

Iowa Legislative Report
Iowa State Police Association
89th General Assembly, 2021 Session
Week 8: March 5, 2021
Fitzgerald, Smith & Associates, Lobbyists

The first Legislative funnel is now in the books and the table is now reset. The bills that passed out of committee in either chamber are still alive and may proceed forward to floor debate and subsequent action in the other chambers. We now enter the second phase of the legislative process aptly named the “second funnel”. Bills now must pass out of one chamber and through the full committee of the other chamber to remain eligible for the rest of session. This deadline is set for April 2nd. As we have discussed before, this process forces Legislators to prioritize the bills that move forward as there simply is not enough time to move all bills that were drafted. The second funnel obviously has fewer bills to address but we also are entering the time of session where appropriation and tax bills start to move so time is still an issue.

So, what does all this mean for ISPA moving forward? The good news is our 411 and Back the Blue priorities both survived funnel week and are live rounds moving forward. Also, the Governors “Back the Blue” bill initiated in the Senate did not survive funnel although a version did make it out of committee that eliminates the racial profiling language. This leaves the House bill (which includes many of our priorities) as the lead bill moving forward likely integrating some of the Senates language as we work through the process.

Both bills will likely have amendments drafted from both parties. Some will be technical in nature while others will be substantive. The goal will be to keep the integrity of each bill intact while allowing the technical corrections to be added.

Representative Klein (R-Washington) is the floor manager of the Back the Blue bill (HF 791). We have had multiple meetings regarding ISPA priorities and he has been incredibly supportive. As this bill is expansive, I will not go into details of each section. Rather, we have added a document on Dropbox which provides a section by section break down of what the bill does. Please refer to this and contact us if you have any questions.

The 411 bill (HF 797) was also renumbered this week. A change was made eliminating the infectious disease language which was an issue with the cities. Rather than amending, a new bill was drafted in its place. We still believe we are on track for House floor debate and subsequent passage. We continue to work the Senate and seem to be gaining support. The change made to the House bill will likely make our case stronger in the Senate.

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
Brady List Study	SF 342	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	Passed Senate Floor (HF 698) Passed on File	Undecided

			others. Sets the membership and reporting requirements.		
HumanTrafficking Offenses	HF 452	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	Passed House Floor Senate-Placed on Unfinished Business	Undecided

Emergency Vehical Lights	SF 331	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	SF 333	<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	Passed House Passed Senate Committee	Support

			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 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	HF 654	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

<p>Public Safety Equipment</p>	<p><u>SF 489</u></p>	<p>Cournoyer (R)</p>	<p>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.</p>	<p>Placed on Unfinished Business (HF 708 Companion)</p>	<p>Undecided</p>
<p>Cold Case Unit</p>	<p><u>SF 561</u></p>	<p>J. Taylor (R)</p>	<p>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.</p>	<p>Placed on Unfinished business (HF 312 Companion)</p>	<p>Undecided</p>