacist interns, technicians and support personnel, on tele-pharmacies, and on other matters. Includes requirements for the rules and strikes provisions in Code. Allows the BOP to discipline a pharmacist for engaging in conduct outside of the standard of care. Authorizes administrative penalties. Allows the BOP to request criminal history checks on various parties. Contains provisions on prescriptions, therapeutic substitutions and other related matters. **AMENDED & PASSED** 13-0; *FM: Edler* (Makes technical and other corrections. Adds language on prohibiting the BOP from adopting a protocol to allow a pharmacist from administering abortion drugs.)

HF 584 FOSTER PARENTS

Establishes rights of foster care parents and responsibilities of HHS. Requires HHS establish a process for foster parents to file a complaint electronically regarding violations of the rights of foster parents. Requires the HHS to describe any training opportunities to foster care parents that the HHS believes could benefit the parents. **PASSED** 13-0; *FM: Guth*

HOUSE & SENATE AGENDA

FRIDAY, MARCH 31, 2023

9 AM	HOUSE CONVENES	<i>House Chamber</i>
6-7:30 PM	<i>Trans Day of Visibility Event</i>	<i>West Mall</i>

HOUSE FILES (HF 687)

HF 687 MFPRS 411 BENEFITS (Ways & Means; Successor to [HSB 237](#)) FM: **Kaufmann**

Adds MH evaluations to the entrance exams for firefighters and police officers. Defines ordinary disability beneficiary and allows the person an accident disability benefit. Makes various related changes and includes requirements. Includes provisions on cities paying hospital costs for injuries arising out of employment. See [SF 505](#)

HOUSE STUDY BILLS (HSB 238 – HSB 242)

HSB 238 BIOGAS LINES (Ways & Means) **Sexton** (C), **Gjerde**, **Kaufmann**

States the importance of developing renewable biogas in Iowa. Establishes procedures for livestock operations to use gathering lines to collect biogas from anerobic digesters and to cross into the right-of-way of secondary roads. See [SSB 1216](#)

HSB 239 MEDICAL CANNABIDIOL DISPENSARIES (Ways & Means) **Kaufmann** (C), **Isenhardt**, **Siegrist**

Increases the number of medical cannabis dispensaries to ten. Prohibits more than one per county but strike geographic requirements on location. Includes criteria for evaluating applications.

HSB 240 RENTAL CHARGES (Ways & Means) **Jones** (C), **Best**, **Kurth**

Modifies the current unfair practices in car rentals to make it an unfair practice for the amount of a charge block for a deposit to exceed the total amount of expected charges as stated in the agreement.

HSB 241 AIRPORT RENTAL CHARGES (Ways & Means) **Jones** (C), **Best**, **Wilson**

Requires local governments, aviation authorities or other groups that operates an airport to impose a charge on car rentals at the airport. Requires the fee be used to improve rental car facilities and public transportation and the airport. Prohibits the use of the fee for terminals, runways or other matters.

HSB 242 MEDICAL CANNABIDIOL II (Ways & Means) **Kaufmann** (C), **Forbes**, **Harris**

Increases the number of medical cannabis dispensaries to ten. Prohibits more than one per county but strike geographic requirements on location. Includes criteria for evaluating applications. Other: Allows medical cannabidiol to include oral, topical and inhalable cannabis. **Tax:** Allows business expenses for medical cannabidiol manufacturers to be subtracted from the income tax. Exempts medical cannabidiol sales by a manufacturer or dispensary from the sales tax. (The dispensary provisions are similar to [HSB 239](#).)

SENATE STUDY BILLS (SSB 1216)

[SSB 1216](#) BIOGAS LINES (Ways & Means) **Driscoll** (C), **Dotzler**, **Schultz**

States the importance of developing renewable biogas in Iowa. Establishes procedures for livestock operations to use gathering lines to collect biogas from anaerobic digesters and to cross into the right-of-way of secondary roads. See [HSB 238](#)