



ICREA  
Legislative  
Update  
November 18,  
2020

**Jim Carney, Doug Struyk,  
& Jenny Dorman**

**Carney & Appleby, PLC**

**carney@carneyappleby.com**

**struyk@carneyappleby.com**

**dorman@carneyappleby.com**

**515.282.6803**



# LEGISLATIVE LANDSCAPE & ISSUES

**2020 - 2021 Legislature**

# The Iowa House in 2021

- Split 59 Republicans vs. 41 Democrats
  - 16 Freshman
  - 2 Returning members - Brent Siegrist (R) & Steve Hansen (D)
- Pat Grassley – (R) New Hartford
  - Speaker of the House
- Matt Windschitl – (R) Missouri Valley
  - House Majority Leader
- Todd Pritchard – (D) Charles City
  - Minority Leader

# The Iowa House in 2021

## Upsets (Republicans plus 6)

HD 26 – Brooke Boden (R) defeated **Incumbent** Rep. Scott Ourth (D)

HD 38 – Garrett Gobble (R) defeated **Incumbent** Rep. Heather Matson (D)

HD 39 – Eddie Andrews (R) defeated **Incumbent** Rep. Karin Derry (D)

HD 58 – Steven Bradley (R) defeated **Incumbent** Rep. Andy McKean (D)

HD 81 – Cherielynn Westrich (R) defeated **Incumbent** Rep. Mary Gaskill (D)

HD 83 – Martin Graber (R) defeated **Incumbent** Rep. Jeff Kurtz (D)

# The Iowa House in 2021

## **Open (Republicans and Democrats each flipped one seat)**

HD 3 - Dennis Bush (R) was unopposed - retired Rep. Huseman's (R) seat

HD 7 - Henry Stone (R) defeated Debra Jensen (D) - retired Rep. Gassman's (R) seat

HD 14 – Steve Hansen (D) defeated Robert Henderson (R) - retired Rep. Kacena's (D) seat

HD 16 – Brent Siegrist (R) defeated Jan Pellant (D) - retired Rep. Hanusa's (R) seat

HD 19 – Carter Nordman (R) defeated Nick Miller (D) - retired Rep. Hagenow's (R) seat

HD 54 – Shannon Latham (R) defeated Karen Koenig (D) - retired Rep. Upmeyer's (R) seat

HD 64 – Chad Ingels (R) defeated Jodi Grover (D) - retired Rep. Bearinger's (D) seat **FLIPPED**

HD 67 – Eric Gjerde (D) defeated Sally Ann Abbott (R) - Retired Rep. Hinson's (R) seat **FLIPPED**

HD 71 – Sue Cahill (D) defeated Tony Reed (R) - retired Rep. Mark Smith's (D) seat

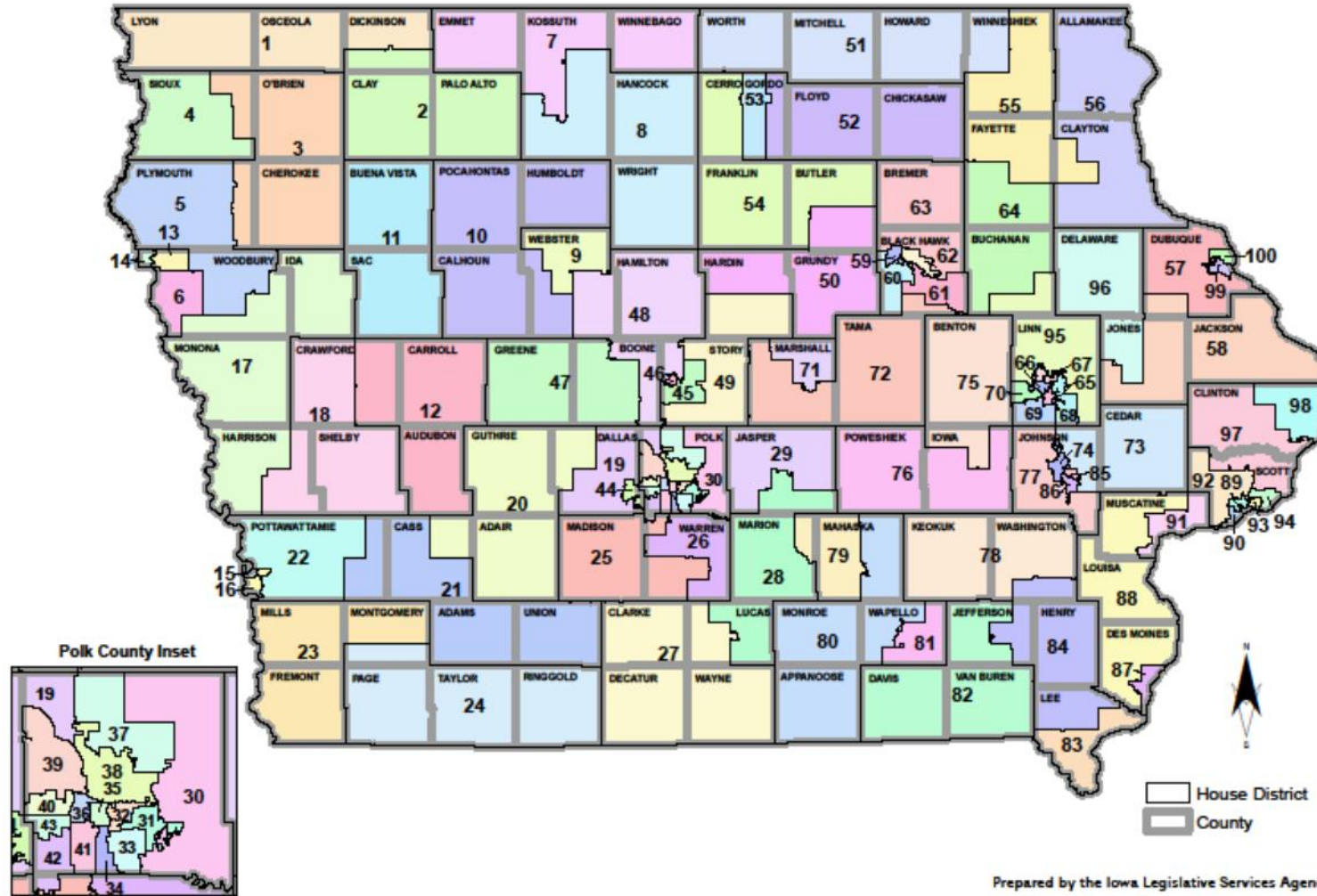
HD 85 – Christina Bohannon (D) was unopposed after defeating **incumbent** Rep. Lensing (D)

HD 91 – Mark Cisneros (R) defeated Kelcey Brackett (D) - retired Rep. Carlson's (R) seat

HD 95 – Charlie McClintock (R) defeated Christian Andrews (D) - retired Rep. Zumbach's (R) seat

# IOWA HOUSE DISTRICTS

Effective Beginning with the Elections in 2012 for the 85th General Assembly



# The Iowa Senate in 2021

- Split 32 Republicans vs. 18 Democrats
  - 8 Freshman
- Jack Whitver – (R) Ankeny
  - Majority Leader of the Senate
- Jake Chapman – (R) Adel
  - President of the Senate
- Zach Wahls – (D) Iowa City
  - Minority Leader

# The Iowa Senate in 2021

## **Upsets (Republicans plus one)**

SD 42 – Jeff Reichman (R) defeated **Incumbent** Senator Rich Taylor (D)

## **Open Seats (Democrats plus one)**

SD 2 – Jeff Taylor (R) was unopposed - retired Senator Feenstra's (R) seat

SD 6 - Craig Williams (R) defeated CJ Petersen(D) - retired Senator Segebart's (R) seat

SD 22 – Sarah Trone Garriott (D) defeated Scott Cirksena (R) - retired Senator Schneider's (R) seat

SD 24 – Jesse Green (R) defeated Cynthia Paschen (D) - retired Senator Behn's (R) seat

SD 28 – Mike Klimesh (R) defeated Matt Tapscott (D) - retired Senator Breitbach's (R) seat

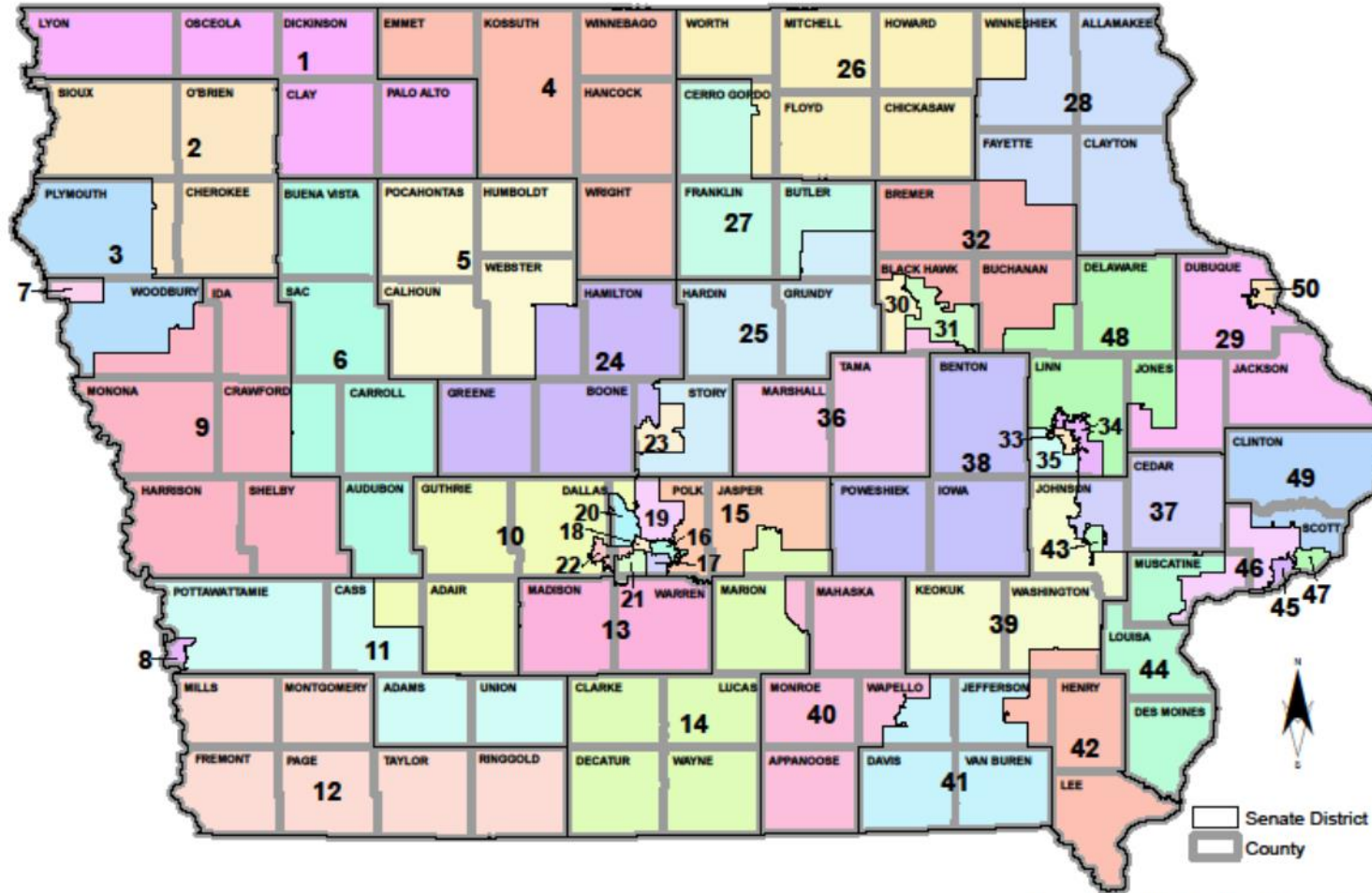
SD 38 – Dawn Driscoll (R) defeated Ivy Schuster (D) - retired Senator Kapucian's (R) seat

SD 44 – Tim Goodwin (R) defeated Tom Courtney (D) - retired Senator Green's (R) seat



# IOWA SENATE DISTRICTS

Effective Beginning with the Elections in 2012 for the 85th General Assembly



Prepared by the Iowa Legislative Services Agency



**89th Iowa General Assembly**  
**2021 IOWA LEGISLATIVE**  
**SESSION TIMETABLE\***



**Note: This Session Timetable is subject to change**

\*See SCR 5, SR 3, and HR 11 (2019)

<b>JANUARY 11</b>	First day of session (Iowa Code Sec. 2.1)
<b>FEBRUARY 12</b> (Friday of the 5 <sup>th</sup> week)	Final day for individual Senator and Representative requests for bill and joint resolution drafts to the Legislative Services Agency (Senate Rule 27 and House Rule 29)
<b>MARCH 5</b> (Friday of the 8 <sup>th</sup> week)**	Final date for Senate bills and joint resolutions to be reported out of Senate Committees and House bills and joint resolutions out of House committees (Joint Rule 20)
<b>MARCH 15 - 19</b> (10 <sup>th</sup> week)	Senate considers only Senate bills, joint resolutions, and unfinished business House considers only House bills, joint resolutions, and unfinished business (Joint Rule 20)
<b>MARCH 22 - APRIL 2</b> (11 <sup>th</sup> and 12 <sup>th</sup> weeks)	Debate not limited by rule
<b>APRIL 2</b> (Friday of the 12 <sup>th</sup> week)**	Final date for Senate bills and joint resolutions to be reported out of House committees and House bills and joint resolutions out of Senate committees (Joint Rule 20)
<b>APRIL 5 - 9</b> (13 <sup>th</sup> week)	Senate considers only House bills, joint resolutions, and unfinished business House considers only Senate bills, joint resolutions, and unfinished business (Joint Rule 20)
<b>APRIL 12</b> (Beginning of the 14 <sup>th</sup> week)	Only the following bills and resolutions are eligible for consideration: (Joint Rule 20) <ul style="list-style-type: none"> <li>• Bills passed by both Houses</li> <li>• Appropriations Bills</li> <li>• Ways and Means Bills</li> <li>• Government Oversight Bills</li> <li>• Legalizing Acts</li> <li>• Administrative Rules Review Committee Bills</li> <li>• Committee Bills related to delayed or suspended Administrative Rules [Iowa Code Sec. 17A.8(9)]</li> <li>• Bills co-sponsored by Majority and Minority Leaders of one House</li> <li>• Conference Committee Reports</li> <li>• Companion Bills sponsored by Senate and House Majority Leaders</li> <li>• Concurrent or Simple Resolutions</li> <li>• Joint Resolutions nullifying Administrative Rules</li> <li>• Bills on the Veto Calendar (Joint Rule 23)</li> <li>• Unfinished Business</li> </ul>
<b>APRIL 12</b> (Beginning of the 14 <sup>th</sup> week)	Amendments need not be filed on the day preceding floor debate (House Rule 31.8)
<b>APRIL 30</b>	110 <sup>th</sup> calendar day of the session [per diem expenses end - Iowa Code Sec. 2.10(1)]

\*\*The March 5 and April 2 committee deadlines do not apply to Appropriations Bills, Ways and Means Bills, Government Oversight Bills, Legalizing Acts, Administrative Rules Review Committee Bills, Committee Bills related to delayed or suspended Administrative Rules [Iowa Code Sec. 17A.8(9)], Bills co-sponsored by Majority and Minority Leaders of one House, Conference Committee Reports, Companion Bills sponsored by the Majority Leaders of both Houses after consultation with the respective Minority Leaders, Concurrent or Simple Resolutions, and Joint Resolutions nullifying Administrative Rules.  
 Legislative Information Office: 07/26/2020

# Session Timetable

- Bill Request Deadlines
  - Departments
  - Governor
  - Legislators
  - Committee Chairs
  - Leadership
- Funnels
- General Assembly vs. Session
- Odd vs. Even years
- Sine Die

# Status of the State Budget

- FY 2018 Actual \$7.384 billion
- FY 2019 Actual \$7.859 billion
- FY 2020 May 2020 REC \$7.914 billion
- FY 2020 Actual \$7.931 billion (0.9% vs 2019 actual)
- FY 2021 May 2020 REC \$7.877 billion
- FY 2021 October REC \$7.912 billion (-0.2% vs 2020 or -\$19 million)
- FY 2022 October REC \$8.231 billion (4.0% vs 2021 or \$319 million)

**REC Meets Again December 11, 2020**

# Status of the State Budget

The REC predicts 4% growth vs 2021 which is \$319 million in new revenue. This amount is \$457 million more in revenue compared to the FY 2021 budget.

- Net Appropriations for FY 2020                      \$7,819.4 billion
- Net Appropriations for FY 2021                      \$7,773.5 billion

# Status of the State Budget

The state still has significant reserve funds in the following areas:

Cash Reserve Fund	\$587.9 million
Economic Emergency Fund	\$195.9 million
Taxpayer Relief Fund	\$105.9 million
<u>Ending Balance FY 2021</u>	<u>\$305.5 million</u>
<b>Total</b>	<b>\$1,195.2 billion</b>

# 2020 Legislative Session

## **Session Days**

- Date Convened – January 13
  - COVID-19 Recess – March 16
  - COVID-19 Return – June 3
- Date Adjourned – June 14

## **Session Bills**

- Bills Introduced
  - Senate Files: 448
  - House Files: 673
- Study Bill Introduced
  - Senate Study Bills: 204
  - House Study Bills: 213
- Amendments Filed
  - Senate 163
  - House 324
- Bills & Joint Resolutions - 20

# 2020 Macro Legislation

- Second Chance Legislation
  - Felon Voting Rights Amendment (Failed in Senate)
  - Changes to Licensing Prohibitions
  - Criminal Justice Reform (Expungements/Marijuana/Sealing Records)
  - Professional Licensing Reform
- Protecting Iowans most Vulnerable Populations
  - Financial Exploitation of Vulnerable Adults
  - Clarifying and Strengthening laws covering Elder Abuse/Dependent Adult Abuse, etc.
  - Stronger Laws and Protections for Victims of Domestic and/or Sexual Abuse
  - Animal Mistreatment Legislation
- Empower Rural Iowa
  - Extend Broadband
- Tax Reform

# 2020 Legislation that Passed

## **HF 2641 – Omnibus Tax Bill**

- Iowa Reinvestment Act – Division IX
  - Expands the definition of “municipality” to include a joint board or other legal entity between two or more contiguous counties. Previously the term was exclusive to city or county.
  - Allows IEDA to approve new districts for 5 years. 7.1.2020 to 7.1.2025.
  - Maximum size 75 acres
  - Total of \$100 million in sales tax and hotel motel tax diversions.
  - Extra 5 years can be added in certain circumstances to the 20-year max.
- Local Assessors – Division XIII
  - Requires local assessor appointments to be confirmed by the Department before the appointment is effective.
  - Prohibits a local assessor from personally assessing property the assessor or a member of the assessor’s immediate family owns.
  - Requires approval of the relevant city attorney or county attorney when a Conference Board employs special counsel to assist with litigation involving assessments.
- Short Term Rental Ordinance Limitations - Division XXV
  - Prohibits counties and cities from adopting or enforcing an ordinance that prohibits short-term rental properties.
  - The language also prohibits local restrictions related to distance separation requirements for single-family homes and duplexes and cities and counties are required to consider short-term rental properties as residential land for zoning purposes.
- Rural Improvement Zone – Division XXVI
  - Corrections for Lake Panorama. A RIZ can now be real estate adjacent to or abutting in part a lake.



# 2020 Legislation that Passed

## **SF 2400 – Empower Rural Iowa – Broadband Expansion**

- Expands eligibility to receive grant funds by allowing the adoption of geographic units of measure smaller than US Census Blocks to better target state funds to underserved areas
- Allows match awards of up to 35% of project cost if certain internet speed requirements are met
- Allows the Office of the Chief Information Officer flexibility to distribute federal COVID-19 aid to rapidly expand broadband service
- Grants up to 35% for total project (100/20)

# 2020 Legislation that Passed

## **SF 2300 – Exemptions from Disclosure at Time of Sales**

A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust. This exemption shall not apply to a transfer of real estate in which the fiduciary is a living natural person and was an occupant in possession of the real estate at any time within the twelve consecutive months immediately preceding the date of transfer.

# 2020 Legislation that Passed

## **SF 458 – Mechanic’s Liens, Sale of Homestead**

A homestead may be sold to satisfy debts of each of the following classes:

3. a. Those secured by a mechanic’s lien under chapter 572, including reasonable attorney fees as provided under section 572.32, subsection 1.
- b. Those incurred for work done or material furnished, including principal and interest on any note securing the purchase of such material, exclusively for the improvement of the homestead.

Statute previously was:

3. Those incurred for work done or material furnished exclusively for the improvement of the homestead.

# 2020 Legislation that Passed

## **HF 2481– Certificates of the Treasurer, validity**

f. A certificate of the treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with section 354.12. A certificate of the treasurer shall expire upon the next annual delivery of the tax list from the county auditor to the county treasurer pursuant to the procedures set forth in section 443.4. An expired certificate of the treasurer shall not be considered an acceptable document presented to the recorder for recording.

# 2020 Legislation that Passed

## HF 2627 – Professional Licensing Reform

- Creates a uniform standard of review for denial of licensure based on a person's conviction history.
  - Limits the crimes used to disqualify persons from holding a professional license and requires boards to develop lists of crimes that can be used to disqualify an applicant.
  - Requires the conviction to be related to the actions normally taken by someone in the profession.
  - Requires a board to grant an exception if an applicant shows rehabilitation by a clear and convincing evidence..
  - Allows a licensing board to grant a license to an out-of-state person who moves to Iowa if the person be licensed and in good standing in another state and can meet various other requirements.
- **Fees:** Requires the fee to be reduced by 50% for applicants with a household income under 200% of the FPL.

# 2020 Legislation that Passed

## HF 2627 – Professional Licensing Reform – part 2

### Miscellaneous other provisions:

- Allows the custodian or records to allow electronic examination of records in lieu of in-person examination in some circumstances. Does not apply to documents of title for performing title searches, real property searches, or creating real property abstracts.
- Allows the Elevator Board to set reduced fees for non-profits.
- Requires real estate appraisers to meet certain federal requirements for certification and allows qualifying hours from border states to be used.

### Covid Related Provisions:

- Includes requirements for various health boards to require the completion of some CE requirements by December 2020.
- Moves various expiration dates to December 31, 2020.
- Includes extension dates for various CE requirements.

# 2020 Legislation that Passed

## **HF 2512 - County Zoning.**

- **Agricultural Exemption:** Allows farmland and buildings to qualify for the exemption from local zoning either independently or in combination with other agricultural uses. Species that land in various conservation programs qualifies for the exemption. **Plans:** Requires supervisors to use the same procedures to amend a comprehensive plan as would be needed to adopt the plan originally. Prohibits supervisors from holding a public hearing on a recommendation from a county zoning commission unless the zoning commission has done a final report. Requires a public hearing before adopting a comprehensive plan. **Zoning Commission:** Establishes residency requirements for commission members. Signed by the Governor.

# 2020 Legislation that Passed

## **HF 2502 – Weapons Rules Preemption**

- Prohibits cities and counties requiring shooting ranges from complying with any conditions stricter than state law.
- Includes firearm attachments in the prohibition against local gun ordinances. Prohibits cities and counties from enacting ordinances, resolutions or other motions or policies regulating the storage of weapons and ammo and makes any such ordinances void.
- Allows cities and counties to prohibit weapons in a facility but only if the facility has screening and armed guards.
- Makes an order prohibiting weapons in a courthouse or joint facility unenforceable unless it applies only to a courtroom or court office.

## **SF 2195 – Commercial Elevator Exceptions**

- Establishes an exception in the elevator code to allow a building in a historic district have a non-complying elevator. Requires that the owner of the building own a commercial enterprise on the first floor, with no more than two stories above that where the owner lives and with sufficient barriers to keep anyone but the owner from operating the elevator.



# 2020 Legislation that Passed & Vetoed

## **HF 2556 – Division II – Sale of Real Property by Government Bodies**

- Disposition of real property under this subsection shall be made under a procedure whereby the real property shall be sold to the highest responsive, responsible bidder, unless the executive council, by at least a two-thirds vote, agrees to accept a different bidder for good cause, or agrees to proceed in a different manner.
- Opposed by:
  - Cities
  - Counties
  - School Boards
  - Professional Developers
  - Chambers of Commerce

# Legislation that Failed to Pass

## **SF 2368 – Federal Housing Vouchers**

- Bars cities and counties from passing ordinances that allow a landlord from refusing to accept federal housing vouchers. Voids any already adopted ordinances.

## **SF 2369 – Land Banks**

- The bill authorizes one or more municipalities to establish a land bank as a method to return dilapidated, abandoned, blighted, and tax-delinquent properties in their communities to economically productive status.

## **HSB 695– Iowa Department of Revenue Omnibus**

- Removes the filing process for commercial property to receive the business property tax credit
- Converts the current mechanism to fund the business property tax credit into a process similar to the commercial/industrial backfill
- Eliminates the classification of Multifamily Residential and places these properties into residential classification
- Accelerates the phase down of the Multifamily Residential rate to immediately match residential

# Issues to Watch for in 2021

- **Tax Reform**

- Governor's Invest In Iowa Act
  - 1 cent sales tax increase
  - 3/8 cent to water quality and conservation (Constitutional Amendment)
  - 5/8 cent towards tax relief
    - Mental health funding 70% from state and remainder on property taxes
    - Income tax cuts
    - Accelerate phase in of existing tax changes
- Elimination of or Changes to Tax Credits
  - Historical Preservation Tax Credit Changes
  - Brownfield/Gray Field Tax Credit Changes
  - Tax Increment Financing

- **Phaseout of the Backfill**

- **Rollback Changing Direction**

- **Workforce Housing**

- Focus moved from rural to urban areas.

# Questions????

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