

Iowa Legislative Report
Iowa State Police Association
89th General Assembly, 2021 Session
Week 12: April 2, 2021
Fitzgerald, Smith & Associates, Lobbyists

The last few weeks have been slow with updates on bill progress as we have been working on our priority bills behind the scenes. There are a lot of moving parts in both chambers, and it takes some time to work out the details. Both chambers know the priorities of ISPA but sometimes they envision different ways of getting to the finish line. We have been working to unite those visions between the House and the Senate over the past few weeks and feel like progress is being made.

Today was the end of the second legislative funnel. All bills must have passed out of one chamber and made it through committee in the other to remain eligible for consideration (Appropriation and Ways & Means bills are not subject to funnel deadlines). This weeds out bills with lower levels of support allowing the legislature to focus on priority legislation. While you would think this helps simplify the process as we have fewer bills to track but that is not necessarily the case. Sometimes a bill will die in one chamber with the intent to amend the same language onto a similar bill in the other chamber. This means we may have a bill we are tracking that is effectively dead through funnel but actually alive and well in the opposite chamber.

The 411 Benefits bill passed the House chamber and passed out of the full Senate committee thus surviving the funnel deadline. This is good news as we have progressed farther than last session which was cut short due to Covid-19. This does not mean it bill will pass the Senate in its current version. As we assumed, the Senate has a few different ideas on how the final bill will look and we are exploring those ideas. We may have to negotiate some sections in the bill to secure passage in the Senate, but we do not want to lose the integrity of the current language. This is an important priority of ISPA and we want those priorities to be reflected in the final bill when it goes to the Governor's desk for signature.

Our Back the Blue bill has seen a somewhat more complicated path through the second funnel. As we have discussed previously, the Governor laid out her plan in Senate Study Bill 1140. The House met with various law enforcement groups and put together their own version of this legislation in House File 791. HF 791 died in the second funnel although we are currently working to amend many parts of this bill into Senate File 476. This senate file is the new “vehicle” for amending ISPA’s priority “Back the Blue” language. We have a lot of work left to do on this bill before it will be ready to go to the Governor’s desk for signature. As is the case with other priority issues, we may have to negotiate but do not want to give up the original intent of our language.

We are starting to see signs of the 2021 session winding down. Budget talks are fully underway and final policy bills are being prioritized by the leadership in both chambers. We will continue to work on finalizing the language in our bills and push for passage. We ask you to continue to advocate our priorities as well in your local communities during legislative updates and forums. Legislators need to know the positive impacts these pieces of legislations will have on local law enforcement officers in their districts.

As we move through the 2021 legislative session, please feel free to contact us if you would like additional information on a specific bill or any other questions you may have.

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Name	Bill Number	Sponsor	Title	Bill Status	ISPA Position
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<p>Brady List Study</p>	<p><u>SF 342</u></p>	<p>Zaun (R)</p>	<p>Prohibits disciplining officers based on the inclusion on a Brady list, but allows discipline for the underlying actions. Defines such a list (a list by the county attorney of officers who may have impeached themselves during testimony or failed to turn over evidence). Establishes an interim study on the disclosure of officer personnel files related to a Brady list and to study implementing such a list statewide, to identify impartial entities to conduct investigations and for other matters. Sets the membership and reporting requirements. Includes police and other law enforcement officers, fire fighters, EMS workers, correction officers and others. Sets the membership and reporting requirements.</p>	<p>Passed Senate Floor (HF 698) Passed on File</p>	<p>Undecided</p>
<p>HumanTrafficking Offenses</p>	<p><u>HF 452</u></p>	<p>Jones (R)</p>	<p>Licenses: Requires a license massage therapist or cosmologist to show a copy of a valid license and a government ID when requested by a peace officer to do so. Makes it a serious misdemeanor for an unlicensed person to use a massage therapist or cosmologist title. Human Trafficking: Makes it an aggravated misdemeanor to supply a person with a fraudulent license or ID and a Class D felony if the person using the credentials is under 18. Deems these offenses to be human trafficking. Prohibits persons convicted for these offenses from being a licensed massage therapist or cosmologist for five years. Makes it a class D felony for a person to knowingly rent property for human trafficking use. Establishes an affirmative defense if the person notifies law enforcement on gaining knowledge of the situation</p>	<p>Passed House Floor Senate-Placed on Unfinished Buisness</p>	<p>Undecided</p>

			and cooperates with law enforcement. Allows a court to order restorative expenses for a human trafficking victim for up to 10 years. Deems such expenses to be non-dischargeable in bankruptcy		
Emergency Vehical Lights	<u>SF 331</u>	Cournoyer (R)	Allows emergency vehicles to be fitted with a variety of lighting devices and colors. Prohibits towing trucks from having red and blue lights and a siren.	Passed Senate Committee Substituted for HF 654	Support
Emergency Vehical Use	<u>SF 333</u>	<u>Cournoyer (R)</u>	Allows the driver of an emergency vehicle disobey certain traffic laws in the pursuit of a perpetrator who has committed a misdemeanor. Allows drivers of fire and EMS vehicles, and police officers on bikes, to go through red lights or stop signs without stopping. Allows an ambulance to transport a patient at speeds over the speed limit without using a siren or lights in specific circumstances. Authorizes certain pursuit techniques by police. Includes provisions on parades and funeral processions. Includes provisions on the use of air horns and on authorizing emergency vehicles. Includes immunity provisions. Effective on enactment.	Passed Senate (HF 721) Passed on File	Support

411 Benefits	HF 797	Kaufmann (R)	Defines an ordinary disability beneficiary as a member retired for less than five years. Makes other definitions. Accidental benefits: Allows an ordinary disability beneficiary to apply for an accidental disability benefit. Includes provisions on determination of payouts. Makes a person who is otherwise eligible for disability benefits ineligible if the person is fired for certain reasons. Rates: Increases the employee contribution to 9.55%. Hospitalization: Requires cities to continue to offer hospitalization and medical benefits for injuries received on duty to members who are receiving disability benefits. Exempts the member from various costs. Requires actions to require the city to pay to begin with two of the date the city denied a claim. Disease: Requires a fire fighter or police officer to be granted a leave without loss of pay if the person has been exposed to an infectious disease.	Passed House Passed Senate Committee	Support
Public Safety Equipment	HF 708	Worthan(R)	Establishes a Public Safety Equipment Fund. Includes reporting requirements for how DPS uses the funds to purchase equipment. Requires treasurers to ask persons renewing their vehicle registration if the person wants to contribute to the fund. Allows the treasurer to keep 5% of the donations. Effective January 2022.	Passed House (SF 489) Unfinished Business	Undecided
Distracted Driving	HF 380	Gerhold (R)	Requires that driver's education classes include provisions on distracted driving.	Passed House (SF 317) Unfinished Business	Support
Distracted Driving	SF 317	Lofgren (R)	Requires that driver's education classes include provisions on distracted driving.	Passed Senate Committee (HF 380) Passed on file	Support

Cold Case Unit	HF 312	Wheeler (R)	Establishes a cold case investigation unit in the DPS. Requires the Public Safety Commissioner to appoint two members to the unit. Charges the unit with investigating unsolved murders and missing person cases.	Passed House Committee (SF 561) Assigned to Appropriations	Undecided
Officer Discipline	HF 698	Andrews (R)	Prohibits disciplining officers solely due to a prosecutor determining exculpatory evidence exists in regards to the officer. Allows a law enforcement agency to discipline an officer to actions that resulted in the withholding of exculpatory evidence. Requires actions by the law enforcement agency to conform to any CBA. Repealed as of July 2022.	Passed Committee (SF 342) Unfinished Business	Undecided
Qualified Ammunity	SF 476	Cournoyer (R)	An Act relating to qualified immunity of law enforcement officers, the peace officer, public safety, and emergency personnel bill of rights, and protected information of law enforcement officers and state or federal judicial officers and prosecutors.	Passed Senate Floor Passed House Committee	Undecided
Emergency Vehical Use	HF 721	Worthan(R)	Allows the driver of an emergency vehicle disobey certain traffic laws in the pursuit of a perpetrator who has committed a misdemeanor. Allows drivers of fire and EMS vehicles, and police officers on bikes, to go through red lights or stop signs without stopping. Allows an ambulance to transport a patient at speeds over the speed limit without using a siren or lights in specific circumstances. Authorizes certain pursuit techniques by police. Includes provisions on parades and funeral processions. Includes provisions on the use of air horns and on authorizing emergency vehicles. Includes immunity provisions. Effective on enactment.	Passed on File (SF 333 Companion)	Support

Emergency Vehical Lights	<u>HF 654</u>	Maxwell (R)	Allows emergency vehicles to be fitted with a variety of lighting devices and colors. Prohibits towing trucks from having red and blue lights and a siren.	Placed on Unfinished Business (SF 331 Companion)	Support
Public Saftey Equipment	<u>SF 489</u>	Cournoyer (R)	Establishes a Public Safety Equipment Fund. Includes reporting requirements for how DPS uses the funds to purchase equipment. Requires treasurers to ask persons renewing their vehicle registration if the person wants to contribute to the fund. Allows the treasurer to keep 5% of the donations. Effective January 2022.	Placed on Unfinished Business (HF 708 Companion)	Undecided
Cold Case Unit	<u>SF 561</u>	J. Taylor (R)	Establishes a cold case investigation unit in the DPS. Requires the Public Safety Commissioner to appoint two members to the unit. Charges the unit with investigating unsolved murders and missing person cases.	Placed on Unfinished business (HF 312 Companion)	Undecided