

# Legislative Update

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Issue No. 23-15, 4/14/2023

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The subcommittee assigned to HSB 241, a bill to restrict customer facility charges, meets. (Photo by The Capitol Group)

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## Airport Car Rental Fee Bill Advances

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The bill to severely restrict the use of car rental customer facility charges (CFC) at Iowa's airports has been approved by a House subcommittee, on a 2 to 1 vote, and now awaits consideration by the full House Ways and Means Committee.

House Study Bill 241, backed by Enterprise Holdings, would require that the customer facility charge (CFC) be used only for financing, designing, constructing, operating, maintaining, acquiring, or otherwise improving the consolidated vehicle rental facilities and common-use transportation systems used to transport customers between consolidated vehicle rental facilities and other airport facilities, including necessary equipment, vehicles, and facilities for such systems.

The bill then prohibits customer facility charge monies from being used for airport terminal expansion, gate expansion, runway expansion, or for any other purpose not authorized under the bill.

Representatives for Enterprise told the subcommittee that their proposal stems from a disagreement with a single airport and a change made by the airport and that city back in January.

They also stated that "all the other" car rental companies agree with their legislative proposal.

The IPAA strongly suggested that if there is some sort of legitimate disagreement, the best and most  
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prudent course of action would be working directly with the airport, and not using the Legislature as the place to air grievances.

The IPAA continues to actively oppose this effort to force a “solution in search of a problem” onto Iowa’s commercial service airports.

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## House Budget Proposals Expected Very Soon

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The House of Representatives is expected to unveil its spending plans for the 2024 fiscal year in the very near future.

These bills (natural resources, agriculture, health and human services, justice systems, etc.) use state general fund monies for projects and programs.

The Infrastructure Appropriations bill, which utilizes non-general fund dollars for programs and projects, will likely again be the final budget bill developed and not be seen, even in draft form, for some time.

As soon as budget bills are made public, we will provide you an update.

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## Bills of Interest

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(HF - House File, HSB - House Study Bill, SF - Senate File, SSB - Senate Study Bill)  
(F - For, A - Against, U - Undecided/monitoring)

SF 546 - Public Notices (U) - The bill requires the Secretary of State or the Secretary of State’s designee to create an online portal on which a public posting entity (defined in the bill to include the State of Iowa, an Iowa county, an Iowa city, an Iowa public school district, or an Iowa private or public agency in Code chapter 28E), must post all statutorily required public notices, rather than in a local newspaper.

The online portal would be searchable based on county, city, school district, and type of public notice. The bill requires the Secretary of State to collect a fee of \$5 from a public posting entity for each notice posted by the entity and to deposit money collected pursuant to the bill in the business administration fund.

Approved by the Ways and Means Committee. On Senate debate calendar

SF 520 (formerly SF 369) - 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.

On Senate debate calendar

SF 411 (formerly SSB 1085) - City and County Engine Energy Rules Preemption (U) - This bill prohibits a county or city from adopting an ordinance, motion, resolution, or amendment that limits consumer access to an energy source to power an engine 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 specifically includes “aviation fuel” in the list of energy sources enumerated in the bill.

Approved by the Senate 41-6. On the House debate calendar.

SF 329 - Definition of a “Day” for Civil Air Patrol, etc. (U) - This bill allows a civil employee of the state to only take one day of required leave if the employee is absent (due to state active duty, national guard duty, federal

active duty, civil air patrol duty, or national disaster medical system duty,) for a workday that encompasses a continuous period of up to 24 consecutive hours, regardless of whether the workday extends into one or two calendar days.

Approved by the Senate 49-0. On the House debate calendar.

SF 203 (formerly SSB 1072) - Ransomware (F) - The bill defines “ransomware,” and provides that a person shall not use ransomware with the intent to cause the malfunction or interruption of the operation of, or alter, damage, or destroy, all or any part of a computer, computer network, computer control language, computer software, computer system, computer service, or computer data.

The bill also provides that a person who has suffered a specific and direct injury because of a violation of the bill may bring a civil action in a court of competent jurisdiction, and the court may award actual damages, reasonable attorney fees, and court costs. A conviction for an offense under the bill is not a prerequisite for the filing of a civil action.

On Senate debate calendar

HF 572 (formerly HF 388) - 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 amendment to the bill included a provision that extends the proposed state airspace regulation to any altitude.

Amended and approved by the House 87-10.

HF 143 (formerly HSB 13) - Ransomware (F) - The bill defines “ransomware,” and provides that a person shall not use ransomware with the intent to cause the malfunction or interruption of the operation of, or alter, damage, or destroy, all or any part of a computer, computer network, computer control language, computer software, computer system, computer service, or computer data.

The bill also provides that a person who has suffered a specific and direct injury because of a violation of the bill may bring a civil action in a court of competent jurisdiction, and the court may award actual damages, reasonable attorney fees, and court costs. A conviction for an offense under the bill is not a prerequisite for the filing of a civil action.

Approved by the House 97 to 1.

HSB 241 - Airport Car Rental Facility Charges (A) - Under the bill, an aviation authority, airport commission, municipality, or other entity that operates an airport is authorized to require a rental vehicle business to impose a customer facility charge, as defined by the bill. The charge is paid by a customer who rents a vehicle at the airport.

The bill requires a charge to be listed as a separate line item on all vehicle rental agreements transacted at the airport. The charge must be uniformly calculated based either on a per-agreement or per-agreement-day basis at the discretion of the aviation authority, airport commission, municipality, or other entity that operates the airport. An entity that operates an airport is required to provide notice of any changes to the charge, including but not limited to the amount and calculation method, to every rental vehicle business not less than 30 days prior to the change taking effect.

The charge must be used only for financing, designing, constructing, operating, maintaining, acquiring, or otherwise improving the consolidated vehicle rental facilities and common-use transportation systems used to transport customers between consolidated vehicle rental facilities and other airport facilities, including necessary equipment, vehicles, and facilities for such systems. The bill prohibits customer facility charge monies from being used for airport terminal expansion, gate expansion, runway expansion, or for any other purpose not authorized under the bill.

Approved by subcommittee