

Iowa Legislative Report
Iowa State Police Association
89th General Assembly, 2021 Session
Week 1: January 17,2021
Fitzgerald, Smith & Associates, Lobbyists

The legislature convened for the 89th General Assembly last Monday, welcoming 26 newly elected lawmakers to the statehouse. With Republicans maintaining their majority in the Senate and expanding it in the House, the GOP will continue driving the state's policy agenda for the next two years. In his opening remarks, House Speaker Pat Grassley (R New Hartford) said "disciplined budgeting," affordable childcare, addressing the public assistance wage cliff, and bringing students back to the classroom were among his caucus's top priorities this year. Senate Majority Leader Jack Whitver (R-Ankeny) said Republicans in that chamber would focus on cutting taxes, conservative budgeting, and ensuring schools returned to in-person learning. Both House Democratic Leader Todd Prichard (D-Charles City) and Senate Democratic Leader Zach Wahls (D-Coralville) called on lawmakers to aggressively fund COVID-19 relief for Iowans.

Although not mentioned directly in the leadership's remarks, law enforcement issues will also be a priority of both chambers. The 411 bill (HSB 54) has been introduced in the Iowa House. This bill passed the House last year with nearly unanimous support. It stalled in the Senate after the Covid-19 shutdown and was never debated on the floor. We expect similar support in the House again this session and are working the Senate to bring more supporters on board.

Another bill that has yet to be drafted is the Governor's "Back the Blue" legislation. She discussed this proposal at the Condition of the State speech laying out the basic concepts. While initially we see things that we can support, there are other areas that may cause some concern. We are currently discussing these issues with key legislators while we wait for the language to be drafted.

We are also monitoring other bills that impact law enforcement that you can review on the bill tracker spreadsheet. This list is updated weekly as to the bill's status in the law making process. 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.

Jeff Smith
jeff.g.smith@outlook.com
712-320-2679

Maggie Smith-Fitzgerald
maggiesmithfitz@outlook.com
515-314-3335

Matt Fitzgerald
Mdfitz7575@gmail.com
515-313-5874

Jerry Fitzgerald
fitz1941@gmail.com

Name	Bill Number	Sponsor	Title
Brady List Study	SF 6	Zaun (R)	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.
Carrying on School Grounds	SF 30	Dawson (R)	Allows a peace officer or reserve peace officer, whether certified or not, and federal peace officers whose duties include carrying a gun, to carry a gun on school grounds, whether the officer is in performance of official duties or not.
HumanTrafficking Offenses	HSB 34	Jones (R)	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 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	SF 71	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.

Emergency Vehical Use	SF 72	<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.
411 Benefits	HSB 54	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.
Public Saftey Equipment	HSB 72	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.
Distracted Driving	SF 98	Lofgren (R)	Requires that driver’s education classes include provisions on distracted driving.
State Patrole Surcharge	SF 101	ShipleY (R)	Establishes a \$2 surcharge for vehicle and trailer registration to be used by the State Patrol for equipment, vehicles and training related to highway operations.
Cold Case Unit	HF 63	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.
Electronic Device Use	HF 75	A Meyer (R)	Prohibits any use of an electronic communications device while driving. Includes exemptions for hands-free devices and public safety/health/emergency workers. Requires that warning citations be issued until January 2022. Raises the fines for violations. Makes corresponding changes in other traffic/criminal offenses.

Electronic Device Use	SF 46	Lofgren (R) Whiting (R)	Prohibits any use of an electronic communications device while driving. Includes exemptions for hands-free devices and public safety/health/emergency workers. Requires that warning citations be issued until January 2022. Raises the fines for violations. Makes corresponding changes in other traffic/criminal offenses.
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