

## ICADV STATE LEGISLATIVE SUMMARY 2023

The 2023 session of the 90<sup>th</sup> General Assembly adjourned May 4 with a long list of policies considered or signed into law that we believe will leave many lowans and survivors worse off. SF 494 making it harder to access SNAP food assistance and Medicaid received national attention for its cruelty. The bill spends millions to implement unnecessary changes to address a fraud problem that doesn't exist and pays for it by ensuring eligible families lose benefits. If signed into law this bill will keep many IPV victims from applying for SNAP. The ugliest and most numerous policy debates centered on harmful bills contradicting public health and violence prevention policy and inviting discrimination against LGBTQ school children. Many have been signed or are waiting to be signed into law.

There were things to celebrate. A dangerous gun bill expanding the ability to have guns in schools, at work, and in casinos failed to advance. And despite our disappointment at not being able to secure an increase in victim services funding or getting our two priority housing bills over the finish line- thanks to your outreach, advocacy efforts paid off and provide hope for next year. Legislators do care about crime victims – but persistent education and outreach is needed to help more of them understand the value of your life-saving work and how policies they consider impact your work and communities. Reasonable minds can disagree- several bills advanced that increase criminal penalties for violent crime and we generally do not believe these are effective at deterring violence. However too many policies advanced that totally miss the mark and are not what 'supporting victims or preventing violence' looks like. Still, the significant number of new legislators provides an incredible opportunity to expand understanding among policymakers new and old- and continuing to build relationships offers our collective best chance at advancing policies that improve the well-being of survivors and communities.

**Victim Services – \$5 million State Funding:** [SF 562](#), the Justice System Appropriations bill which included \$5 million in state funding for victim services- same as last year- will be sent to Governor Reynolds, and she will sign (or veto) within 30 days. During Senate consideration, Senator Todd Taylor (D-40), offered our request for \$10 million as an amendment but it failed 16-32. In the House, Rep. Bagniewski's (D-35) amendment to ensure victim compensation payments can cover emergency contraception for rape victims undergoing a forensic exam failed as did an amendment to address the opioid crisis. However, Rep. Lohse (R-45), Chair of Justice System budget subcommittee and Rep. Wilburn (D-50), ranking member, both made supportive comments acknowledging the importance of supporting your work.

**Housing Access bills earn broad bi-partisan support:** The House unanimously approved [HF 547](#) allowing Early Lease Termination for victims of violent crime 94-0 and [HF 548](#) allowing expungement of certain eviction records 95-0 before both bills hit a wall in the Senate. However, this was the first time the Early Lease Termination bill made it to the floor for a vote and the first time both bills were introduced and approved by Senate subcommittees.

Following this select list of bills signed or waiting to be signed into law is a comprehensive list of select bills ICADV tracked this session. Check out all-inclusive summaries from the Des Moines [Register](#) and the Iowa Capitol [Dispatch](#) for information on other policies considered and enacted including a dangerous child labor law, massive government reorganization, property tax reform, private school vouchers, and medical malpractice and trucking liability laws that limit payments to those harmed. Thank you for always showing why it matters to 'just keep swimming...'

## **BILLS SIGNED OR WAITING TO BE SIGNED INTO LAW (select list)**

**SNAP/public benefits eligibility:** [SF 494](#) new asset test for SNAP and burdensome eligibility requirements for benefits; sent to Governor. *(ICADV opposed)*

**Transgender Bathroom Restriction:** [SF 482](#) prohibits individuals from entering school restrooms or locker rooms matching their gender identity; signed into law March 22, 2023. *(ICADV opposed)*

**Prohibition on gender-affirming care for minors:** [SF 538](#) bans all forms of gender affirming care for individuals under age 18; signed into law March 22, 2023. *(ICADV opposed)*

**Schools – restricts LGBTQ instruction, bans library books:** [SF 496](#) prohibits instruction on gender ID and sexual orientation; removes curriculum requirement to include HIV and HPV; bans books depicting sex acts from school libraries; requires employees to tell parents if student expresses gender ID different from birth certificate; parental consent for health surveys; sent to Governor. *(ICADV opposed)*

**Enhanced penalty for domestic abuse:** [HF 112](#) eliminates provision in current law that allowed domestic abuse to be charged as a first offense if there were no previous offenses in previous 12 years (eliminates DV lookback provision), i.e., enhanced penalty for new offense after 12 years; sent to Governor. *(ICADV monitored)*

**Human trafficking task force:** SF 545 establishes **human trafficking task force**- this will become law as a provision in Justice System Budget. *(ICADV supported)*

**Enhanced penalties for human trafficking:** HF 630 enhanced penalties for **human trafficking**; sent to Governor. *(ICADV monitored)*

**Rules of criminal procedure:** impacts depositions, defense subpoenas (not in this bill but means the new ones approved by task force stand), conditional guilty pleas, prosecution witnesses who are minors; sent to Governor. *(ICADV monitored)*

**Enhanced penalties for stalking w technological device:** SF 84 – enhanced penalties for sexual exploitation of a minor; enhanced penalties for stalking with technological device: for folks under a protective order or criminal no contact order; stalking with a dangerous weapon; and stalking of a minor; sent to Governor. *(ICADV monitored)*

**Enhanced penalties assault on pregnant woman.** HF 570 signed into law April 27, 2023. *(ICADV monitored)*

## ICADV BILL TRACKER (select bills list)

The following is a select list of bills ICADV tracked during the 2023 state legislative session. We monitored 70+ bills and highlights below are related to legislative priorities or bills impacting victims or service provider capacity to support victims. Descriptions indicate the latest legislative action, i.e., how far the bill advanced in the legislative process. Since this is the first year of the two-year session many bills failing to advance remain eligible for consideration in 2024. For bills without hyper-links click [here](#); then on the left side, under 'Bills'- enter the bill number.

*\*FOR, AGAINST, UNDECIDED indicates ICADV's 'registered' position on a bill. To speak at subcommittees, registered lobbyists must 'register' (declare) a position on the state legislature site. We did not register a position on every bill we monitored.*

### HOUSING

[HF 547](#) (HSB 2) *FOR* – allows victims of violent crime to **terminate a lease early** if they provide landlords written notice and documentation of harm, e.g., domestic abuse, sexual abuse, stalking, elder abuse. Passed House 94-0.

SF 140 *FOR* – (companion to HF 547) allows victims to **terminate a lease early**. Approved by Senate Judiciary subcommittee.

[HF 548](#) (HSB 43) *FOR- eviction sealing-* provides process for sealing record of eviction filing if tenant was never evicted (not guilty) or if eviction happened long ago. Passed House 95-0.

SSB 1118 *FOR* – (companion to HF 548) **eviction sealing**. Approved by Senate Judiciary subcommittee.

### ECONOMIC SECURITY

[SF 494](#) (SSB 1005) *AGAINST* - makes it harder to access **SNAP/public benefits**; includes asset test for SNAP; burdensome eligibility requirements for all. Passed Senate 34-16; passed House 58-41; sent to Governor.

[HF 613](#) (HF 3) *AGAINST-* (companion to SF 494) makes it harder to access **SNAP/public benefits**. Approved by House HHS Committee and House Appropriations subcommittee.

[HSB 226](#) *FOR* - Medicaid amendment for 12-month coverage post-partum. Introduced.

[HF 272](#) (HF 114); [SF 186](#) (SF 3) *FOR* - requires employers to treat **adoptive parents** the same as biological parents in terms of benefits and policies. Passed House 95-0.

### GUNS

[HF 654](#) (HSB 173) *AGAINST* – **gun omnibus-** allows carrying a firearm in school vehicles with students present if directed by district personnel; allows guns and ammunition in personal vehicles in school parking lots and driveways; prohibits public universities and community colleges from banning guns and ammo locked in vehicles on school grounds; allows guns in casinos; requires schools to provide gun safety training using instructional materials from the NRA (HF 654 only). Passed House 62-37.

[SF 543](#) (SSB 1168) *AGAINST* – (companion to HF 654) **gun omnibus** but also prohibits employers from banning guns and ammo inside a locked car on the premises. Approved by Senate Judiciary Committee.

HF 147 *AGAINST* – 2<sup>nd</sup> amendment preservation. Approved by House Judiciary subcommittee.

## LGBTQ RIGHTS/HEALTH

[SF 482](#) (SF 335)/HF 622 (HSB 208) *AGAINST* – **bathroom bill** - restricts individuals from using school restrooms or locker rooms matching their gender identity. Passed Senate 33-16; Passed House 57-39; signed into law March 22, 2023.

HF 622 (HSB 208) *AGAINST* – (companion to SF 482 signed into law) **bathroom bill**. Approved by House Judiciary Committee.

HF 482 *AGAINST* - **bathroom bill** - restricts students from using school restroom matching their gender identity. Introduced.

[SF 538](#) (SSB 1197) *AGAINST* – bans all forms of **gender affirming care** for individuals under age 18. Passed Senate 33-16; passed House 58-39; signed into law March 22, 2023.

[HF 623](#) (HSB 214) *AGAINST* – (companion to SF 538 which was signed into law) bans all forms of **gender affirming care** for under age 18. Approved by House Judiciary Committee.

[SF 496](#) (SSB 1145) *AGAINST* – **education discrimination**- prohibits instruction on gender ID and sexual orientation (**don't say gay/trans**) from K-6 curriculum; removes requirement to include instruction about **HIV and HPV** and information about vaccine/medicine to prevent infection or death from these viruses; changes definition of age-appropriate to require **removal of books** from school libraries depicting sex acts; requires school employees to report to parents if student expressing different gender ID at school than their birth certificate (**'forced outing'**); requires written parental consent for health surveys; says parents have a 'constitutionally protected right to make decisions for their children, but exempts gender affirming care. Passed Senate 34-16; passed House 57-38; sent to Governor.

HSB 222 *AGAINST* – (companion to SSB 1145/SF 496 sent to Gov) **education discrimination**. Approved by House Education subcommittee.

[HF 159](#) (HSB 6) *FOR* – prohibits someone from using knowledge of a victim's sexual orientation or gender identity as a defense for violent crime (**'panic defense'**). Passed House 94-1; Approved by Senate Judiciary subcommittee.

[HF 348](#) (HF 8) *AGAINST* – (similar provision in SF 496 sent to Gov) bans gender ID and sexual orientation (**don't say gay/trans**) from K-6 curriculum. Passed House 62-35.

SF 83 *AGAINST* - (similar provision in SF 496 sent to Gov) bans gender ID and sexual orientation (**don't say gay/trans**) from K-8 curriculum. Approved by Senate Education subcommittee.

## LGBTQ RIGHTS/HEALTH - cont

[SF 159](#) *AGAINST* – (similar provision in SF 496 sent to Gov) bans gender ID & sexual orientation (**don't say gay/trans**) from K-8 curriculum. Approved by Senate Education subcommittee.

[SF 391](#) (SSB 1076); [HF 327](#) (HSB 119) – Governor omnibus public **school curriculum** bill includes provision removing requirement to teach about HIV. Passed Senate 34-16; passed House 60-36. Sent to Governor.

[HF 180](#) (HF 9) *AGAINST* - **forced 'outing' trans students** if school employees (teachers, counselors) learn a student is trans, i.e., requires them to inform parents even if student does not want parents to be informed. Approved by House Education Committee.

[HF 620](#) (HF 367) *AGAINST* – allows teachers/staff to **misgender students**. Approved by House Education Committee.

[HF 616](#) (HSB 218) *AGAINST* – **bans DEI at colleges and universities**, i.e., from spending funds on diversity, equity, inclusion - staff, policies, instruction, etc. Approved by House Education Committee.

[HF 597](#) (HSB 219) *AGAINST* – **bans certain books** from school libraries. Passed House 60-37.

Introduced (no further action):

- [HF 509](#) *FOR* – legalizes gay marriage in Iowa statute.
- [HJR 8](#) *AGAINST*- constitutional amendment to prohibit gay marriage.
- [HF 508](#) *AGAINST* – eliminates Iowa gay marriage protections.
- [HF 190](#) *AGAINST* – strikes gender identity from Iowa civil rights law.
- [HF 325](#) *AGAINST* – strike gender identity for minors from Iowa civil rights law.
- [HF 229](#) *AGAINST* – exemption from civil rights law for religious beliefs (RFRA).
- [SSB 1164](#) *AGAINST* – RFRA exemption/local pre-emption for religious beliefs (RFRA)
- [HF 290](#) *AGAINST* – prevents trans Iowans from changing gender on legal documents.
- [SF 110](#) *AGAINST* – bans gender affirming care for youth.
- [SF 129](#) *AGAINST* – bans gender affirming care for youth; allow unsafe conversion therapy.

## REPRODUCTIVE HEALTH CARE & ABORTION ACCESS

[HSB 226](#) *FOR* – state should submit Medicaid state plan amendment for 12-month coverage post-partum. Introduced.

[SF 297](#) *AGAINST* – allow health care providers to refuse health care and refuse to refer for health care based on religious and moral beliefs. Approved by Senate Judiciary Committee.

[HF 427](#) (HSB 91); [SF 324](#) (SSB 1139) – health omnibus, some good things but increases funding for crisis pregnancy centers. Referred to House & Senate Appropriations.

[HF 146](#) *AGAINST* – bans medication abortion in Iowa and criminalizes pharmacists and health care professionals for prescribing or dispensing drugs used for medication abortion.

## REPRODUCTIVE HEALTH CARE & ABORTION ACCESS cont

HF 510 *AGAINST* - abortion ban (life begins conception), including medication abortion; prohibits assisting people in obtaining abortion. Introduced.

HF 187 *AGAINST* – prohibits school instruction on HPV vaccine (provision in SF 496 sent to Governor). Approved by House Education subcommittee.

## IMMIGRANT RIGHTS

[SF 108](#) *AGAINST* - **anti-immigrant** rights bill penalizes employers for not using federal e-verify system; allows county attorney, local law enforcement, or member of public to file a complaint if they believe person employed at a worksite does not have legal immigration status. Approved by Senate Judiciary Committee.

[HSB 105](#) *AGAINST* - **anti-immigrant**- penalizes employers for not using federal e-verify. Approved by House Judiciary subcommittee.

[SF 68](#) *FOR* - ease Iowa's English only law, allow other languages to address need. Introduced.

## CRIMINAL LAW; LEGAL SYSTEM REFORM

[HF 112](#) (HSB 7) *UNDEC* - eliminates DV lookback provision, **enhanced penalty** for new offense after 12 years. Passed House 77-21; passed Senate 49-0; sent to Governor.

SF 142 (SSB 1006) *UNDEC* – (companion to HF 112 sent to Gov) eliminates DV lookback provision. Approved by Senate Judiciary Committee.

HF 644 (HSB 156) – **rules of criminal procedures** impacting depositions, defense subpoenas (not in this bill but means the new ones approved by task force stand), conditional guilty pleas, prosecution witnesses who are minors. Passed House 94-0; passed Senate 49-0; sent to Governor. [Senate companion SF 523 (SF 204)]

SF 545 (SF 340) *FOR* – establishes a **human trafficking task force** and annual report submitted to legislature. Passed Senate 49-0. This will become law as a provision in the Justice System Budget bill.

HF 630 (HF 406) – enhanced penalties for **human trafficking**. Passed House 96-0; passed Senate 49-0; sent to Governor.

SF 232 – criminal and civil liability for facilitating human trafficking. Approved by Senate Judiciary Committee.

SF 84 – enhanced penalties for sexual exploitation of a minor; enhanced penalties for **stalking with a technological device**: for folks under a protective order or criminal no contact order; stalking with a dangerous weapon; and stalking of a minor. Passed Senate 49-0; passed House 96-0; sent to Governor.

HF 646 (HF 321) – (companion to SF 84 sent to Gov) stalking with technology.

## **CRIMINAL LAW; LEGAL SYSTEM REFORM cont**

SF 470 (SF 221) – (similar to SF 84 sent to Gov).

SF 201 (SSB 1070) – enhanced penalties for stalking with technological device. Passed Senate 47-0; Approved by House Judiciary subcommittee.

HF 627 (HF 440) – enhanced penalties for unauthorized stalking with GPS device. Approved by House Public Safety Committee. [Companion to SF 222]

HF 570 (HF 119) – **enhanced penalties assault on pregnant woman**. Passed House 95-1; passed Senate 49-0; signed into law. [Senate companion SF 384 (SF 223)]

[HF 349](#) (HSB 55) *FOR* – **probation reform** establishes education and work credits to earn reduced time as incentives for successfully completing probation and become productive in communities. House passed 93-1. Approved by Senate Judiciary Committee.

SSB 1004 *FOR* – (companion to HF 349) **probation reform**. Approved by Senate Judiciary subcommittee.

[HF 657](#) (HF 426) *FOR* – **post-conviction appeals**- allows defendant post-conviction access to documents. Passed House 94-0. (HF 501 is similar)

[HF 594](#) (HF 125) *FOR* – **restitution reform** - requirement to pay \$150,000 restitution by individual convicted of felony crimes resulting in death does not apply to offenders when offense was directly related to being a victim of human trafficking. Approved by House Judiciary Committee.

[SF 522](#) (SSB 1069) *FOR* – **restitution reform** - judicial discretion (instead of mandatory) requirement to pay \$150,000 restitution by individual convicted of felony crimes resulting in death when offense was directly related to being victimized by person who died. Approved by Senate Judiciary Committee.

[SF 525](#) (SF 233) *UNDECIDED* – **omni crime bill** - multiple provisions removing defendant rights re depositions, requires LE to provide victim rights info at scene; make NCOs permanent, put burden on defendant to drop. Passed Senate 37-13; approved by House Judiciary subcommittee.

[HF 556](#) (HF 178) *UNDECIDED* – requires vehicle ID included in **no-contact orders and protection orders**. Approved by House Judiciary Committee.

[SF 357](#) (SF 14) *AGAINST* - **death penalty** for murder after kidnapping/sex abuse of a minor. Approved by Senate Judiciary Committee.

[SF 493](#) (SSB 1151) *UNDECIDED* - requires **DV risk assessment** at scene. Approved by Senate Judiciary Committee.

HF 120 *UNDECIDED* – (similar to SF 493) requires **DV risk assessment** at scene. Introduced.

[HF 450](#) *FOR* - requires LE to use domestic abuse lethality assessments at scene. Introduced.

[SF 61](#) *UNDECIDED* – (companion to SF 78) specific offenders cannot accrue earned time, so it increases time in prison. Approved by Senate Judiciary Committee.

## **CIVIL LAW**

SF 274 *AGAINST* – requires joint legal/physical care. Senate Judiciary approved.

HF 485 *AGAINST* – requires joint legal/physical care. House Judiciary subcommittee did not approve.