

Legislative Update

Issue No. 07-24, 02/16/2024



Senators advance PFAS prohibition bill out of a subcommittee Wednesday. (Photo by the Capitol Group)

First Session Deadline Arrives

Today, Friday, February 16, is the so-called “First Funnel,” the day by which policy bills must be approved by one committee in the bill’s chamber or origin to remain eligible for continued consideration.

This day is the first procedural hurdle of the 2024 Session of the Iowa Legislature, with the next procedural milestone coming on March 15th.

The mid-March date is the day by which a policy bill must be approved by at least one committee in the chamber not of its origin.

Please see the Bills of Interest List below to view the legislative proposals which remain eligible for further consideration.

PFAS Prohibition Bill Approved By Subcommittee

A Senate subcommittee Wednesday gave its approval to a bill, Senate File 2229, that would prohibit the purchase of fire fighting foam that contains PFAS.

The IPAA was joined by the American Chemistry Council in opposing the bill which would ban the purchases on January 1, 2026.

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Despite being approved by the subcommittee, the bill was not considered by that chamber's State Government Committee.

We can be confident that the bill will be reintroduced in the 2025 Iowa Legislative Session.

IPAA Legislative Reception Set For March 20

The Annual IPAA Legislative Reception will take place the evening of Wednesday, March 20 at the downtown Des Moines offices of Bolton and Menk, located at 430 East Grand Avenue.

The reception will begin at 5:00pm and conclude at 7:00pm.

Please make plans now to attend this great event.

Bills of Interest

(HF - House File, HSB - House Study Bill, SF - Senate File, SSB - Senate Study Bill)

(F - For, A - Against, M - Undecided/monitoring)

Bill numbers that are ~~struck through~~ were not approved by a standing committee in their chamber of origin and as a result are no longer eligible for further consideration this legislative session. Remember, bills in the Ways and Means or Appropriations committees are not governed by the procedural rules for policy proposals.

SF 2289 (formerly SSB 3109) - State Energy Emergencies (M) - The bill grants the Governor sole power to issue a proclamation that an actual acute shortage of usable energy has occurred or is imminent based upon the energy security plan of the state developed in the bill, or allows the governor to base the proclamation in response to a declaration of severe energy supply interruption by the president of the United States under the federal Emergency Energy Conservation Act of 1979, as amended.

The bill allows the Governor to create a state energy reserve. The Governor may release any or all of the fuel required to be reserved by a supplier to end-users or to distributors for release through normal retail distribution channels. However, the specified fraction required to be reserved shall not exceed three percent for propane, aviation fuel, and residual fuel oil, and five percent for motor gasoline, heating oil, and diesel oil. The bill authorizes the creation of an energy security plan. The bill requires the energy security plan to include but is not limited to a description of circumstances that may lead to an actual or impending acute shortage of energy, including liquid fossil fuels, and action plans to be taken by relevant state agencies if a disaster emergency proclamation relating to energy is issued by the Governor.

On Senate debate calendar

SF 2266 (formerly SF 2070) - Aircraft Registration Fee Hike (M) - This bill increases the annual aircraft registration fee for the first year from 1 percent to 1.5 percent. Each year thereafter, the fee is reduced by .375 percent of the manufacturer's list price of the aircraft until the fee is set at .375 percent for the fourth and subsequent years. The minimum registration fee is increased to \$100 and the maximum fee is increased to \$7,000. Additionally, the bill appropriates 4.5 percent of monies deposited into the fund as a result of annual aircraft registration fees and special certificates to the DOT to award grants for commercial service airport vertical infrastructure projects, and 1.5 percent of such monies to the DOT to award grants for general aviation airport vertical infrastructure projects.

Referred to the Ways and Means Committee

~~SF 2229 – PFAS Foam Purchase Prohibition (M)~~ - This bill prohibits a political subdivision from purchasing or acquiring, on or after January 1, 2026, a fire fighting or fire-suppressing foam to which perfluoroalkyl and polyfluoroalkyl substances have been intentionally added.

Approved by subcommittee

SF 2183 (formerly SSB 3003) - Cell Tower Siting Act Extension (F) - The Iowa cell siting Act regulates the placement of wireless facilities and associated infrastructure. Current law repeals the Act on July 1, 2025. This bill extends the future repeal date of the Act to July 1, 2035.

On Senate debate calendar

SF 2133 - Vertical Infrastructure Revolving Fund (F) - This bill creates a jobs and infrastructure revolving fund and program administered by the Iowa finance authority. The fund is created within the state treasury under the control of the authority for the purpose of providing financial assistance to government subdivisions for vertical infrastructure projects. “Vertical infrastructure” is defined in the bill as land acquisition and construction, major renovation and major repair of buildings, all appurtenant structures, utilities, site development, and recreational trails. “Vertical infrastructure” does not include routine, recurring maintenance or operational expenses or leasing of a building, appurtenant structure, or utility without a lease-purchase agreement.

Beginning July 1, 2023 and ending on July 1, 2030, 75 percent of the interest accumulated on monies in the general fund of the state for the fiscal year will be deposited in the fund.

Approved by committee (awaiting a new number)

~~SF 2033 – PFAS Notification For Firefighter PPE (M)~~ - This bill requires any person, including a manufacturer, that sells firefighter personal protective equipment to provide a written notice to the purchaser at the time of sale if the equipment contains intentionally added perfluoroalkyl or polyfluorinated substances.

Subcommittee: Webster, Bisignano, and Brown.

~~SF 411 – City or County Energy Source Mandates (M)~~ - This bill prohibits a county or city from adopting an ordinance, motion, resolution, or amendment that limits consumer access to an energy source or that results in the de facto prohibition of the sale or production of an energy source or the related infrastructure necessary to provide consumer access to a specific energy source within the jurisdiction of the county or city. The bill includes aviation fuel.

Subcommittee did not act on the bill

HF 2450 (formerly HSB 622) - State Energy Emergencies (M) - The bill grants the Governor sole power to issue a proclamation that an actual acute shortage of usable energy has occurred or is imminent based upon the energy security plan of the state developed in the bill, or allows the governor to base the proclamation in response to a declaration of severe energy supply interruption by the president of the United States under the federal Emergency Energy Conservation Act of 1979, as amended.

The bill allows the Governor to create a state energy reserve. The Governor may release any or all of the fuel required to be reserved by a supplier to end-users or to distributors for release through normal retail distribution channels. However, the specified fraction required to be reserved shall not exceed three percent for propane, aviation fuel, and residual fuel oil, and five percent for motor gasoline, heating oil, and diesel oil.

The bill authorizes the creation of an energy security plan. The bill requires the energy security plan to include but is not limited to a description of circumstances that may lead to an actual or impending acute shortage of energy, including liquid fossil fuels, and action plans to be taken by relevant state agencies if a disaster emergency proclamation relating to energy is issued by the Governor.

HF 2365 (formerly HF 2180) - UAVs For Wounded Deer Retrieval (M) - This bill allows a person with a valid deer hunting license who wounds a deer while hunting to use a registered unmanned aerial vehicle to track and retrieve the wounded deer. The person may dispatch the deer using a legal method of take authorized by

the person's valid deer hunting license. The bill provides that a person may use a registered unmanned aerial vehicle to track a wounded deer on private property at any time with the consent of the property owner.

On House debate calendar

HF 2175 (formerly HSB 558) - Cell Tower Siting Act Extension (F) - The Iowa cell siting Act regulates the placement of wireless facilities and associated infrastructure. Current law repeals the Act on July 1, 2025. This bill extends the future repeal date of the Act to July 1, 2035.

On House debate calendar

HF 572 - UAVs Over Farms (A) - This bill prohibits the use of remotely piloted aircraft (RPA) flying over a homestead or that part of a farmstead where agricultural animals are kept. The bill also attempts to give the state of Iowa the ability to regulate navigable airspace.

Approved by committee (awaiting a new number)

HSB 704 - Government UAVs (M) - This bill requires that government agencies only use a drone that meets minimum security requirements unless the government agency uses the drone for research and accountability purposes and notifies the Department of Homeland Security and Emergency Management in writing.

Approved by committee (awaiting a new number)