

# Legislative Newsletter

March 6, 2020



Week 8 in the Legislature has passed, and to say it was a horrible week for local governments in relation to the control they have on their jurisdictions is an understatement.

**House File 2477** stops counties from requiring agricultural experiences (agro-tourism, impromptu large parties on agriculturally-zoned land, etc.) from obtaining a special use or similar permit in order to carry out such experience activities.

**House File 2512** was the second county zoning bill our lobbying team and county members tried to fight tooth and nail. This bill will require supervisors to use the same procedures to amend a comprehensive plan as would be needed to adopt the plan originally, and prohibits them from holding a public hearing on a recommendation from a county zoning commission unless the zoning commission has done a final report. Supervisors will also be required to hold a public hearing before adopting a comprehensive plan. Finally, it establishes residency requirements for commission members. We had county representatives meet with the Senate prior to the bill coming to floor to speak out in strong opposition to these provisions.

We are surprised to see these bills pass with such overwhelming bipartisan support in both chambers (HF 2477 passed the House 85-11 and passed the Senate 45-3; HF 2512 passed the House 66-29 and passed the Senate 37-11). The Governor is expected to sign both of these bills.

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**House File 2502:** This bill pertains to zoning buildings as gun free zones and if the local government chooses to make that designation, it must provide armed security in those buildings; the bill also affects cities' and counties' abilities to place requirements more stringent than state law on shooting ranges, but the problem is that state law is silent on where a local government can put a shooting range or the requirements that can be placed on them. The bill passed the House and is expected to pass the Senate. A subcommittee in the Senate passed it, but the Senate Judiciary committee has not taken it up yet.

Finally, the county supervisor pay bill (**House File 2518**) has been touch-and-go, as it was placed on the House debate calendar for Thursday. However, on that day, there were not enough votes in the House to pass it. Therefore, the bill has been deferred, meaning it can come up again in the next two weeks in order to beat the second legislative funnel deadline (March 20).

Also sent the to the Governor's desk:

**Senate File 583:** The private generators bill was returned to the Senate after the House adopted a strike-after amendment and other corrective amendments to the bill. The strike-after amendment authorizes net metering (inflow-outflow) billing for solar customers, with payments for inflow at retail rates and formulas to determine outflow rates. The bill allows existing net metering customers to keep their current net metering rate for the duration of the contract. It was passed out of the House unanimously and then sent to the Governor's desk in the same week.

**Senate File 2025:** This bill strikes the requirement that counties be adjacent in order to jointly hire a county engineer. This bill has now passed both chambers unanimously and has been set to Gov. Reynolds' desk.

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**Senate File 2196:** The cell tower siting repeal bill has been sent to the Governor following an 81-14 vote in the House.

**Senate File 2259:** This bill allows fire departments, EMS agencies and law enforcement agencies to donate used equipment to another organization, with included liability provisions.

## House floor action:

**House File 2565:** This bill shifts the control of state set-off procedures from the Department of Administrative Services to the Department of Revenue, effective January 2021. This bill passed unanimously and was sent to the Senate.

**House File 2486:** This bill strikes the requirement that a county seal include the word "Treasurer." This bill unanimously passed the House and was sent to the Senate and was a priority for affiliates for county government.

**House File 2528:** This bill allows the elected chief government executive, or designee, to enter into contracts in order to allow that person to request assistance in an emergency under the statewide mutual aid compact. The bill passed unanimously and was sent to the Senate.

**House File 2309** is the enforcing ordinance costs bill. Essentially, it requires a court to award attorney fees and costs to the party challenging the enforcement of an ordinance if that party prevails. This bill passed the House largely on party lines, 51-44, and now goes to the Senate.

**House File 2547:** The prisoner's medical expense bill received unanimous passage in the House and has been sent to the Senate, where our lobbying team expects it will be well-received, namely because the Senate companion bill (**Senate File 2191**)

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passed its own chamber 47-1 and was sent to the House, instead of a substitution being requested by either chamber.

In the Senate:

**Senate File 2188:** This bill allows the state to help fund hazard mitigation, if federal assistance is granted, without approval of state hazard mitigation funding. It limits such assistance to 10 percent of the amount granted by the federal government for eligible expenses. The state of Iowa can offer up to 50 percent of funding if the assistance is approved. The bill passed the Senate unanimously and goes to the House.

**Senate File 2368:** This bill would prohibit cities and counties from passing ordinances that allow a landlord from refusing to accept federal housing vouchers and voids already adopted ordinances. The bill passed largely along party lines, 30-17, and the bill was sent to the House.

Though most of the work in the General Assembly during the week was debates, committee blocks still met to deliberate on bills that survived the first funnel.

The House Ways & Means Committee unanimously passed **House File 2434**, the EMS taxes bill. This bill requires a county to declare that EMS is an essential service before adopting levies to pay for such services.

**House File 2221:** Requires that one member of a local board of health be a physician or a physician assistant, ARNP or advanced practice nurse, instead of requiring that one member be a physician. The bill passed committee unanimously.

**House File 2222:** This bill requiring the Department of Human Services to study mental health services in the state and determine if the state should seek a federal waiver

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for reimbursement for services to Medicaid-eligible persons in institutions for mental diseases unanimously passed the Senate Human Resources Committee.

## Renumbered Bills:

House Study Bill 551 is now **House File 2592**. This is the fire and police retirement benefits bill. Our lobbying team is working with the League of Cities to slow this bill down.

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