

# Bills Passing the Senate

The following bills passed the Senate last week:

**Religious Liberty Bill:** This is called the Religious Freedom Restoration Act or RFRA. It establishes that the same legal standard used to evaluate fundamental rights cases is also used by courts to evaluate religious freedom cases when government action is set to violate a citizen's free exercise of religion. This standard is often called "strict scrutiny" and requires the government to demonstrate a compelling interest that necessitates the violation of the citizen's free exercise rights. Plus, it also requires, that if the government can demonstrate that it does have a compelling interest to violate the citizen's free exercise rights, it must do so in the least restrictive manner to the citizen. This standard is set in place for federal cases and in 34 states for state cases. For a more thorough treatment of the religious liberty issue, please see my February 25th, 2023 newsletter: <https://irp.cdn-website.com/c2e95eab/files/uploaded/My%20Newsletter%202-25-2023.pdf>

**Central Bank Digital Currency (CBDC's)** – Prohibited CBDC's from being considered as "money" in the Uniform Commercial Code (UCC); similar to Florida and several other states. This is Iowa's pushback against CBDC's.

Currently, governmental electronic or digital currency does not exist and is not in use in the U.S. today. However, the Federal Reserve is currently developing a Central Bank Digital Currency (CBDC). The push for a CBDC comes from President Biden's Executive Order 14067 issued in March of 2022: "Executive Order on Ensuring Responsible Development of Digital Assets". The executive order says that the new digital currency would be used to promote "human rights; financial inclusion and equity; and energy demand and climate change".

The problem with CBDC's is that they can be made "programmable". This means that how you spend your money can be tracked. If every dollar you spend can be tracked and monitored, then it can also be controlled and used by the government to control your activities. That is how it operates in China today. This would be a tremendous loss of privacy and a practical

death knell to liberty, plus the government could conceivably control how you spend your money by prohibiting or limiting transactions.

Members of Congress are pressing for an open and transparent debate over the role and function of a CBDC. Bills have been introduced to prohibit the creation of a CBDC by the federal government.

For a more thorough explanation of the dangers of CBDC's, please see my December 16<sup>th</sup>, 2023 newsletter: <https://irp.cdn-website.com/c2e95eab/files/uploaded/My%20Newsletter%2012-16-2023.pdf>

**Foreign Ownership of Farm Land:** Stiffens reporting requirements, enhances enforcement action, and increases penalties to Iowa's already strict law prohibiting foreign ownership of farm land. Applies to foreign persons, foreign businesses, and foreign governments.

**Gender Balance on Boards:** Repeals requirement for appointments to boards and commissions to be gender-balanced. A federal judge struck down Iowa's law requiring gender balance on one of our boards. It has been difficult at times to find qualified, willing applicants and the removal of the gender restriction will allow the most qualified applicants to now be considered.

**Medicaid Postpartum Coverage:** Expand Medicaid to cover pregnant women through 12 months of postpartum care.

**MOMS Bill** – Updates the More Options for Maternal Support (MOMS) program to provide greater accessibility for pregnancy support services and operational flexibility for Iowa HHS to distribute the funding.

**Blood Donations** – A person can donate blood for their own use or have it specified to be used by a certain individual if a physician has ordered it for a medical procedure that in their judgment might require a blood transfusion.

**Harassment and Extortion Law:** Current law makes criminal harassment when someone distributes an image of another person, the victim, in a state of nudity or engaged in a sex act against their will. Technological advancements and AI have made it possible to depict the victim's likeness very accurately to make it appear like it was the victim

when it really wasn't. Currently that is not criminal. This bill makes it criminal. The same thing applies to extortion where a person threatens to disseminate or distribute an image of the victim. Even if the image was not that of the victim but "doctored up" and made to look like the victim, that would be criminal under this bill.

**Swatting:** Swatting is the deliberate and malicious act of reporting a false crime or a false emergency with the purpose of getting an aggressive response from law enforcement or emergency services officials. This bill raises the penalties for swatting from a misdemeanor to a felony.

**Left Lane "Camping"** - Requires drivers to drive in the right-most lane. If a road has more than two lanes, the driver is required to drive in the middle lane. This is to address the issue of drivers going slower than other drivers but staying in the left lane.

Exceptions to this requirement include: 1) while passing another vehicle, 2) while avoiding obstructions on the roadway, 3) if authorized by direction of signs or traffic cones, or 4) preparing to make a left-hand turn.

**Assistance Animals and Housing:** This bill applies to what are often called "emotional support animals (ESA's)". ESA's help a disabled person but they do not perform a specific task as a service animal does. This bill does not apply to service animals.

The bill is designed to bring state law into closer alignment with federal law. The bill allows a landlord to require that a prospective renter who is requesting accommodation for an ESA must provide a written document from a licensed health care provider that the person has a disability and that he has a disability-related need for the ESA. A written document must be provided for each ESA the prospective renter wants to have. The licensed health care provider must also meet certain qualifications.

A landlord may deny a request for the accommodation for an ESA 1) if the accommodation causes an undue burden, 2) if the accommodation fundamentally alters the nature of the landlord's operations, or 3) if the ESA would pose a direct threat to the health and safety of others or cause physical damage to the property.

**Purchasing Tickets for Events on the Internet:** This bill prohibits the use of a "bot" (defined in the bill) on the internet to purchase more than

8 tickets for an event. Various complicated rules governing electronic usage are outlined. This is to prevent the buying up of many tickets right away after they become available on the internet for an event. What has happened is that those tickets are then sold for a huge markup over the original price to people who choose later to go to the event.

## **Bills Ready for Debate**

The following bills have passed Senate Committees and are ready for debate:

**Opioid Settlement Funds:** Appropriates the funding the state of Iowa received for settlements agreed upon resulting from opioid lawsuits. The initial amount will be split between the Dept. of Health and Human Services and the Attorney General's office. Subsequent amounts will be split between state and local governments.

**Governor's Tax Bill:** Under current law a flat tax rate of 3.90% was to go into effect for tax years beginning on or after January 1, 2026. The bill gets rid of that and instead establishes a new income tax rate that is lower beginning tax years on or after January 1, 2024. The new rate established is a flat tax rate for tax year beginning January 1, 2024 of 3.65% and for tax years beginning on or after January 1, 2025 at 3.5%.

Feel free to contact me with ideas, thoughts, and concerns. My phone is 319-987-3021 or you can email me at [sandy.salmon@legis.iowa.gov](mailto:sandy.salmon@legis.iowa.gov). I want to hear what you are thinking and will listen to your input. Together we will work to make a difference for the future of Iowa. Thank you very much for the honor of representing you!

Sincerely,

***Sandy***