

2023

# IOWA STATE ASSOCIATION OF COUNTIES

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## SUMMARY of LEGISLATION





# 2023 Summary of Legislation

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90TH GENERAL ASSEMBLY, 1ST SESSION



5500 WESTOWN PARKWAY, SUITE 190  
WEST DES MOINES, IA 50266  
515.491.5148

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[WWW.IOWACOUNTIES.ORG](http://WWW.IOWACOUNTIES.ORG)

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The Iowa State Association of Counties (ISAC) is a private, nonprofit corporation that was incorporated on October 8, 1964. Senate File 37, which was adopted on June 30, 1971, allowed counties to pay member dues to the organization. ISAC members are elected and appointed county officials from all 99 counties. Counties pay voluntary dues to belong to ISAC in return for a number of services, such as education and training, benefit programs, technical assistance and government relations. ISAC members participate in one of 16 different statewide affiliated associations corresponding to each county office.

ISAC's mission is to promote effective and responsible county government for the people of Iowa. To that end, ISAC's stated purpose is to secure and maintain cooperation among the counties and county officials, promote comprehensive study of local problems and find ways of solving them, provide methods of interchange of ideas among various county officials, and promote and work for the enactment of legislation that is most beneficial to the citizens of Iowa. These endeavors support our vision of being the principal, authoritative source of representation, information and services for and about county government in Iowa.

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# INTRODUCTION

In 2023 Iowa counties worked within the 1st Session of the 90th General Assembly to develop many important public policy decisions. These bill summaries are organized according to ISAC areas of interest. In addition, all appropriations bills are located in the section entitled “Appropriations.” All members should look through this section to see appropriations items that are of interest. Most appropriations bills contain multiple topics so there is probably something in there for everyone.

Generally, bill summaries should be easy to find since the category subjects are so distinct. For example, a bill dealing with property tax reform would be found under “Taxation and Finance.” However, there are some occasions where a bill could logically fit under more than one category. We have cross-referenced those bills for your convenience.

Please note that text in shaded areas indicates bills that have been vetoed or portions of bills that have been line-item vetoed by the Governor.

At the end of each summary, you may find the effective date for the bill or certain portions of the bill. If no effective date is listed, the bill is effective July 1, 2023. On the title line of each summary you will find the initials of the ISAC staff member(s) who summarized the bill. Their initials are:

JC - Jamie Cashman, Government Relations Manager

KH - Kristi Harshbarger, General Counsel

LB - Lucas Beenken, Public Policy Specialist

As always, this summary is not intended to report on every bill down to the smallest detail. As the name says, it is a “summary.” While we strive for completeness and accuracy, time and space restrictions prevent us from including everything on a piece of legislation. If you think a bill might have some specific application for your office, please get a copy of the enrolled bill and review it in detail for yourself. You can get an enrolled bill by calling the Legislature's Legislative Information Office at 515.281.5129 or at <http://www.legis.iowa.gov>.

We always want to improve this product. After you have read this book please let us know what additional information you would like to see in next year's summary book.

# ISAC TOP PRIORITIES

## **Emergency Medical Services**

Recent change in Iowa law gives counties the authority to declare emergency medical services (EMS) an essential county service and to seek voter approval for a dedicated ad valorem property tax. This was a positive step to ensure proper coverage areas and predictable funding. However, EMS coverage areas do not always conform to county geographic lines which leads to inequities in who pays for the available service and a lack of service area coordination. The current funding authority needed to be improved to accommodate changing needs as a county or regional EMS system is implemented and administered.

After further review over the course of the session, it was discovered that amending the Iowa Code to allow two or more counties to form an EMS coverage area with the same levy rate for all property owners within the district was not needed. Maintaining the same requirements as individual counties for voter approval, advisory council responsibilities, and reporting as that power was already granted in the existing law.

## **Iowa's Natural Resources, Outdoor Recreation, and Water Quality and Quantity**

The Natural Resources and Outdoor Recreation Trust Fund has remained empty since it was established in 2010. Legislators and the Governor have yet to raise the state sales tax – the funding mechanism in the Iowa Constitution. During the course of this session, there was legislation introduced that would have raised the sales tax by a penny and therefore kicking in the funding for the trust fund. However, this new plan would have eliminated the Local Option Sales Tax and placed this new increase in the sales tax on all jurisdictions whether they approved it or not. Additionally, local jurisdictions would then be dependent on the State of Iowa to backfill this local revenue that was taken from them. As this new proposal came on the back of the phase out of the commercial and industrial property tax credit backfill, ISAC could not support it. This legislation ultimately did not pass into law.

## **Local Public Health as an Essential Service**

Iowa Code Chapter 137 outlines the requirements for the provision of local public health in each county in the state of Iowa, but funding for this requirement is not mentioned. Currently, this has resulted in each local public health agency being held to different expectations and funding levels. There is no consistency from agency to agency which hinders the creation of a strong public health infrastructure. While there was discussion about what services should be an essential service over the course of the debate to changes to property tax, there wasn't the appetite by the Iowa Legislature to further expand it.

## **Competency and Treatment for Persons in the Justice System and Civil Commitments**

Inmates are confined in county jails when their criminal cases are suspended pending a competency evaluation and treatment (if deemed appropriate) per Iowa Code Chapter 812. Those individuals are frequently mentally ill with exacerbation of severe symptomology. Wait times for inmates in county jails to the Iowa Medical and Classification Center (IMCC) can be three to nine months and at Cherokee Mental Health Institution (MHI) two to four months. The inmate frequently remains untreated and symptomatic behaviors include suicidal and homicidal ideation, assaultive behaviors, delusional thinking, etc.

Ultimately, when the Iowa General Assembly adjourned for the year, there was significant progress made in this area with the creation of a civil forensic unit with additional beds at the Cherokee MHI in House File 471. Additional funding for this is found in the Health and Human Services Appropriations bill, Senate File 561.

# COUNTY ADMINISTRATION AND ORGANIZATION

## **HF 111 – Transfer Tax Exemption**

*LB* *Recorders*

This bill adds deeds transferring distributions of assets to beneficiaries of a trust when conveyed without consideration to the list of exemptions to the real estate transfer tax.

## **HF 257 – CDL Third Party Testers**

*LB* *Treasurers*

This bill strikes provisions identifying specific types of third-party testers authorized to administer commercial driver's license (CDL) testing and authorizes the Department of Transportation (DOT) to adopt rules restricting the testing scope of a third-party tester.

## **HF 258 – CDL Clearinghouse**

*LB* *Treasurers*

This bill aligns state law with Federal Motor Carrier Safety Administration (FMCSA) regulations. The bill requires the Department of Transportation (DOT) to establish rules related to requesting information from the federal Drug and Alcohol Clearinghouse (DACH), downgrading and reinstating commercial driver's licenses (CDL) and commercial learner's permits (CLP), and aligning scheduled fines with federal requirements.

## **HF 270 – Assessment Review Timeline**

*LB* *Assessors*

This bill extends the informal assessment review period end date to May 25 and the board of review period end date to July 15 in a year when the county is declared a state or federal disaster area.

## **HF 318 – Elderly and Disabled Property Tax Credit**

*LB* *Treasurers*

This bill extends the good cause application extension deadline from September 30 to March 31 of the fiscal year in which the elderly, disabled, low-income, or mobile home property tax credit would apply.

Effective date: Upon enactment (May 26, 2023) and applicable to taxes due and payable in fiscal years beginning on or after July 1, 2023.

## **HF 335 – Restricted Farm CDLs**

*LB* *Treasurers*

This bill strikes provisions related to an exemption to commercial driver's license (CDL) requirements for certain suppliers of agricultural inputs while delivering such products to customers and instead requires the Department of Transportation (DOT) to issue a restricted CDL to certain employees in designated farm-related service industries. Federal rule authorizes states to waive CDL knowledge and skills tests to these specified drivers and includes certain requirements and limitations.

## **HF 475 – Unfair Real Estate Agreements**

*LB* *Recorders*

This bill relates to unfair residential real estate service agreements, including definitions and civil penalties. Among the provisions, an individual or entity is prohibited from recording an unfair service agreement or a notice of an unfair service agreement, and a county recorder is allowed to refuse to record an unfair service agreement.

## **HF 541 – Sanitary District Budgets**

*LB* *Auditors, Supervisors*

This bill changes the tax certification deadline for sanitary districts from March 1 to March 15 for the taxes certified for levy for fiscal years beginning on or after July 1, 2024.

## **HF 557 – Recreational Lake and Water Quality Districts Elections**

*JC* *Auditors, Supervisors*

This bill requires a county auditor to conduct all elections pertaining to benefitted recreational lake districts, water quality districts, or combined districts.

# COUNTY ADMINISTRATION AND ORGANIZATION

## **HF 583 – Odometer Disclosure Statements**

LB

*Treasurers*

This bill authorizes an individual entitled to the possession and ownership of a motor vehicle under the laws of descent and distribution to complete the odometer disclosure statement required under state and federal law.

Effective date: Retroactive to vehicles transferred on or after July 1, 2022.

## **HF 592 – Internet Car Sales**

LB

*Treasurers*

This bill provides for the authorization of remote sales of motor vehicles by a licensed dealer. The bill also provides that a county treasurer shall not require any additional notation when a security interest on a vehicle is discharged besides noting the cancelation on the certificate of title.

## **HF 593 – Suspending Registrations**

LB

*Treasurers*

This bill requires the Department of Transportation (DOT) or the county treasurer to issue a registration for a vehicle and then immediately suspend the registration in circumstances when certain offenses or damages have been caused unless the registrant provides certain proof of financial responsibility.

## **HF 605 – Energy Benchmarking Preemption**

JC

*Community Services, County Attorneys*

This bill prohibits counties and cities from requiring energy benchmarking requirements for private properties.

## **HF 711 – Levee Improvement Fund**

LB

*Auditors, Emergency Management, Supervisors*

This bill establishes the Levee Improvement Fund within the Department of Homeland Security and Emergency Management for the purpose of supporting the Office of Levee Safety and the Flood Mitigation Board and appropriates \$5 million from state wagering tax receipts to the fund each year from FY 2024 to FY 2028. The bill requires a statewide analysis of levee conditions and needed repairs, creates a program for undertaking repairs and reconstruction, and requires an annual levee assessment report.

Effective date: Upon enactment (June 1, 2023)

## **HF 714 – Merchant Line Approval**

LB

*Auditors, Supervisors*

This bill specifies that provisions related to the disapproval of merchant line construction by the Iowa Utilities Board (IUB) is for aboveground lines. The bill also specifies that for purposes of drainage and levee improvements and repairs, the term culvert includes a drain, tile, or tile line.

Effective date: For merchant line provision, applies retroactively to a petition for a franchise submitted on or after September 1, 2020.

## **HF 716 – Conduct of Party Caucuses, Statewide Voter Registration, and Voter Lists**

JC

*Auditors*

This legislation makes the following changes to the conduct of elections in Iowa:

- An eligible voter in an Iowa precinct caucus must be a member of that party for at least 70 days prior to the day of the caucus.
- Allows the Iowa Secretary of State to not be required to utilize information from the Electronic Registration Information Center (ERIC) to update the statewide voter registration system and to be able to utilize other entities.
- Allows a county auditor to adjust the cost of providing a list of eligible voters to reflect the cost of processing a credit card.



# COUNTY ADMINISTRATION AND ORGANIZATION

## **SF 329 – Employee Absences**

LB

*All County Officials*

This bill provides that a civil employee shall only be required to take a leave of absence for one day for state active duty, federal active duty, national guard duty, and other service-related absence if the workday encompasses a continuous period of up to 24 consecutive hours, regardless of whether the workday extends into one or two calendar days.

## **SF 388 – Federal Funds Definitions**

LB

*Information Technology, Supervisors*

This bill relates to federal funds and conflict between state and federal rules. The bill provides that rules under the Office of the Chief Information Officer shall only apply to federal funds for procedural purposes or when subjects are expressly delegated to state authority. The bill also provides that the eligibility and allocation of federal funds shall be governed by federal definitions, criteria, scoring, and rules.

## **SF 445 – Boards of Review**

LB

*Assessors, Supervisors*

This bill authorizes a 10-member county board of review to convene three-member subunits to hear assessment protests and make recommendations to the full board.

Effective date: Upon enactment (April 4, 2023) and applies retroactively to assessment protests for assessment years beginning on or after January 1, 2023.

## **SF 514 – State Government Alignment**

JC

*All County Officials*

This legislation makes a number of changes to the structure of the state government in Iowa. Listed below are the main areas within the bill that would affect county government:

- **Division I — Department of Health and Human Services**

This division formally merges the Department of Human Services (DHS), the Department of Public Health (DPH), the Department on Aging (IDA), the Department of Human Rights (DHR), Early Childhood Iowa (ECI), and the Iowa Commission on Volunteer Service (ICVS) into the Department of Health and Human Services (HHS) with all agencies and divisions now being under the Director of HHS. All other previous boards and commissions under the previous agencies are now under the purview of HHS as well.

- **Division III — Department of Inspections, Appeals, and Licensing**

This division changes the name of the Department of Inspections and Appeals to the Department of Inspection, Appeals, and Licensing (DIAL) along with a number of organizational changes within the agency.

- **Division IV — Department of Justice**

This division contains language that would allow the Attorney General to prosecute a criminal proceeding on behalf of the State even if a county attorney does not request the Attorney General to act on their behalf. It further grants the Attorney General exclusive jurisdiction to prosecute election-related crimes. Currently, county attorneys can also prosecute election-related crimes.

- **Division VIII — Department of Homeland Security and Emergency Management**

This division now directs the Department of Homeland Security and Emergency Management (HSEMD) to administer the Disaster Aid Individual Assistance Grant Fund and the Disaster Case Management Grant Fund instead of the Department of Health and Human Services. In addition, the name of the Disaster Case Management Grant Fund is renamed the Disaster Case Advocacy Grant Fund.

- **Division XVI — Department of Corrections**

This division moves Community-Based Corrections (CBC) under the control of the Department of Corrections (DOC) by doing the following:

- o The Director of DOC now appoints the director for each CBC district department.
- o All employees of CBC district departments are now employees of DOC.
- o The CBC Board of Directors is now an advisory-only board instead of a policymaking board.
- o Makes modifications to the membership of CBC district advisory boards.
- o Certain duties are transferred from the district advisory boards to the district directors.

- **Division XIX — Boards and Commissions**

This division establishes a Boards and Commissions Review Committee aimed at studying the efficiency and effectiveness of each board, council, commission, committee, or other similar entity of the State that has been established by Iowa Code. It further requires the Committee to submit a report to the Governor and General Assembly on its findings no later than September 30, 2023.

# COUNTY ADMINISTRATION AND ORGANIZATION

## **SF 517 – Birth Certificate Information**

*LB*

*Recorders*

This bill provides for the addition of biological parent information of an adult adopted person to an original certificate of birth. The bill provides requirements including written application, proof of identification, and substantiating evidence from the parent being added or their representative.

## **SF 519 – Off-Road Vehicle Renewals**

*LB*

*Recorders*

This bill provides for the electronic renewal of vehicle registration for off-road utility vehicles. Current fees and penalties remain the same.

## **SF 528 – Crossbow Hunting License**

*LB*

*Recorders*

This bill allows a physical therapist to attest that an individual with a disability meets the crossbow use requirement that they are physically incapable of using a bow and arrow.

## **SJR 9 – Voting Age**

*JC*

*Auditors*

This proposed amendment to the Iowa Constitution would declare that all eligible voters be United States citizens, at least 18 years old, and a resident of Iowa to be able to vote. It further defines that an eligible voter may vote in the primary if younger than 18 but will be by the next general election. With passage by the 89<sup>th</sup> Iowa General Assembly and the 90<sup>th</sup> Iowa General Assembly, it will be on the November 2024 General Election ballot for vote by Iowans.

# HUMAN SERVICES AND PUBLIC HEALTH

## **HF 93 – Mental Health Practice Restrictions**

JC

*Community Services*

This bill bans an employer from entering into an agreement with a licensed mental health professional that restricts: where the licensee may practice; prohibits the licensee from contacting for, professional services, a person previously treated by the licensee; and also places a time restriction on the practice of the licensee.

## **HF 113 – Child Welfare Representation**

JC

*Community Services*

This bill extends the ending date for a state public defender pilot project to implement innovative models of legal representation for families in the child welfare system from June 30, 2024, to June 30, 2025. It also expands the number of counties that may participate in the pilot project from six to 16 counties.

## **HF 183 – Prescribing Psychologists**

JC

*Community Services*

This bill eliminates one of the restrictions that a person must follow to be given a conditional prescription certificate by not requiring that it must be completed within five years immediately preceding the application date for a conditional certificate.

## **HF 274 – Psychiatric Fellowships**

JC

*Community Services*

This bill expands the existing state-funded psychiatry residency program to include fellowship positions and renames the program, the state-funded Psychiatry Residency and Fellowship Program. Further, it requires the University of Iowa Hospitals and Clinics to administer the program for up to nine residents and up to two fellows annually. It also appropriates \$150,000 for each fellowship position approved and awarded under the program.

## **HF 466 – Televised Testimony at Involuntary Commitment Hearings**

JC

*Community Services*

This bill allows for televised testimony to be utilized at involuntary commitment hearings for persons with substance-related disorders and persons with a mental illness.

## **HF 471 – Health and Human Services Omnibus**

JC

*Community Services, Sheriffs, Supervisors*

This legislation from the Iowa Department of Health and Human Services is an omnibus bill that covers a variety of areas affecting counties including the following:

- Changes the specialization of the Independence Mental Health Institute to behaviorally complex youth and the Cherokee Mental Health Institute to a unit for acute and forensic adults.
- Changes the voting make-up of the mental health and disability services (MH/DS) region governing boards by limiting that no greater than 49% be county supervisors and adds a member from county law enforcement.
- Adds competency-based restoration as a core service for MH/DS regions.
- MH/DS reports are now changed from quarterly to annual.
- All Iowa Code sections pertaining to MH/DS regions are now moved from Iowa Code Chapter 332 (County Home Rule) to Iowa Code Chapter 225C (Mental Health and Disability Services) because of the state takeover of MH/DS region funding.

## **HF 661 – Food Licensing**

JC

*Environmental Health, Public Health*

This bill expands licenses for a temporary food establishment for multiple non-concurrent events and for farmers markets. A one-time fee per vendor can be issued statewide instead of countywide.

Effective Date: Upon Enactment (May 11, 2023)

# HUMAN SERVICES AND PUBLIC HEALTH

## **HF 685 – Medicaid Recoveries, MCO Premiums, and Nursing Home Beds**

JC

*Community Services, Supervisors*

This bill is an update to Iowa's Medicaid Lien Recovery law to ensure compliance with recent changes in federal law and a United States Supreme Court decision by doing the following:

- Allows Iowa Medicaid to recover both past and future medical expenses from tort claims and establishes state rights to recover the medical claims of minors against third parties.
- Establishes a Medicaid managed care taxation of premiums to tie in with MCOs with other requirements of insurance carriers resulting in an additional amount of federal match to the state Medicaid program.
- Establishes a temporary moratorium on new nursing home beds in Iowa for up to three years.
- Requires a workgroup report on a nursing home bed need formula to be submitted to the Iowa Legislature by December 2024.

## **SF 75 – Rural Emergency Hospitals**

JC

*Community Services, Public Health*

This bill creates the licensure of Rural Emergency Hospitals due to recent changes in federal law. In order for a hospital to be licensed as a Rural Emergency Hospital, it must maintain a 24-hour emergency room not required to have an acute inpatient unit. In addition, this legislation mandates that all ambulatory surgical centers be licensed in Iowa.

Effective Date: Upon Enactment (March 28, 2023)

## **SF 315 – Raw Milk**

JC

*Environmental Health, Public Health*

This legislation makes changes to Iowa Code related to the production, processing, and distribution of raw milk. The bill allows raw milk producers, acting in compliance with the requirements provided in the bill, to sell raw milk and products coming from raw milk to consumers. Products sold in this manner cannot be sold for resale and are not subject to regulation by the Iowa Department of Agriculture and Land Stewardship (IDALS) or the Iowa Department of Inspections, Appeals, and Licensing. A person who violates any provision of the bill commits a simple misdemeanor.

## **SF 494 – Public Assistance Oversight**

JC

*Community Services, Public Health*

This legislation makes significant reforms to Iowa's welfare programs by making changes in the following areas:

- Puts requirements in place for a real-time eligibility system by 2025.
- Places additional requirements for Supplemental Nutrition Assistance Program (SNAP) eligibility in terms of asset review and codifies income thresholds.
- Requires applicants to provide current child support arrangements to be eligible for Medicaid.

# LAND USE AND ENVIRONMENTAL HEALTH

## **HF 634 – Private Sewage Inspection Reports**

JC

*Environmental Health*

This bill makes the following changes to current law pertaining to persons (inspectors) conducting time of transfer inspections of private sewage disposal systems:

- Requires the following for an inspector's certification to be considered current: has paid initial and renewal fees required to maintain certification; is up-to-date on continuing education credits; is in good standing with the Department of Natural Resources; and has not otherwise been decertified.
- Requires DNR to maintain a list of current certified inspectors on its website.
- Provides a penalty of \$5,000 and a certification suspension of one year for inspectors that file a fraudulent time-of-transfer report.

# PUBLIC SAFETY

## **HF 143 – Ransomware Penalties**

KH

County Attorneys, Sheriffs

This bill creates new criminal charges for ransomware activities.

## **HF 202 – Destructive Devices**

KH

County Attorneys, Sheriffs

This bill creates a definition for destructive devices and penalties for the use of the same. Additionally, the bill requires retailers or community groups selling consumer fireworks shall do so in accordance with the applicable National Fire Protection Association standards. No other standards or requirements shall be applicable to these sales unless set forth by the state fire marshal.

Effective Date: Upon Enactment (March 22, 2023)

## **HF 317 – Nuisance Animals**

KH

Sheriffs, County Attorneys

This bill removes the need for prior permission when taking or capturing raccoons, opossums, or skunks to destroy or dispose of by owners or tenants of agricultural property or associated residences located outside of city limits but does not apply to endangered animals.

## **HF 564 – Child in Need of Assistance Case Criminal History**

JC

Community Services, County Attorneys

This bill allows a county attorney's office to share National Criminal Information Center background checks with the Iowa Department of Health and Human Services in child in need of assistance cases.

## **HF 595 – Controlled Substances and Administration of Opioid Antagonists**

KH

County Attorneys, Public Health, Sheriffs

This bill makes two primary changes to current law: 1) it creates penalties related to possession of more than 50 grams of a substance containing a detectable amount of fentanyl and increases jail terms for crimes related to the same; 2) adds community-based organizations and first responders to the list of allowable "person in a position to assist" and creates a new category called "secondary distributors" (which includes law enforcement, emergency medical services programs, fire departments, school districts, healthcare providers, licensed behavioral health providers, county health departments, and the Department of Health and Human Services) as it relates to the ability to possess and provide opioid antagonists and the corresponding protections from liability related to the same.

## **HF 631 – Personnel Files of Peace Officers and Public Safety and Emergency Personnel**

KH

County Attorneys, Sheriffs

This bill keeps in place the "Brady-Giglio list" which is a list compiled by a prosecuting agency containing the names and details of officers who have had an issue that calls the officers credibility into question. Additionally, this bill requires that a prosecuting agency keep confidential an officer's "personnel file, medical records, or any statement recording, transcript, or complaint protected under the law."

Effective Date: Upon Enactment (June 1, 2023)

## **HF 183 – Maximum Employment Age for Reserve Peace Officers**

KH

Sheriffs

This bill clarifies that the maximum employment age for a regular law enforcement officer, police officer, marshal, or paid professional firefighter is age 65, regardless of if they are full or part time. The bill also states this does not apply to reserve peace officers or volunteer firefighters.

Effective Date: Upon Enactment (May 3, 2023)

## **SF 228 – Tort Liability Involving Commercial Motor Vehicles**

KH

County Attorneys, Sheriffs

This bill institutes various limitations on liability in civil actions involving commercial motor vehicles. Most notably is the limitation of \$5 million per plaintiff against the owner or operator of a commercial motor vehicle for noneconomic damages related to personal injury or death in a civil action. There are, however, several exceptions in the bill to this \$5 million limit.

# PUBLIC SAFETY

## **SF 513 – DOT Peace Officer Transition**

*LB*

*Engineers, Sheriffs, Supervisors*

This bill provides for the transition of certain motor vehicle enforcement officers from the Department of Transportation (DOT) to the Iowa State Patrol under the Department of Public Safety (DPS) and transfers commercial motor vehicle enforcement as well as load and registration enforcement to the state patrol. The bill dictates that all revenue from commercial vehicle citations be deposited into the Road Use Tax Fund (RUTF).

# TAXATION AND FINANCE

## **HF 710 – Endow Iowa Tax Credit**

LB

*Supervisors*

This bill increases the maximum amount of Endow Iowa Tax Credit awards in tax year 2023 from \$6 million to \$13 million and appropriates \$7 million from the Sports Wagering Receipts Fund to the General Fund for the Endow Iowa Tax Credit Program.

Effective date: Upon enactment (June 1, 2023) and applies retroactively to the tax year beginning January 1, 2023.

## **HF 718 – Property Tax**

LB

*All County Officials*

This bill makes various changes to the property tax system including levy rate adjustments, new and expanded exemptions, and changes to bonding thresholds, as well as changes to certain county fees.

- Division I of the bill provides for automatic reductions to General Basic and Rural Basic levy rates when taxable valuation increases exceed 3% and repeals the authority for additions to basic levies found in Iowa Code §331.426. This division also places duration limits on voter-approved additions to basic levies and puts in place hard levy rate caps of \$3.50 for General Basic and \$3.95 for Rural Basic beginning in FY 2029.
- Division IV of the bill strikes a required report related to sheriff's fees and expenditures.
- Division V of the bill provides for a new Homestead Property Tax Exemption for homeowners aged 65 and older. The amount of the exemption will be \$3,250 of taxable valuation for FY 2025 and \$6,500 of taxable valuation for FY 2026 and each subsequent fiscal year.
- Division VI of the bill increases the Military Service Property Tax Exemption to \$4,000 of taxable valuation beginning in FY 2026. The division also strikes the partial state funding of \$6.92 per \$1,000 of property value.
- Division IX of the bill requires additional information in the annual reports related to property valuation provided by the county auditor to the Department of Management (DOM) and local taxing jurisdictions. The report must distinguish between revaluation changes and other types of valuation changes.
- Division X of the bill requires an additional taxpayer statement to be mailed to each property owner that contains information on the individual property as well as budget and tax information for certain taxing jurisdictions.
- Division XI of the bill provides for a \$10 convenience fee for the issuance or renewal of a driver's license or nonoperator's identification card to an individual that is neither a resident nor a property taxpayer in the county of issuance.
- Division XII of the bill makes the writing fees for certificates of title and perfection of a security interest for water vessels, all-terrain vehicles, and snowmobiles uniform and increases the writing fee to \$2.
- Division XIII of the bill requires elections related to debt issuance be held on the first Tuesday after the first Monday in November and requires a mailed notice of such an election and the text of the public measure to each registered voter.
- Division XIV of the bill increases the population-based thresholds for lease/lease-purchase contracts and bonding not requiring an election by 30%.
- The bill moves the budget certification deadline for local jurisdictions to April 30 of each year.

Effective date: Various. Divisions IV (Homestead Exemption) and V (Military Exemption) upon enactment (May 4, 2023) and applies retroactively to assessment years beginning on or after January 1, 2023. Division XIII (Bond Elections) applies July 1, 2023, for elections occurring on or after that date. Division XIV (Bond Thresholds) applies July 1, 2024.

## **SF 181 – Residential Valuations**

LB

*Assessors, Auditors, Supervisors*

This bill modifies the calculation of assessment limitations for residential property by excluding multiresidential property from the calculation of the assessment limitation for residential property retroactive for assessment years beginning on or after January 1, 2022. In order to implement this change, budget certification deadlines were moved to April 30, 2023, for political subdivisions.

Effective date: Upon enactment (February 20, 2023) and applies retroactively to assessment years beginning on or after January 1, 2022.

## **SF 565 – Department of Revenue Bill**

LB

*Assessors, Auditors, Supervisors*

This bill is a Department of Revenue (DOR) department bill and includes various tax related changes. Among the provisions, Division IX makes changes to the definition of "owner" for purposes of the Homestead Tax Credit including allowing an individual that owns a dwelling but not the land to qualify for the credit. The bill also makes changes to the qualifications for the Elderly and Disabled Property Tax Credit by listing specific types of pension and annuity income in Division X.

Effective date: Various. Division IX (Homestead Property Tax Credit) and Division X (Property Tax Credits and Rent Reimbursement) effective upon enactment (June 1, 2023) and applies to taxes due and payable in fiscal years beginning on or after July 1, 2024.



# TRANSPORTATION

## **HF 590 – Flying Our Colors Special Plates**

LB

*Conservation, Emergency Management, Supervisors*

This bill strikes the July 1, 2023, repeal of the transfer of revenue to the Flood Mitigation Fund from fees collected for the “Flying Our Colors” special vehicle registration plate.

## **SF 153 – Single-Trip Permit Exemptions**

LB

*Engineers, Supervisors*

This bill authorizes the Department of Transportation (DOT) and local authorities to exempt certain single-trip special permit holders from load limits per axle and gross weight limits when a special or emergency situation exists, subject to routes established by the permit-issuing authority.

## **SF 154 – Hydroexcavation Equipment Exemption**

LB

*Engineers, Supervisors*

This bill adds hydroexcavation equipment to the list of motor vehicles and equipment exempt from certain size, weight, and load limits. The equipment is not exempt from maximum gross weight limits and certain restrictions by local authorities.

## **SF 359 – Vehicle Weight Limits**

LB

*Engineers, Supervisors*

This bill makes violations of Iowa Code §321.463 related to maximum gross weight of a vehicle subject to the uniform citation and complaint provisions, procedures, and exceptions, irrespective of the amount of the scheduled fine.

## **SF 527 – All-Systems Permit**

LB

*Engineers, Supervisors*

This bill makes changes to the all-systems permit by allowing movement on all paved streets and highways except where prohibited by local jurisdictions. Paved farm-to-market and truck route roads cannot be excluded by a local jurisdiction. If a local jurisdiction excludes a road from the all-systems permit, it must provide justification to the Department of Transportation (DOT).

# APPROPRIATIONS

## **HF 709 – Federal Block Grants**

LB

*All County Officials*

This bill authorizes the receipt and expenditure of federal block grant funds for federal FY 2024 and FY 2025 and dictates certain procedures and conditions for the use of the funds. Funding levels are the same for both fiscal years.

## **SF 557 – Administration and Regulation Appropriations**

LB

*All County Officials*

This bill makes appropriations from the state general fund and other funds to various administrative and regulatory state agencies for FY 2024 and includes policy provisions. The bill makes appropriations to the newly named Department of Inspections, Appeals, and Licensing (DIAL) that were previously made to state agencies now under DIAL through government reorganization and alignment (SF 514).

The bill provides that \$325,000 of the funds appropriated to the Office of the Chief Information Officer (OCIO) be allocated for the purpose of providing cybersecurity services to local governments.

In addition to the appropriations, the bill requires that the first \$750,000 in fees collected in FY 2024 for the furnishing of certified abstracts of vehicle operating records shall be transferred to the IOWAccess revolving fund for the purpose of maintaining and expanding electronic access to government records.

The bill also requires the Department of Revenue to prepare and issue a State Appraisal Manual at no cost to counties and cities.

## **SF 558 – Agriculture and Natural Resources Appropriations**

LB

*All County Officials*

This bill makes appropriations from the general fund and other funds for agriculture and natural resources programs for FY 2024 and includes policy provisions. Among the policy changes, the bill requires the greater of \$500,000 or 1/3 of the funds appropriated to the Iowa Nutrient Research Fund to be allocated to the Water Quality Initiative Fund. The bill provides a status quo appropriation of \$12 million from the Environment First Fund (EFF) to the Iowa Resources Enhancement and Protection (REAP) Fund.

## **SF 559 – Economic Development Appropriations**

LB

*All County Officials*

This bill makes appropriations from the general fund and other funds for various economic development programs for FY 2024 and includes policy provisions. The bill specifies that the standing, limited appropriation to the County Endowment Fund for operational support grants and community cultural grants is \$448,403 for FY 2024. The bill appropriates \$700,000 for the Empower Rural Iowa Program to fund the Housing Needs Assessment Grant Program and the Rural Innovation Grant Program.

## **SF 562 – Justice System Appropriations**

LB

*All County Officials*

This bill makes appropriations from the general fund and other funds to the justice system for FY 2024 and includes policy provisions.

To the Department of Corrections

For reimbursement for county confinement of state prisoners ..... \$1,195,319 (no change)

To the Department of Homeland Security and Emergency Management

For E911 Communications ..... \$300,000 (no change)

- This appropriation from the E911 Emergency Communications Fund is for costs associated with implementation, support, and maintenance of the functions of the E911 program manager and for an annual state audit of the fund.

### **Miscellaneous Policy Provisions:**

Prohibits the use of the Public Safety Assessment in pretrial hearings when determining whether to detain or release a defendant before trial until the use of the assessment is explicitly authorized by the legislature.

Requests the Legislative Council to establish an Iowa Law Enforcement Academy Interim Study Committee and a Human Trafficking Interim Study Committee and requires each to issue a report to the General Assembly including findings and recommendations.

# APPROPRIATIONS

## **SF 561 – Health and Human Services Appropriations**

JC, LB

All County Officials

This bill makes appropriations from various sources for human services, aging, veterans, and public health programs for FY 2024 and contains various policy provisions. The bill appropriates \$2.21 billion from the General Fund to the Department of Health and Human Services, an increase of \$55.3 million.

### **General Fund Appropriations**

For strengthening local health care delivery systems.....	\$7,435,682 (+\$916,376)
To local boards of health for services that promote healthy aging.....	\$7,662,464 (no change)
For the county commissions of veteran affairs fund .....	\$990,000 (no change)
For medical assistance (Medicaid) .....	\$1,543,626,779 (+\$33,499,391)
For child and family services .....	\$79,027,794 (-\$14,543,883)
• For decategorization service funding pools and governance boards.....	\$1,717,000 (no change)
• For continuation of a system of care grant in Cerro Gordo and Linn Counties .....	\$235,000 (no change)
• For continuation of a system of care grant in Polk County.....	\$211,000 (no change)
• Of the net decrease for child and family services, \$15.5 million was due to transferring funding for court-ordered services to the Judicial Branch.	
For the state mental health institute at Cherokee.....	\$15,923,252 (+\$309,628)
• This increase allows for this facility to be exclusively adult oriented with 24 beds dedicated to acute care and 12 beds for forensic care.	

For the state mental health institute at Independence..... \$19,811,470 (+\$122,542)

### **Miscellaneous Policy Provisions**

- Part of the increase in the Medicaid appropriation reflects an increase of \$13 million toward mental health and substance abuse Medicaid rates divided accordingly: \$7 million for mental health therapy, \$3 million for substance use, and \$3 million for other mental health rates.

## **SF 563 – Judicial Branch Appropriations**

LB

County Attorneys, Supervisors

In addition to making appropriations for the judicial branch for FY 2024, this bill includes a number of policy provisions and intent statements. It requires the judicial branch to continue its effort to collect delinquent fines, penalties, court costs, fees, and surcharges and calls for semiannual reports on the collections effort. The bill states that it is the intent of the General Assembly that the offices of the clerks of court operate in each county and should be accessible to the public as much as reasonably possible.

## **SF 576 – Transportation, Infrastructure, and Capitals Appropriations**

LB

Emergency Management, Engineers, Sheriffs, Supervisors, Treasurers

This bill makes appropriations for FY 2024 from the Road Use Tax Fund (RUTF) and the Primary Road Fund to the Department of Transportation (DOT).

From the Road Use Tax Fund (RUTF)

For drivers' licenses production costs .....	\$3,876,000 (no change)
For county issuance of drivers' licenses and vehicle registrations and titles.....	\$1,406,000 (no change)
For costs associated with the Statewide Interoperable Communications System .....	\$63,355 (+\$19,026)
• This system is funded through Road Use Tax Fund (RUTF) and the Primary Road Fund (see below). Between the two funding sources, the appropriation increased a total of \$146,350.	

From the Primary Road Fund

For costs associated with the Statewide Interoperable Communications System .....	\$423,989 (+\$127,324)
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# APPROPRIATIONS

## **SF 577 – Rebuild Iowa Infrastructure Fund (RIIF) Appropriations**

LB

All County Officials

This bill makes infrastructure-related appropriations from a number of sources to various state departments and agencies for FY 2024.

### **From the Rebuild Iowa Infrastructure Fund (RIIF)**

To the Department of Cultural Affairs	
For the Iowa Great Places program .....	\$1,000,000 (no change)
To the Department of Natural Resources	
For lake restoration and water quality projects .....	\$9,600,000 (no change)
For water trails and low head dam safety grants .....	\$1,500,000 (no change)
To the Department of Agriculture and Land Stewardship	
For the Water Quality Initiative Fund .....	\$8,200,000 (no change)
To the Department of Transportation	
For recreational trails .....	\$2,500,000 (no change)
To the Treasurer of State	
For county fair infrastructure improvements .....	\$1,060,000 (no change)
• The money is distributed to the 105 county fairs in the Association of Iowa Fairs (~\$10,095 each).	
To the Judicial Branch	
For furniture and equipment for justice centers and county courthouses .....	\$0 (-\$624,518)
For construction projects at the Woodbury County Law Enforcement Center .....	\$100,000 (-\$65,000)
To the Economic Development Authority	
For the Community Attraction and Tourism (CAT) Fund .....	\$10,000,000 (no change)
To the Department of Public Safety	
For costs associated with the Statewide Interoperable Communications System .....	\$6,754,358 (+\$2,424,208)

### **From the Technology Reinvestment Fund**

To the Department of Homeland Security and Emergency Management	
For the implementation of a statewide mass notification and emergency messaging system .....	\$ 400,000 (no change)
To the Department of Management	
For the continued implementation of an online database for budget and financial information .....	\$ 45,000 (no change)
For the upgrade of the local government budget and property tax system .....	\$ 120,000 (no change)

## **SF 578 – Standing Appropriations**

LB

All County Officials

This bill makes appropriations for property tax credits and other programs and implements miscellaneous policy provisions.

### **Tax Credit, Exemption, and Replacement Claim Appropriations**

Requires the full funding of the homestead, agricultural land and family farm, elderly and disabled, and military service exemption refund as required by law. Also requires the funding of the Business Property Tax Credit and partial funding of commercial and industrial replacement claims being phased out. The amounts below are the estimated state obligation with the Agricultural Land Tax Credit, Commercial and Industrial Replacement Claims, and Business Property Tax Credit being a specific limited amount.

• Homestead Tax Credit .....	\$146,226,904
• Agricultural Land Tax Credit .....	\$39,100,000
• Elderly and Disabled Tax Credit .....	\$4,327,772
• Military Service Tax Exemption .....	\$1,580,000
• Commercial/Industrial Replacement Claims .....	\$64,873,759 (-\$14,145,452)
• Business Property Tax Credit .....	\$122,350,000 (-\$2,650,000)

## 2023 BILLS THAT FAILED

Getting bills through the Legislature is important to ISAC, but sometimes things that did not happen can also measure the success of a legislative session. ISAC policy statements and input from the legislative policy committee are principally used as the guideline for ISAC staff in opposing legislation. The following is a list of bills that ISAC opposed that were successfully defeated. Also listed are failed bills that ISAC supported.

### **The following is a list of bills that ISAC opposed that were successfully defeated.**

HF 1 - Property Tax  
HF 43/SF 18 - County Compensation Boards  
HF 66 - Rumble Strips  
HF 281/SF 443 - Supervisor Districts  
HF 350 - Public Record Requests  
SF 341 - Voter Records  
SF 342 - Provisional Ballots  
SF 351 - Voter Registration Challenges  
SF 356 - Property Tax  
SF 455 - Stormwater Management  
SF 516 - Open Space Plans

### **The following is a list of bills supported by ISAC that failed to pass this session.**

HF 19 - MH Eligible Practice Sites  
HF 127/SF 294 - Protected Occupations  
HF 140 - VSO Training Funds  
HF 142 - Veterans Trust Funding  
HF 151 - MH Practitioner Loans  
HF 244 - MH Practitioner Loans II  
HF 273/SF 210 - Brain Illness  
HF 275 - Home/Vehicle Modification Services  
HF 280/SF 344 - Local Disaster Loans  
HF 308/SF 101 - Pipeline Eminent Domain  
HF 342 - Pipeline Eminent Domain II  
HF 376 - Sales Tax/Water Quality  
HF 378 - Medicaid Reimbursement Increases  
HF 382 - MHI Beds  
HF 448 - County Flood Protection  
HF 497 - Open Meetings  
HF 539/SF 355 - Parcel Splits and Combinations  
HF 551/SF 141 - Iowa Land Records  
HF 663/SF 216 - Tax Sale Postponement  
HF 665/SF 182 - Land Development Trusts  
HF 674/SF 380 - Certificates of Title  
HF 702/SF 289 - Emergency Supplies Tax Holiday  
HSB 49 - Autism Services Waiver  
SF 13 - Property Assessment Protests  
SF 22 - Veteran Hunting/Fishing Licenses  
SF 31 - Government Notices  
SF 72 - CAFO Water Quality  
SF 195 - Cybersecurity Essential County Purpose  
SF 546 - Online Notice Portal  
SF 547 - Electronics While Driving  
SSB 1106 - MH Non-competes  
SSB 1131 - Zoning Commission Membership

# 2023 ISAC LEGISLATIVE POLICY COMMITTEE

The 2023 ISAC Legislative Priorities were developed by the ISAC Legislative Policy Committee (LPC). This committee is composed of two representatives from each affiliate and is chaired by Barry Anderson, Clay County Supervisor and ISAC 2nd Vice-President. The committee has worked together to create a short and cohesive set of legislative objectives for ISAC to pursue in 2023.

At the beginning of September the committee convened to hear legislative policy proposals from each affiliate. The committee worked hard discussing implications of any changes. Between the first and second September meetings at which the legislative objectives were adopted by the committee, staff and committee members performed research on any questions that needed to be answered or clarifications that needed to be made.

The 2023 Legislative Objectives, Policy Statements, and ISAC Top Priorities recommendations were presented to the membership, which voted online to recommend them to the ISAC Board of Directors. The Board approved the legislative package and set ISAC's Top Priorities during its November meeting.

## 2023 ISAC LPC Committee Members

**Committee Chair:** Barry Anderson, Clay County Supervisor and ISAC 2nd Vice-President

### Assessors

Pam Jensen, Adair County  
Tom Van Buer, Johnson County

### County Attorneys

Darin Raymond, Plymouth County  
Matt Wilber, Pottawattamie County

### Information Technology

Michelle Fields, Greene County  
Travis Gerrish, Franklin County

### Sheriffs and Deputies

Shawn Ireland, Linn County  
Jason Sandholdt, Marion County

### Auditors

Betty Ellis, Wright County  
Pat Gill, Woodbury County

### Emergency Management

Thomas Craighton, Franklin County  
Doug Reed, Pottawattamie County

### Planning and Zoning

Joe Buffington, Henry County  
Josh Busard, Johnson County

### Supervisors

Mark Campbell, Webster County  
Tim Neil, Bremer County

### Community Services

Danelle Bruce, Mills County  
Russell Wood, Franklin County

### Engineers

Lyle Brehm, Tama/Poweshiek County  
Dan Eckert, Dickinson County

### Public Health

Chris Estle, Jefferson County  
Lynelle Drier, Wapello County

### Treasurers

Tracey Marshall, Cass County  
Kris Rowley, Dickinson County

### Conservation

Dan Cohen, Buchanan County  
Matt Cosgrove, Webster County

### Environmental Health

Eric Bradley, Scott County

### Recorders

Stacie Herridge, Story County  
John Murphy, Dubuque County

### Veterans Affairs

Patty Hamann, Cedar County  
Chris Oliver, Wright County

## ISAC GOVERNMENT RELATIONS TEAM



### Jamie Cashman

Government Relations Manager

[jcashman@iowacounties.org](mailto:jcashman@iowacounties.org)

515.250.9845

### Lucas Beenken

Public Policy Specialist

[lbeenken@iowacounties.org](mailto:lbeenken@iowacounties.org)

515.408.1780



Iowa State Association of Counties

5500 WESTOWN PARKWAY, SUITE 190  
WEST DES MOINES, IA 50266  
515.491.5148

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[WWW.IOWACOUNTIES.ORG](http://WWW.IOWACOUNTIES.ORG)